RESOLUTION ON OPEN-WATER DISPOSAL IN MAUMEE BAY

WHEREAS, the Corps of Engineers currently disposes of contaminated sediments dredged from Maumee Bay in the open waters of Lake Erie; AND

WHEREAS, the practice of open-water disposal may pose a significant threat to the Maumee Bay ecosystem because of the polluted nature of the sediment, the shallowness of Maumee Bay, and the close proximity of the disposal site to the Cities of Toledo and Oregon intakes; AND

WHEREAS, this practice violates the State of Ohio Water Quality Standards as set forth by the Ohio Environmental Protection Agency; AND

WHEREAS, Ohio EPA's determination has been endorsed by the United States Environmental Protection Agency; AND

WHEREAS, Section 404 of the Clean Water Act requires the Corps of Engineers to consider the state water quality standards in determining the Federal Standard for sediment disposal strategies; AND

WHEREAS, the Corps of Engineers has repeatedly refused to dispose of Maumee Bay sediments in any other manner that in the open waters of Lake Erie; AND

THEREFORE BE IT RESOLVED, that Great Lakes United urges the U.S. and Canadian Governments not dispose of contaminated sediments in the open waters of the Great Lakes.

BE IT FURTHER RESOLVED, that the Corps of Engineers must abide by state water quality standards to the extent mandated in Section 404 of the Clean Water Act in determining the Federal Standard for the disposal of dredged sediments.

Submitted by: Sierra Club - Midwest

PROPOSED RESOLUTION
ON HYDROPOWER PROJECTS IN THE JAMES BAY REGION

WHEREAS, Hydro-Quebec plans to continue to develop massive hydropower projects in the James Bay region, flooding more than 10,000 square kilometers of land, and turning a wild and pristine area twice the size of New York into a managed water system through the inundation of the Great Whale River basin followed by development of the Rupert, Broadback and Nottaway Rivers;

WHEREAS, the planned development represents an enormous incursion into the world's shrinking wilderness, endangers the saline estuaries which provide the richest habitat in North America for migratory waterfowl through changes in salinity and flow patterns, further contaminate the freshwater fish populations with methyl mercury, further destroy the migratory routes of caribou and jeopardize the last Eastern North American breeding ground of the beluga whale, AND

WHEREAS, the James Bay hydropower project will destroy the Native Cultures of the Cree and Inuit of the region, and is strongly opposed by them, AND

WHEREAS, New York State helps to finance this development through large purchases of hydropower from Hydro-Quebec and

WHEREAS, legislation A. 2162A has been introduced in the New York State Assembly by Assemblyman William B. Hoyt and Maurice D. Hinchey which requires comprehensive environmental impact studies by New York State before any further purchases of such power can be made;

THEREFORE BE IT RESOLVED, that Great Lakes United opposes the James Bay hydropower project until its effects on native cultures and the environment are fully addressed by New York State and Canada in a comprehensive environmental study; AND

BE IT RESOLVED, that Great Lakes United supports Assembly Bill 2162A as a step towards the State of New York becoming responsible consumers of electricity and for the protection of the environment.

Submitted by: Buffalo Audubon Conservation Committee

RESOLUTIONS ON U.S. BILL TO EXPAND INDIANA DUNES NATIONAL LAKESHORE

WHEREAS, the Indiana Dunes National Lakeshore and the surrounding areas, known as the "birthplace of ecology" and having the greatest diversity of species in the Great Lakes, represent one of the most important ecological treasures of the Great Lakes basin; AND

WHEREAS, the fight to preserve, protect and expand the Indiana Dunes National Lakeshore continues; AND

WHEREAS, the continued expansion of the Indiana Dunes National Lakeshore to include and preserve crucial natural areas has been severely jeopardized by organized groups who oppose the Lakeshore and the entire national park system in the U.S.; AND

THEREFORE BE IT RESOLVED THAT, Great Lakes United will send letters to key legislators in the House supporting the passage of Congressman Peter Viscloskey's Dunes Expansion bill ("The Columbus Day Compromise"); 2) send letters to Senators Lugar and Coats urging that a comparable or better bill be introduced in the Senate; and 3) send letters to key senators supporting the passage of such legislation this year; and 4) encourage its constituent members to also support these efforts with letters to their senators and congress people on their own letterhead whenever feasible.

Submitted by: Save the Dunes Council

GREAT LAKES WATER QUALITY INITIATIVE

WHEREAS, in June of 1989 the U.S. Environmental Protection Agency launched its "Great Lakes Water Quality Initiative," a cooperative effort with the Great Lakes states to develop consistent regulatory programs among the states for complying with the Great Lakes Water Quality Agreement in protecting and restoring Great Lakes Water Quality..

WHEREAS, the goal of the Initiative is to provide a package of minimum protections for the Lakes while maintaining the flexibility needed to accommodate different uses and conditions...

WHEREAS, from the outset U.S. EPA solicited the involvement of interested groups, creating a public advisory group that includes representatives of industry, local governments, academia and environmental groups, and the enactment of the Great Lakes Critical Programs Act in November 1990 set minimum requirements and deadlines for completing the Inititiative...

WHEREAS, in some areas, the potential of the Initiative to protect the integrity of the Great Lakes ecosystem has not been fully realized...

THEREFORE, BE IT RESOLVED THAT, Where the current effluent level of a discharger is below the permitted level for a particular parameter, any permit reissued shall require the current discharge level to be the new permitted level.

The wildlife criteria shall be designed to protect the most ecologically sensitive species.

The human health criteria shall be designed to protect high risk populations, including heavy consumers of fish and sensitive groups such as newborns and the elderly.

As part of the implementation procedures, any permit which regulates discharges of bioaccumulative, persistent compounds shall include a sunset provision to phase out the use of the compound.

Any new or reissued permit must include a pollution prevention plan developed by the discharger and approved by the permitting agency.

All aquatic, wildlife and human criteria shall be expanded to include protection from reproductive, neurological, and other non-cancer effects.

submitted by the Pollution Prevention/Water Quality Initiative Task Force

RESOLUTION ON THE CANADA ONTARIO AGREEMENT

WHEREAS, the Canada-Ontario Agreement ran out in March, and was extended for another six months while negotiations on the agreement continued; AND

WHEREAS, the governments of the U.S. and Canada formally recognized the role of Great Lakes United as participants in the renegotiation of the 1987 Amendments to the Great Lakes Water Quality Agreement.

THEREFORE BE IT RESOLVED, that Great Lakes United and other environmental organizations be formally included as full participants in the renegotiation of the Canada-Ontario Agreement.

Submitted by: Remedial Action Plan Task Force

RESOLUTION ON PUBLIC PARTICIPATION IN REMEDIAL ACTION PLAN IMPLEMENTATION

WHEREAS, many remedial action plans are in the implementation stage or approaching that stage; **AND**

WHEREAS, the 1987 revisions of the Great Lakes Water Quality formally stated in Annex 2 (Remedial Action Plans and Lakewide Management Plans):

> "The Parties, in cooperation with State and Provincial Governments, shall ensure that the public is consulted in all actions undertaken pursuant to this Annex."

AND

WHEREAS, RAPs have had extensive public involvement in Stage 1 and Stage 2; **AND**

WHEREAS, Great Lakes United believes that the public should be involved in oversight of implementation.

THEREFORE BE IT RESOLVED, that the U.S. and Canadian governments ensure that the public is involved in the implementation of all U.S. and Canadian Remedial Action Plans; **AND**

BE IT FURTHER RESOLVED, that the governments fund this public consultation process; **AND**

BE IT FURTHER RESOLVED, that the Canada-Ontario Agreement formally ensure that the public is consulted in all actions undertaken to implement the Remedial Action Plans.

Submitted by: Remedial Action Plan Taskforce

RESOLUTION ON CONTINUING GOVERNMENT SUPPORT OF BELUGA WHALE RESEARCH IN THE ST. LAWRENCE

WHEREAS, the health of the Beluga Whale population in the Gulf of the St. Lawrence continues to be threatened and endangered by Great Lakes contaminants; AND

WHEREAS, more research is needed to trace the pathways and impacts of those contaminants on the Belugas; AND

WHEREAS, no preventative program is in place to ensure the survival of beluga populations; AND

WHEREAS, the sources of mirex found in beluga tissues originates from U.S. Great Lakes waters.

THEREFORE BE IT RESOLVED, that Great Lakes United contact the Canadian Minster of the Environment and Members of Parliament to request the continued funding from the Wildlife Protection Fund for Paul Beland's critical research and matching funds be sought from the appropriate U.S. Federal Agency to recognize their binational responsibility to protect this endangered species.

Submitted by: the Human Health Task Force

RESOLUTION ON WETLAND PROTECTION IN CANADA

WHEREAS, the wetlands of the Great Lakes Basin are a regional resource vital to the functioning of the Great Lakes ecosystem that provide critical fish and wildlife habitat, protect water quality, reduce flood damage, and provide harvestable goods; AND

WHEREAS, wetland quality and quantity have declined dramatically since the arrival of the European settlers in the Great Lakes Basin so that presently only 30 percent of wetlands remain; AND

WHEREAS, alarming and unacceptably high rates of destruction of wetlands and other valuable aquatic habitats continues; AND

WHEREAS, land use planning alone will not adequately protect wetlands; AND

WHEREAS, Annex 13 of the Great Lakes Water Quality Agreement states that "wetland areas in the Great Lakes System that are threatened...should be identified, preserved and, where necessary, rehabilitated; AND

THEREFORE BE IT RESOLVED, that Great Lakes United urges the government of Ontario to substantially revise and immediately implement the draft Provincial Wetlands Planning Policy Statement; AND

BE IT FURTHER RESOLVED, the Ontario government must immediately develop effective wetlands protection legislation and expedite its implementation and enforcement to provide effective protection for wetlands; AND

BE IT FURTHER RESOLVED, the Ontario government must undergo a full review of the municipal land use planning and review process to ensure that it provides adequate protection for wetlands; AND

BE IT FURTHER RESOLVED, that in the meantime, all existing statutes and regulations that provide for the protection of <u>all</u> wetlands must be used and enforced, including the Conservation Authorities Act, the Lakes and Rivers Improvement Act, the Public Lands Act, and the Federal Fisheries Act.

Submitted by: The Great Lakes Wetlands Policy Consortium

RESOLUTION ON WETLAND PROTECTION IN THE UNITED STATES

WHEREAS, the wetlands of the Great Lakes Basin are a regional resource vital to the functioning of the Great Lakes ecosystem that provide critical fish and wildlife habitat, protect water quality, reduce flood damage, and provide harvestable goods; AND

WHEREAS, wetland quality and quantity have declined dramatically since the arrival of the European settlers in the Great Lakes Basin so that presently only 30 percent of wetlands remain; AND

WHEREAS, alarming and unacceptably high rates of destruction of wetlands and other valuable aquatic habitats continues; AND

WHEREAS, the United States' premiere water resources protection legislation, the Clean Water Act (CWA) is to be reauthorized; AND

WHEREAS, maintaining and enhancing the wetlands protection and restoration provisions of the CWA, specifically Section 404, must be essential components of any CWA reauthorization bill enacted by Congress; AND

THEREFORE BE IT RESOLVED, that Great Lakes United calls upon the Congress of the United States to proceed deliberately in reauthorizing the Clean Water Act, and to oppose the numerous bills that would weaken wetland protection provisions of the Act, particularly Section 404; AND

BE IT FURTHER RESOLVED, that the Congress explicitly include wetland protection in the Clean Water Act Goal Statement, and amend the current regulatory definition of waters of the United States be changed to presume that all waters and wetlands are susceptible to use in interstate commerce; AND

BE IT FURTHER RESOLVED, that the list of activities regulated by Section 404 of the Clean Water Act be expanded to include all activities that may damage or degrade wetlands such as draining, dredging, channelizing, flooding, placement of floating and piling supported structures; AND

BE IT FURTHER RESOLVED, that Section 401 should be amended to expressly broaden the protections provided by this section to include wetlands, and direct states to address physical and biological alterations of aquatic areas, as well as chemical pollution: AND

BE IT FURTHER RESOLVED, that the Nationwide permit program should be substantially revised to control ongoing cumulative wetland losses, specifically to 1) eliminate Nationwide General Permit No. 26, 2) comply with Section 404 (b)(1) guidelines, and 3) prohibit using multiple general permits to avoid the acreage limitations of other general or individual permit requirements.

Submitted by: Great Lakes Wetlands Policy Consort.

ZERO DISCHARGE & POLLUTION PREVENTION RESOLUTION

WHEREAS the Great Lakes are still under great stress from toxic contamination;

WHEREAS the federal governments have committed to the goal of zero discharge and virtual elimination of persistent toxic substances under the Great Lakes Water Quality Agreement;

WHEREAS the term Zero Discharge is defined in the following way: zero discharge means no further human release of a substance into the environment. "Zero" means zero. Pollution must be prevented before it is generated. Production processes must be changed so that targeted toxics substances are not used, produced or discharged. "Zero" does not mean reducing discharges beneath some arbitrary level or even beneath the level of detection. Zero means none. The use of the term "discharge" is not limited to a single environmental medium. It applies to toxic discharges into water, air, landfill, product, the workplace, etc. Nor can persistent toxics be eliminated by shifting them from one medium to another or by attempting to recycle them after they have been produced;

WHEREAS the term Virtual Elimination is defined as the near-complete elimination of the presence of toxic pollutants from the ecosystem, recognizing that it is impossible to totally eliminate toxic substances from the Great Lakes ecosystem because we cannot completely clean-up or recapture all of those contaminants already release;

WHEREAS the US EPA recently released a woefully inadequate "pollution prevention strategy" and pollution prevention efforts undertaken to date by government of Canada are seriously lacking in content;

WHEREAS in June of 1989 the US EPA launched its "Great Lakes Water Quality Initiative", a cooperative effort with the Great Lakes states to develop consistent regulatory programs among the states for complying with the Great Lakes Water Quality Agreement in protecting and restoring Great Lakes water quality;

WHEREAS there is the need for a comprehensive and coherent strategy to achieve the goals of zero discharge and virtual elimination of persistent toxic substances;

IT IS HEREBY RESOLVED:

Our strategy for achieving the objectives of zero discharge and virtual elimination is two-pronged:

1) Stop all future discharges of the most harmful pollutants through a zero discharge program and substantially reduce the discharge of all other chemicals; and

2) Clean up those contaminants that have been released into the Great Lakes.

More specifically, our recommendations for reforming existing programs and for adopting new polices and programs are as follows:

Immediately Freeze Toxic Dumping.

No government in the Great Lake Basin should issue or reissue a discharge permit that would allow any increase in the amount released of any of the 362 chemicals on the Water Quality Board's "1986 Working List of Chemicals in the Great Lakes Basin," unless the applicant for the permit demonstrates that the discharge will not result in additional accumulation of the chemical in the Lakes or harm to the ecosystem.

Sunset the Most Dangerous Toxic Chemicals.

Persistent bioaccumulative toxic chemicals should immediately be banned from further use or manufacture anywhere in the Great Lakes Basin, even if there is little evidence of specific toxic effects.

The U.S. and Canadian Federal Governments should set up a joint sunset task force. The public should be consulted in all aspects of this task force's work. The task force should submit its recommendations to the U.S. and Canadian Governments by the September, 1993, biennial meeting of the IJC.

The task force should:

-adopt criteria for placing a chemical on the sunset list;
-determine methods to measure chemicals using these criteria; and
-list the chemicals to be sunset.

The U.S. and Canadian Federal Governments should use the criteria for banning chemicals developed by the sunset task force to screen the use or production of new chemicals in the Great Lakes Basin.

The two Federal Governments should set specific timetables for phasing out all chemicals not subject to an immediate ban. These timetables should be set by September of 1994, one year after the task force's recommendations are issued.

The Canadian and U.S. Governments should issue a sunset reference to the International Joint Commission. This reference should be announced by the September, 1991 meeting of the IJC.

Reduce Use of Toxics.

Each Government in the Great Lakes Basin should implement comprehensive toxics use reduction programs that include:

1. Clearly specified toxics use reduction goals and objectives;
2. The gathering of inventories and audits of toxics use;
3. Toxics use reduction planning by each industrial sector and each industrial facility using toxics, as well as by non-industrial sectors, institutions, and organizations using toxics in our society;
4. Technical assistance programs, including training designed to teach facility management to incorporate the costs of using toxics and controlling pollution into the facility's cost accounting procedures;
5. Community and worker right-to-act provisions, including training for community residents and workers on use and effects of toxics, and on identifying toxics use reduction opportunities and methods for specific facilities;
6. Reorganization of government agencies on a multi-media basis;
7. Toxic use reduction standards; and
8. Toxics use reduction permitting procedures.

9.

Each Government in the Great Lake Basin should set a goal of 50% reduction in the total use of toxic chemicals by 1996 and 75% reduction by 2000.

Governments in the Great Lakes Basin should require that each industry, each industrial facility, and each sector of users of toxic chemicals develop toxics use reduction plans by 1994 that will achieve the overall goals of 50% reduction in use of toxics by 1996 and 75% reduction by 2000.

Each Government in the Great Lakes Basin should pass legislation encouraging good neighbour agreements and giving all community residents and workers the following rights:

1. The right to information and inspection;
2. Worker right to refuse unsafe work;
3. Worker right to report pollution, and
4. The right to sue.

Adopt Zero Discharge Technologies as the Best Available Technology.

Governments should immediately revise their technology-based effluent standards to ensure that they are based on the best available toxics use reduction methods. Government environmental programs should officially view toxics use reduction methods as the Best Available Technology

Generic toxics use reduction/zero discharge methods or technologies include:

-substituting non-toxic or less toxic alternatives for the targeted toxic substances currently used in production processes;
-reformulating products so that the targeted toxic substances are no longer needed as raw materials or ingredients;
-improving housekeeping practices at industrial facilities so that less of the targeted toxic substances are wasted and less need to be used in production;
-reducing the amount of cooling water used and discharged in production processes by conserving and recycling water;
-changing technologies and methods of production to eliminate the need for, or to reduce the use of, targeted toxic substances;
-replace old inefficient equipment with newer equipment that uses targeted toxics more efficiently thereby reducing the overall use of the substances;
-improve equipment maintenance to increase efficiency and reduce the use of targeted toxics.

Protect Lake Superior.

The U.S. and Canada should immediately implement a zero discharge strategy for Lake Superior. The strategy should include:

1. Designation of Lake Superior as "outstanding national resource water"
2. A freeze on building new or expanding existing pulp and paper mills that use chlorine;
3. A phase-out of the use of chlorine and chlorine compounds and the discharge of all persistent toxic chemicals at existing pulp and paper mills
4. An independent environmental review in Canada of the

impacts of logging and forest management practices on Lake Superior; and

5. An inventory of undeveloped Lake Superior shoreline, and preparation by the U.S. and Canada of a joint plan for protecting sensitive and undeveloped areas.

Reform Water Quality Standards.

Effective water quality standards must be adopted to provide benchmarks or measures of success to guide us down the path towards virtual elimination of persistent toxic substances from the Great Lakes ecosystem. Legislation and regulations should state that water Quality Standards are only interim and that the standard for all persistent toxic substances will be changed to "virtually eliminated."

By June 30, 1994, all Governments in the Great Lakes Basin should adopt uniform Water Quality Standards based on fish being safe to eat by all wildlife and humans.

By June 30, 1994, Governments in the Great Lakes Basin should adopt new Water Quality Standard to protect babies from developmental problems.

By June 30, 1994, Great Lakes Governments should revise their Water Quality Standard for PCBs so that it is no higher than one part per quadrillion.

By June 30, 1994, uniform Water Quality Standards that protect wildlife should be adopted by all Great Lakes Governments. These standards should take into account bioaccumulation factors, the limitations of field data, protection of the most sensitive species and the combined effects of contaminants in the Great Lakes.

By June 30, 1994, Governments in the Great Lakes Basin should adopt new Water Quality Standards for dioxin (2,3,7,8 TCDD) of no higher than o.0067 parts per quadrillion to protect wildlife.

By June 30,1994, uniform Water Quality Standards should be adopted by all Great Lakes Governments that prevent an increased risk of cancer in humans by using an additive process to take into account the mixtures of cancer-causing chemicals in fish.

By June 30, 1994, all Great Lakes Governments should eliminate dilution provisions in existing regulatory programs.

By June 30, 1994, all Great Lakes Governments should adopt uniform anti-degradation policies that emphasize a zero discharge approach.

Develop and Enforce Lakewide Clean-up Strategies.

Comprehensive clean-up plans based on the six-step strategy ~~outlined in Chapter 14~~ should be developed for each of the Great Lakes ~~by January 1993~~.

By January 1, 1993, U.S. EPA, Illinois, Indiana, Michigan and Wisconsin should adopt the strategy for cleaning up PCB pollution in Lake Michigan ~~proposed in Chapter 15~~. The first actions require in the strategy should be to clean up contaminated sediments in Waukegan Harbor and the Fox, Kalamazoo and Grand Cal Rivers: and elimination of at least half of the atmospheric sources of PCB pollution by the Year 2000. Allocation to the four States of the responsibility for meeting load reduction targets should be based primarily on current tributary loadings.

The Governments in the Great Lakes Basin should immediately intensify efforts to monitor likely sources and loading of PCBs and other persistent toxic chemicals.

By January, 1993, U.S. EPA and Environment Canada should enforce load reduction targets and timetables for lakewide clean-up strategies by using the tool available under the U.S. Clean Water Act and The Canadian-Ontario Agreement Respecting Great Lakes Water Quality.

Sponsored by the National Wildlife Federation, Canadian Institute for Environmental Law and Policy and Pollution Probe.