

GREAT LAKES NEWS

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Great Lakes United—an international coalition to conserve and protect the Great Lakes/St. Lawrence River ecosystem

Governors release improved “Annex 2001” water use reform plan; provinces sidelined for now

by Reg Gilbert

The governors of the Great Lakes states have reached general agreement on a potentially revolutionary change in how the region manages basin waters: changing basin laws so that water use proposals are judged by their effects on the environment.

Disagreements with Ontario and Québec over exempting certain water uses from the plan led the states to issue the document for public comment while the governments continue to negotiate. The hope in the governors’ “Annex 2001” agreement is to improve the region’s ability to reject environmentally harmful proposals to use Great Lakes water whether inside or outside the Great Lakes basin.

Once Annex 2001 is finalized sometime this spring, the states and provinces will start negotiating a detailed agreement based on its principles. Find the text of the proposed agreement, fact sheets, analysis, and state hearing dates at www.glu.org.

All the states are accepting comment, some are holding hearings. See below for details and please get involved.

Great Lakes environmental groups have praised the general principles of Annex 2001, but warn that some of

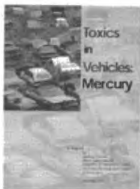
GLU report: Cars a major source of mercury pollution

by Alexandra McPherson

Automobiles are one of the largest sources of mercury emissions in the United States, according to two new studies. Despite practical, inexpensive alternatives and industry commitments to phase out this dangerous pollutant, mercury continues to be widely used in automobiles. The reports call on auto manufacturers to take immediate steps to eliminate mercury use in vehicles, and to remove, collect, and replace mercury switches already in cars and trucks on the road.

Toxics in Vehicles: Mercury, a collaboration of Great Lakes United, the Ann Arbor, Michigan-based Ecology Center, and the University of Tennessee Center for Clean Products and Clean Technologies, documents how dangerous levels of mercury are released into the environment once cars leave the road and enter vehicle disposal and recycling processes.

According to the report, between 175 and 200 metric tons of mercury are contained in vehicles on the road today, primarily in mercury switches in hood and trunk lighting and anti-lock braking systems. The bulk of this mercury is released to the environment when contaminated steel recovered from scrap automobiles is melted in electric arc furnaces.



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Perrier is determined to set up shop in the Great Lakes

by Cheryl Mendoza, Lake Michigan Federation

Recently thwarted in its effort to set up groundwater mining operations in Wisconsin, Perrier Group of America is now trying to site operations in Michigan.

The company has plans for constructing high-capacity wells and manufacturing plants to bottle water in both Osceola and Mecosta counties in western Michigan. Unlike the situation in Wisconsin, where local officials opposed Perrier's arrival (see below for more), Michigan's local officials favor Perrier's proposals, citing increased taxes, new jobs, and other economic benefits.

The proposed bottling plant sites in Mecosta County have already been rezoned from agricultural to industrial. In Osceola County rezoning is currently stalled due to a tie vote.

Terry Swier, president of a local group called Michigan Citizen's for Water Conservation, which formed in response to Perrier's proposals, is concerned that the proposals are moving too fast for thorough environmental reviews. She'd like time for better review and independent studies.

Perrier's recent attempt to set up shop in Wisconsin shows why Swier is concerned.

In Wisconsin, Perrier proposed pumping 500 gallons of water per minute from two well sites in Adams County, at the headwaters of the prized Mekan River, famous for its trout fishing. The Wisconsin Department

of Natural Resources conducted an environmental assessment on a proposed high-capacity well and received extensive public comments on the proposal.

Professor George Kraft, Director, an associate professor of water resources at the University of Wisconsin, raised a number of concerns about the accuracy and adequacy of the information included in WDNR's assessment. The department concurred with many of Kraft's comments and made changes in the final document.

Shortly after the environmental assessment was released, Perrier started a high-capacity pump test. WDNR field notes obtained through the Freedom of Information Act revealed that on the eleventh day of testing the flow of the upper tributary to nearby Big Springs Creek was reduced by almost half - 45 percent.

WDNR investigations of Perrier's track record found that once the company becomes established, it often seeks to expand production, even if there is controversy over water availability. The agency also detailed concerns about Perrier's potential impact on nearby drinking water and area stream flows.

The Adams County Board, reflecting local citizen sentiment, opposed Perrier's proposal, leading Gov. Tommy Thompson to suggest that Perrier locate the project elsewhere. Perrier is currently looking for a new location in Wisconsin.

Lurking in the background of these local struggles is an issue that concerns all of the Great Lakes basin. Will bottled drinking water operations one day become a significant drain on the lakes? A study of the issue found

that the region currently imports substantially more bottled water than it exports, ultimately discounting the threat.

But global fresh water is predicted to shrink in coming decades while demand will skyrocket. The Great Lakes not only has a great deal of water, but it is very clean, compared to freshwater in most of the world. In the long term the region could become a magnet for hundreds or thousands of drinking water supply operations. The combined impact of numerous future proposals could be harmful to the basin.

How the region responds today to proposals to site bottled drinking operations may set a long-term pattern that the region may one day come to regret.

There are legitimate concerns, both locally and regionally, about the increasing number of bottling plants around the Great Lakes such as Perrier, the precedent set by such use, and the potential overall impact of many proposals on the Great Lakes basin. The precious waters of the Great Lakes basin could slowly be drained away unless citizens, groups and local, state and federal governmental bodies take a leadership role and encourage the wise use and conservation of Great Lakes water supplies.

Destructive logging on Michigan's protected rivers

by Mark Donham, Heartwood

Forest activists are winning battles to protect U.S. national forests around the upper Great Lakes by using the provisions of the National Wild and Scenic Rivers act, or WSRA.

Heartwood Forestwatch is paying particular attention to the Northwoods forests, defined as those national forests in Michigan, Wisconsin, and Minnesota. These include the Huron-Manistee, which is in the lower peninsula of Michigan, the Ottawa and Hiawatha, which are in the upper peninsula of Michigan, the Chequamegon-Nicolet, which is in Wisconsin, and the Superior and Chippewa, which are in Minnesota.

One of the more interesting and disgusting practices of the U.S. Forest Service is an obvious, targeted program to promote timber cutting in congressionally designated "wild and scenic" river corridors.

Michigan is blessed with water. Beautiful, rich rivers flow everywhere. The best of these are outstandingly remarkable, and, amazingly, even Congress recognized this fact and passed legislation in 1991 and 1992 to designate several of these rivers as "wild and scenic" under WSRA. This designation was given to portions of the Paint, Indian, Manistee, Ontonagon, Brule, Pine, Presque Isle, Sturgeon, Tahquamenon, and Whitefish Rivers, and also to portions of Yellow Dog, Black, and Bear Creeks. Many of those have at least a segment of the designated portion flowing through one of Michigan's national forests.

The WSRA declares it the policy of the United States that, "Certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations."

The act also provides that, "Each component of the national wild and scenic rivers system shall be administered in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values."

The requirement to "enhance and protect the values" that caused a river segment to be included seems rather straightforward. You either keep the river in the high quality state that it's in or you do something that will make it better. Anything else violates the act.

But in Michigan, they interpret English differently. In Michigan, "enhance and protect" means everything from clearcutting within the quarter-mile corridor to reconstructing roads, cutting and placing large trees in the river, stabilizing stream banks, and introducing non-native trout for sport fishing.

All of these activities have been proposed by the Forest Service in wild and scenic and river corridors in both the Ottawa and Hiawatha National Forests. Each time, we have contested the proposal and have won.

Since January 1999 the Forest Service has proposed numerous logging projects in wild and scenic river corridors in both national forests in the Upper Peninsula of Michigan. Heartwood and Northwoods Wilderness

Recovery recently sued to challenge two of the logging projects, the Hay Meadow and the West 33. The Forest Service's justifications for logging in the corridor were so weak that they withdrew the two sales before even filing an answer.

We have also won appeals on the proposed Outing and Debutante timber sales in the Indian and Ontonogan River corridors, and a suspicious project allegedly designed to improve fish habitat in the Indian River corridor (see accompanying case study). All of our appeals were based upon the premise that the projects that were proposing would not "protect and enhance" the outstandingly remarkable values of the rivers.

The Wild and Scenic Rivers Act is a good law. It has substantive requirements that judges understand. We have to be able to expect environmental protection for areas such as wild and scenic rivers, or wilderness areas, or research natural areas. If these areas become subject to

commercial logging, no matter how they are dressed up, then we lose, the forest loses, and the rivers lose.

The Forest Service consistently attempts to prove that these various protective designations were not intended to prevent logging. We must fight this with all of our resources. We have been doing this in Michigan, and we have been winning. We must fight this fight wherever the government propose such actions for, if we cannot protect our wild and scenic river corridors, we cannot hope to protect the rest of the forest.

For more information on protecting wild and scenic river corridors from logging, contact Mark Donham, Heartwood, at markkris@earthlink.net or (618) 564-3367

Case study: Indian River

The U.S. Forest Service has withdrawn a timber sale in the Indian River wild and scenic river corridor in the

Michigan's Ontonogan River, federally classified as wild for 43 miles, scenic for 41 miles and recreational for 73 miles. The U.S. Forest Service was forced to withdraw a timber sale in the Ontonogan "wild and scenic" river corridor.



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Hiawatha National Forest in response to a lawsuit filed by Heartwood and Northwoods Wilderness Recovery, with legal representation by Leigh Haynie of Wildlaw North.

The lawsuit challenged management actions that authorized "streambank stabilization" and the placement of "large woody debris" in the river. The supposed purpose of these actions was to benefit the river's fish community.

But under the Forest Service's proposal, trees that would be used to benefit fish habitat would be extracted and clearcut from the banks and sides of the very river that the agency claims to be restoring—the Indian River.

Northwoods Wilderness Recovery documented that the proposed activities were less than adequate in meeting any credible scientific criteria for fish habitat improvement, and that the actions would have relied on forest district budget spending at taxpayer expense. The activities would not have addressed, and in fact could have contributed to the main source of fishery habitat degradation in forested regions: unsustainable logging. Soil erosion and sedimentation are the primary causes of aquatic habitat destruction in rivers bordered by timber-cutting activities.

Also documented by Northwoods Wilderness Recovery is the fact that cuts in the designated wild and scenic corridors can make the corridors more vulnerable to invasion by exotic species.

Commercial development and logging of wild and scenic rivers and corridors is inconsistent with the Wild and Scenic River Management Plan and the Wild and Scenic Rivers Act, both of which mandate protection and preservation of natural features and characteristics.

Michigan: Toronto's city dump

by John Jackson

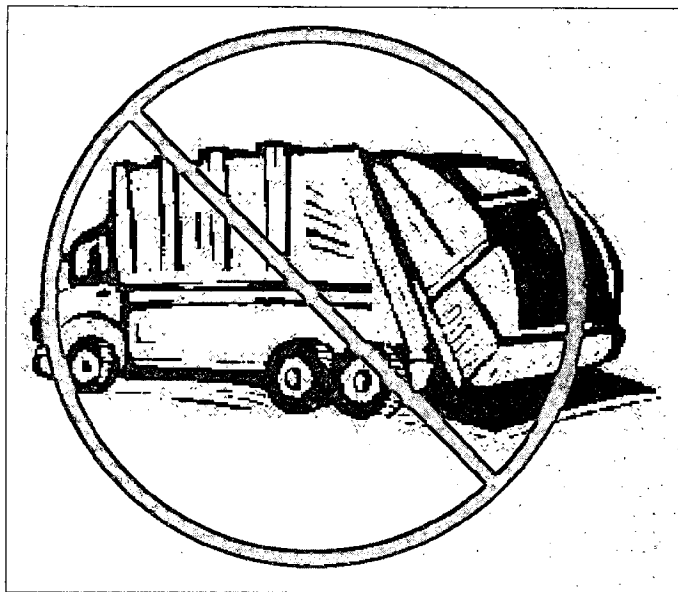
In January, Toronto started shipping at least 300,000 tonnes of garbage annually through Sarnia and Port Huron to Republic Service Inc.'s Carleton Farms Landfill in Sumpter Township, southwest of Detroit, Michigan.

The shipments will increase to at least 450,000

tonnes a year in 2003, after the only landfill in Ontario currently receiving Toronto's municipal garbage closes in December 2002.

The new shipments take place in addition to another 450,000 tonnes already being shipped to Michigan across the bridge at Windsor and Detroit to Onxy's Arbor Hills Landfill near Ann Arbor, Michigan. The latter shipments have been going on for the past three years. This contract has been extended through 2007.

Toronto is also now considering trucking sewage sludge to the Republic landfill in Michigan, since Halton Region, just west of Toronto, has announced that it will no longer take sewage sludge from Toronto because of odour problems.



History

The shipments take place after Toronto City Council rejected the plan to ship the garbage north, thought the council's reason were financial rather than environmental.

After a three-decade debate over how Toronto's garbage is to be disposed of, in August the Toronto City Council decided to ship the city's garbage by train to the Adams Mine, a lake formed in a pit that was once an iron ore mine. Adams Mine is located in northeastern Ontario, 600 kilometres (375 miles) north of Toronto.

A wide range of groups fought the proposal because of the likelihood of ground and surface water contamination from the site. The groups also raised concern about the equity of Toronto being able to dump its

garbage on others while doing a very poor job of recycling, composting, and avoiding the creation of garbage.

After four days of raucous debate at the beginning of October, the council decided to sign a contract with the owners of the Adams Mine, Canadian Waste Services, which is in turn owned by the U.S. multinational company Waste Management Inc.

However, the council wanted a clause removed from the proposed contract that would have made the city liable for "unavoidable costs" generated by events such as earthquakes or more stringent landfill regulations that may be put in place in the future by the provincial government.

The contractors refused to remove this clause so the city dropped the Adams Mine plan and signed contracts with Republic Services and Superior Arbor Hills Landfill, Inc. (formerly BFI) to ship its garbage 450 kilometres (280 miles) to Michigan.

Opposition

Led by NO WASTE (Network of Waste Activists Stopping Trash Exports) and the Ecology Center in Ann Arbor, Michigan, a number of groups have started an uproar over Toronto's garbage shipments. A telephone poll conducted by the *Detroit News* found that 87 percent of local residents oppose receiving garbage from Toronto.

Michigan environmentalists are alarmed that Michigan has become a dumping ground for garbage. The state now receives garbage from Connecticut, Illinois, Indiana, New Jersey, New York, Ohio, Ontario, Pennsylvania and Wisconsin.

The groups are calling on the state of Michigan to:

- ❖ Urge Toronto to rethink its plan to export garbage and instead implement waste reduction and recycling programmes
- ❖ Institute frequent inspections of trash entering Michigan from Canada
- ❖ Encourage passage of state legislation barring shipments of waste from states with less stringent disposal standards, and
- ❖ Help convince the U.S. Congress to pass legislation giving states the right to restrict waste imports.

Mayors of Ontario municipalities on the route along highway 401 from Toronto to London and from London along highway 402 across the international bridge

at Sarnia-Port Huron are objecting to the increase in traffic past their communities and the potential for spills. There will be an additional 200 to 300 garbage trucks rolling along these highways each day.

An accident involving a garbage truck that flipped over in icy conditions between Kitchener and Woodstock tied up traffic for hours one morning this mid-January. The garbage truck was on its way to Michigan but it was not carrying garbage from Toronto. This accident is seen as an indication of problems to come.

The groups are also concerned about the environmental impacts of the greenhouse gases that will be generated as a result of the additional truck traffic.

What's next

The seemingly endless cycle of communities throughout Ontario and the adjacent states being threatened with becoming home to Toronto's garbage continues. The promoters of the Adams Mine plan in northeastern Ontario are back at the table telling Toronto that they are willing to remove the clause from the contract that broke the deal in October. Toronto council still says that it has made up its mind and will be shipping its garbage to Michigan for many years to come. But the people in northern Ontario are again nervous.

Having been criticised for its inadequate efforts to reduce, reuse, recycle and compost its garbage rather than focusing on finding a place to dispose of it, the day after the council agreed to sign a garbage disposal contract for the next twenty years, it passed a motion to eliminate garbage disposal within ten years.

Toronto currently diverts about a quarter of its residential garbage from disposal. A task force is being set up to improve waste diversion programmes. During the municipal election in November, garbage recycling and composting were listed as high priorities by most candidates, including the mayor. But one of the first actions by the city in the new year was to drop a pilot project by which wastes were collected from downtown restaurants to be taken for composting.

Michigan is not the only state in the Great Lakes that receives garbage from Ontario. Garbage from the province is also shipped daily to New York, Ohio and Pennsylvania. Most of this garbage comes from the commercial, institutional and industrial sectors. They are drawn to the U.S. by cheap waste disposal rates.

Industrial hazardous wastes also move back and forth



Sunken log extraction took place in Toad Lake, Ontario, on October 13, 2000. This photograph shows logs being stored in shallow portions of the lake, in violation of federal regulations prohibiting log removal or storage in less than five meters of water. The aim of the regulation: to protect "valuable fish habitat" and "shoreline stability." The Ontario Ministry of Natural Resources' North Bay District says it allowed the regulation to be broken due to extenuating circumstances faced by the log removers.

across the Canada-U.S. border in the Great Lakes region. Almost twice as much hazardous waste comes into Ontario and Québec for disposal as is sent to the United States for disposal. The quantities of hazardous wastes coming into Canada from the United States have steadily increased over the past several years. Environment Canada concludes that this increase is a result of weaker standards for pre-treatment in Ontario and Québec than in the United States, differences in environmental liability between the two countries, and the lower relative value of the Canadian dollar.

Sunken logs extraction— Destruction of fish habitat?

by Jennifer Nalbone

The retrieval of sunken logs from lakes and rivers in Ontario is a restricted but permitted activity by the Ontario Ministry of Natural Resources and the Department of Fisheries and Oceans. But not much is known

about the scientific impacts of sunken log removal in the variety of inland freshwater systems where they lie.

This lack of information, combined with first-hand experience with the value of preserving healthy fisheries, has lead some northern Ontario residents and tourist outfitters to petition OMNR and DFO to establish a moratorium on new permits for sunken log removal until the completion of a full scientific assessment of environmental impacts of the practice.

Henry Bos, a tourist camp proprietor near North Bay, Ontario noticed logs in Lake Nabonsing years ago while scuba diving. He removed a total of about 30 logs, and by his first-hand account, destroyed part of the fisheries on which his camp depends. "I thought maybe the fish had moved, but five years in a row doesn't make sense. It looks like I took a piece of their home," Bos said. "We all learn from experience."

Bos wasn't content to simply learn from his experience. He has taken on a mission to educate other Ontario residents and tourist guides on the impacts that

sunken log extraction can have on Ontario's inland fisheries—and on the livelihoods that depend on them.

Bos has monitored sunken log extraction activities in lakes around North Bay, citing violations to existing regulations, and has written letters to OMNR and DFO documenting these findings.

Bos's activities have caught the attention of larger tourist, conservation and sport organizations, like the North Ontario Tourist Outfitters, Lake Nipissing Stewardship Council and the Ontario Federation of Anglers and Hunters. These organizations have petitioned OMNR and DFO to perform a scientific assessment of impacts before any more permits for sunken log extraction are granted.

For two centuries logging companies cut undisturbed pre-settlement forests and transported the logs to mills by floating them down lakes and rivers. About 2 percent of these logs sank, and many remain well preserved at the bottom of waterways. Unlike today, wood from two centuries ago grew with tightly packed growth rings, and can be worth as much as \$5,000 per log. Articles in recent glossy magazines have touted this wood as "sunken treasure" without mentioning the potential negative impacts associated with log extraction from freshwater systems.

In many instances and to an unknown extent, logs submerged provide essential aquatic habitat for various communities including fish. The logs serve many functions, including substrate for benthic organisms, forage for fish communities, and protection from predators.

Lack of information and consensus

There is no consensus among members of the scientific community on how this sunken log extraction impacts the aquatic ecosystem overall. Some scientists feel that some sunken log removal could improve aquatic habitat. Some speculate that the potential worst problem would be site-specific short-term sedimentation, while other scientists have concerns with additional, more permanent impacts.

Some of these concerns have been outlined in the *Canadian Technical Report of Fisheries and Aquatic Sciences*, no. 2297 (1999), entitled "The Effects of Log Salvage Operations on Aquatic Ecosystems—Predicting the Change in Oxygen Regimes." This report describes potential changes in structural habitat, aqueous chemistry, suspended sediment and temperature, and

subsequent potential negative impacts on fish health, behavior and spawning. This document invokes the precautionary principle in its introduction, stating, "Preventing or restricting log salvage operations is a precautionary option in the face of uncertainty in the management and science community regarding the environmental impacts of log salvage on lakes and rivers."

So far OMNR has not changed its practices. The ministry has replied to letters raising concern over this issue by saying they are "confident that all environmental concerns will be addressed" by the "rigorous" permitting procedure with which sunken log extraction applicants must comply.

For its part, DFO has adopted the precautionary approach as a federal guiding principle, and hopefully will be led by this guiding principle in its future decision regarding this activity. DFO has stated that it is in the process of increasing its staff to monitor compliance and study the effects of sunken log extraction.

Without the necessary information to back up claims that sunken log extraction is harmless—or harmful—there is no way in knowing if there is a "right" side to this issue. But fortunately, the sunken log extraction industry has not yet exploded. With any luck, pressure from the environmental and tourist communities will catalyze the provincial and federal governments to perform the needed scientific studies—before we potentially learn that removing this non-renewable resource has destroyed a vital piece of aquatic habitat.

Gary Ball, an Ontario outdoor reporter wrote, "Those logs have been there for 100 to 150 years. They aren't going away. Let's take a little time here and be sure that permitting underwater logging is as harmless as the harvesters claim it is."

To comment to the federal government regarding permitting sunken log removal, the impacts of removal on essential aquatic habitat, or the need for a scientific assessment, write to The Hon. Herb Dhaliwal, Minister of Fisheries and Oceans, 200 Kent St. Station 13228, Ottawa, Ontario, K1A 0E6.

U.S., Canada agree on smog

by Will Stoner, Citizens Campaign for the Environment
The United States and Canada have reached agreement on substantial new reductions in pollution that causes acid rain.

It is relatively well known that electric power generating plants are major sources of air pollutants that affect the environment and public health. These emissions include sulfur dioxide (SO₂) and nitrogen oxides (NO_x), major causes of "acid rain" fallout that changes the acidity of soil and water, seriously harming forests and the fish of small lakes, sometimes to the point of extirpation. Worst-case damage includes the thousands of lakes in the Adirondack section of New York that have become so acidified that they are devoid of life.

In the United States, power plants are responsible for nearly a third of NO_x emissions and two-thirds of the SO₂ emissions. In response to this public-health and environmental problem, the U.S. Environmental Protection Agency developed and issued the "NO_x State Implementation Plan" in September 1998. This plan will require major sources of NO_x (primarily power plants) in a twenty-two-state region to reduce emissions

by at least 70 percent below 1990 standards. On average, plants in this region will be allowed to emit no more than 0.15 pounds of the pollutants per million British Thermal Units, a measure of energy output, during the summer months beginning in 2003.

New York State is also in the process of enacting the strictest pollution standards for power plants in the nation. In the fall of 1999, New York State announced new requirements that will enforce the NO_x State Implementation Plan year-round, rather than just during the summer months, when low level ozone is a particular air quality problem.

New York is also requiring SO₂ emissions half that currently allowed under the federal Clean Air Act. As a result of strong public support, New York continues to lead the way when it comes to air quality improvements and reduction in pollutants causing acid rain. Following New York's lead, Massachusetts and Connecticut have announced similar plans to enact these same cuts in emissions.

Through the efforts of a handful of organizations, national legislation known as the Acid Rain Control Act has been introduced to require NO_x and SO₂ emission reductions on a nationwide basis. Before leav-

ing office, the Clinton administration released a long-awaited cost-benefit analysis of the act that predicted \$60 billion in benefits annually due to health and environmental improvements at a an average cost of one dollar per month per residential electric bill.

Citizens Campaign for the Environment mounted a grass-roots campaign has spoken with citizens across New York and Connecticut, collecting over 100,000 petition signatures and generating thousands of handwritten letters to members of Congress from New York and Connecticut calling for the reductions in NO_x and SO₂ emissions needed to solve the acid rain problem.

As of the last negotiating meeting, the Canadian government has agreed to meet the United States minimum air quality standards for NO_x. Al-



Ontario Power Generation

Ontario Power Generation's Nanticoke coal-fired electric power generating plant, on the north shore of Lake Erie, due north of the tip of the Long Point peninsula

though these standards are not as strict as the new NOx State Implementation Plan, it is a definite improvement. Ontario Power Generation (OPG) has agreed to spend a quarter of a billion dollars to install the latest technology, called selective catalytic reduction, on two stacks at its Nanticoke power facility, the largest coal-fired plant on the continent, two at its Lambton facility, and two "low NOx burners" at its Lakeview facility.

Despite the improvement, Canada will still be emitting a great deal of pollution. The NOx standard for Ontario Power Generation's fossil-fueled power plants will be three times higher than the standard required for the plants affected by the new U.S. rules.

To make matters worse, the closing of several Ontario nuclear plants due to high upgrade costs has resulted in substantial increases in the output of Ontario Power Generation's fossil-fueled plants. During the last three years OPG has more than doubled the use of its Nanticoke plant, which is located 63 miles due west of Buffalo, New York.

Great Lakes United and CCE joined the efforts of other clean air organizations and helped play an important part in this binational agreement, traveling to Washington during negotiations last summer and helping embarrass the province of Ontario in the media for its refusal at that time to contribute the needed pollution reductions.

But much more needs to be done. It will be years before the United States and Canada will notice improvements in our airshed as a whole from the new rules, so the time to press for even greater improvements is now.

Readers should write their federal representatives and express support for legislation that would 1) reduce NOx by 70 percent and SO2 by 50 percent and 2) implement the new Environmental Protection Agency's regulations for mercury.

Dumps may bar Red Hill Valley Expressway

by Don McLean

The public acknowledgment of two toxic dumpsites located in the path of the proposed Red Hill Creek Expressway may have major implications for the battle

over whether a new environmental assessment of the project is necessary.

Friends of Red Hill Valley oppose the expressway project because they think it would severely degrade the environmental quality of the valley and its largest creek, an aquatic habitat that supports over twenty-three species of fish.

The proposed expressway would also sever the last remaining natural link between the Niagara Escarpment and Lake Ontario, cutting off a corridor crucial to wildlife habitat.

The Friends believe that the revelations about the dumps make a new environmental assessment of the project absolutely critical. A new evaluation may turn up other toxic secrets hidden in the path of the expressway, which could bar it from ever being built.

The federal Department of Fisheries and Oceans ordered the current environmental assessment in June 1998. In May 1999 the assessment was bumped up on DFO's request to a "full panel review" by the Canadian Environmental Assessment Agency. The review panel is charged with carrying out the assessment and making a recommendation on whether the project should be carried out and what remedial and other measures should be taken for environmental protection.

The dumps

In mid-September, the City of Hamilton pled guilty to allowing PCBs and other toxic wastes to pour into Red Hill Creek from the Rennie Street landfill site. The city was fined \$480,000 and has been forced to commit to an \$11 million cleanup plan.

A second, unnamed site lying in the path of the proposed expressway was made public in October. The closed dump is the third landfill known to be in the area, bringing the total bill for remediation of the three sites to an estimated \$23 million.

The revelations have uncovered what seems to be serious irresponsibility by certain of the area's public officials: some of them knew about the dumps. For example, Chad Collins, chair of the Hamilton City Council's Transport and Environment Committee, told the *Hamilton Spectator* in September, "We had a plan to clean it up that was part of the expressway project." Collins is one of the councilors who are supporting the Region's efforts to avoid an environmental assessment of the expressway project.

And Fred Eisenberger, chair of the regional government's environmental services committee and another opponent of the federal environmental assessment, has also admitted that he knew about the contaminated landfills. Said Eisenberger, "I certainly didn't say I didn't know. Obviously the expressway has been a factor here."

To find out more about the Red Hill Creek Expressway proposal or Friends of the Red Hill Valley, see the Web site for the Friends at www.hwcn.org/link/forhv, for the Canadian Environmental Assessment Agency at www.ceaa.gc.ca and for the Get Hamilton Moving Task Force, a pro-expressway business lobby, at www.buildtheexpressway.com. You can also search at www.google.com for "Red Hill" and many more sites will be listed.

Canadian Autoworkers take the environment to school

by Jim Mabon, Canadian Autoworkers Local 1520

Do you perceive union members as environmental activists? If not, maybe it is time to start. The media stereotype of a union member walking a picket line is a little dated. Of course, unions fight for better wages and protect the jobs of its members. But the Canadian Autoworkers Union considers itself a "social union," meaning that its members consider it important to be involved in all aspects of the community because that is where they live and when the community is negatively impacted of course so are they.

In line with that philosophy, last spring the CAW partnered with Earth Day Canada and the Workers Health and Safety Centre to create and present an exciting environmental program for 25,000 Canadian school children, up from the originally planned 5,000 students. For Earth Day 2001, CAW plans to present the program to 50,000 students.

The Canadian Autoworkers Union is a national union with a membership of 238,000. CAW represents workers from fifteen economic sectors. About 30 percent of CAW members work in auto-based industries.

Each CAW local is required to have a standing environment committee, one of the reasons for the large number of hard-core environmental activists who are



CAW members.

The year 2000 presentations were made during a four-week period centred around Earth Day and focused in places around the Canadian Great Lakes basin with high concentrations of CAW members, namely, Brampton, Ingersoll, London, Oakville, Oshawa, Ottawa, St. Catharines and Windsor.

One of the keys to the success of the program was the professional training material developed by the Workers Health and Safety Centre, an Ontario-based organization that works with workers and develops training material on health, safety, and environmental issues. The program material can be viewed on the organization's Web site, www.whsc.on.ca, in the section on young worker awareness.

The elementary school program, "Making a World of a Difference," was directed at students in grades 5 and 6 and available in French and English. The main topics of the presentation were conservation of water and energy resources and prevention of water, automobile, and air



pollution. The presentation also included a discussion about things students could do to help protect the environment.

The children reacted strongly to the sight of a dead fish washed up on our Great Lakes shores in the accompanying video. Many of the students talked about playing in a local pond or river and finding dead fish or evidence of garbage or pollution. They were surprised to learn that the Great Lakes contained 20 percent of the world's fresh water and that Canada used more energy per person than any other country in the world.

The secondary school program, "Work and the Environment—Clean Jobs, Green Future," was directed at grades 11 and 12 and also available in French and English. The introduction focuses on how canaries were used to warn miners of methane gas in the mines, and then proceeds with a discussion of today's workplace, the many toxic chemicals used in it, and how these chemicals often do not remain in the workplace but end up polluting our environment. The program concludes with information about product life cycles and the concepts of clean production, green job creation, and the need for a just transition to clean technologies that will preserve worker rights and standards of living. The accompanying video features renowned Canadian scientist and environmental activist David Suzuki.

As a CAW Local 1520 environmental activist, I coordinated London area presentations in both English and French and delivered all London area high school presentations. Although I was taken aback by the extent

of body piercing among the student population, I thoroughly enjoyed this experience. There is nothing talking directly to students.

I think CAW activists can offer a positive perspective on environmental issues that kids don't usually hear. I shared local stories the students could relate to, such as PCB-laden Pottersburg Creek and the death of a young worker killed while decontaminating an electrical transformer. Some of the students remembered hearing about the cleanup of the creek, some even played in the creek, but few

had thought about the fact that the water from the creek ends up in the Great Lakes and the fact that London's drinking water comes from Lake Erie and Lake Huron.

Many teachers pointed out that school programs often don't get into real life situations when talking about health, safety and environmental issues. Several teachers commented that most of their students were destined not to work in an office but would end up in industry and needed to understand why and how precautions were needed to protect themselves and the environment.

It's a perspective and an approach that London high school teacher Sally Fleming was glad to share with her students. Teaching an environmental geography course at Saunders Secondary School in London, Fleming says her students were "especially interested in Jim's personal

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experiences working with chemicals and their possible health effects. Jim's telling of true stories really hit home with the students, especially those stories dealing with the health effects of environmental contamination. That's an angle we don't often consider."

Canada and Ontario may renew Lakes collaboration

by John Jackson

Almost a year after it expired, the federal and provincial governments now hope to renew the Canada-Ontario Agreement by this summer.

The COA aims to ensure Canadian implementation of the 28-year-old U.S.-Canada Great Lakes Water Quality Agreement, which commits the two countries to protection and cleanup of the Great Lakes.

Canada and Ontario plan to structure the new COA along the lines of the Great Lakes Water Quality Agreement. The body of the COA will state the shared vision for the Great Lakes, the principles for operating the agreement, and the ways in which the COA will be administered.

The COA will also contain annexes on harmful pollutants, the "areas of concern" toxic hot spots, lakewide management planning, and ecosystem monitoring and surveillance. Each annex will contain details on the actions that the governments commit themselves to carry out over the next five years. For example, the annex on areas of concern will contain a section stating what actions the federal and provincial governments will take in each specific place.

At the beginning of March, the governments hope to release a draft of the new COA for public comment. Environment Canada is now holding workshops in each area of concern to receive input on what should be included in the areas of concern annex. The governments also plan to hold meetings with each lakewide management plan forum, with industry sectors, and with the aboriginal communities.

To get on the mailing list to receive the draft COA when it becomes available, contact Anjala Puvananathan at Environment Canada at anjala.puvananathan@ec.gc.ca or (416) 739-4791.

A COA containing strong, detailed commitments

from each government is essential for the cleanup and protection of the Great Lakes. Great Lakes United will be putting together detailed comments on the proposed COA when it becomes publicly available. If you wish to receive a copy of our comments to help you in making your input to Environment Canada and Ontario on the new COA, contact GLU's Montréal office.



Help monitor Great Lakes wetland birds, amphibians

by Kathy Jones, Bird Studies Canada, and Benjamin Crouch
As we watch winter progress, many of us are compelled to think ahead to the coming spring and the corresponding resurgence of life around the Great Lakes.

Volunteers for the Great Lakes Marsh Monitoring Program (MMP) also recognize that the arrival of spring means that it's time to venture to the local wetlands to listen and watch for waterfowl, amphibians and other birds. Unfortunately, the Great Lakes basin's wetlands have been drained, filled, and polluted for decades and many wetland dependent species are paying a hefty price. If you live in the Great Lakes region and you're interested in learning more about this issue, the MMP is a project worth investigating. The MMP is a binational long-term monitoring program that coordinates the skills, interests and stewardship of hundreds of citizens across the Great Lakes basin to help understand, monitor and conserve the region's wetlands and their amphibian and bird inhabitants.

Recently, a report summarizing five years of MMP

data was published by Bird Studies Canada, in cooperation with Environment Canada and the U.S. Environmental Protection Agency. This report revealed that several wetland species in the Great Lakes basin are experiencing significant population declines, including the black tern, pied-billed grebe, American coot, blue-winged teal and chorus frog.

This report illustrates the role of the MMP in addressing current and future conservation issues concerning Great Lakes wetlands and their wildlife. The success of the MMP in addressing these issues is only possible through the dedication and enthusiasm of hundreds of volunteers who make invaluable contributions of their knowledge and time.

In future years, you could join the effort to conserve marsh birds and amphibians by participating in the MMP. Every spring participants venture out to local wetlands to survey birds, amphibians or both. This coming year, the MMP is looking for more volunteers to help with surveys throughout Ontario and the Great Lakes states. Participants receive training materials with written instructions for surveying marsh birds, amphibians and their habitat; data forms, and an instructional tape with examples of the songs and calls of marsh birds and amphibians found in the Great Lakes basin. The MMP offers everyone—from amateur naturalists to professional biologists—a unique and rewarding opportunity to help learn about and conserve Great Lakes amphibians and marsh birds, and their threatened habitats.

Bird Studies Canada (BSC) delivers the MMP in partnership with Environment Canada and with substantial support from the U.S. Environmental Protection Agency and the Great Lakes Protection Fund. Great Lake United (GLU) is partnering with BSC to focus on program development and delivery in the United States. GLU recognizes that MMP data provide important information on the population trends and habitat requirements of wetland dependent amphibians and birds of the Great Lakes region, thereby assisting in the protection of the entire Great Lakes ecosystem. For instance, Indiana Dunes National Lakeshore Park and Indiana Dunes State Park have cooperatively used MMP amphibian data to help ensure that the parks' marshes are managed to maintain habitat health.

Starting in December, Great Lakes United has been contacting naturalist clubs, conservationist clubs and

natural history centers in search of MMP volunteers. If we have missed your local organization, please give us a call and ask for Ben Crouch or Maria Maybee.

BSC is particularly interested in recruiting volunteers throughout the western Great Lakes basin, the state of Michigan, central New York and Northern Indiana. It is also important to replace former volunteers in previously monitored sites, so that BSC can continue to build upon the data collected from these routes. Data collected over time helps in the identification of species trends and changes in wetland habitat.

Three orphaned routes deserve special mention: 1) Hosah Prairie Main Trail in Zion, Illinois, 2) Tift Nature Preserve in Buffalo, New York, and 3) Iroquois National Wildlife Area in Alabama, New York. It is particularly important that we continue to gather data from these sites.

There is also at least one orphaned route needing a volunteer in the following areas: *Illinois*: Waukegan; *Michigan*: Chassell, Fennville, Harson's Island, Houghton, Kalamazoo, Sault Ste. Marie, Sterling State Park, White Lake; *Minnesota*: Duluth; *Ohio*: Ashtabula, Charlemont Reservation, Huntington, Spenser; *Ontario*: Thunder Bay, Niagara Falls

BSC is planning to conduct training sessions for MMP volunteers in the spring and summer of 2001 throughout the Great Lakes basin (exact locations will be based on interest and opportunity). Trainers will lead potential volunteers through a mock-survey session to show interested individuals how to set up their stations and record data.

Please contact Bird Studies Canada if you are interested in participating in the Marsh Monitoring Program. Contact Kathy Jones at aqsurvey@bsc-eoc.org or toll-free at 888-448-2473, or visit the BSC Web site at www.bsc-eoc.org/mmpmain.html.

If you would like more information from on the MMP, would like to help us with our recruitment effort, or would like us to include your organization in our contact list please contact Benjamin Crouch or Maria Maybee at (716) 886-6753 or ben@glu.org.



Health Care Without Harm in the Great Lakes

by Rich Whate, Toronto Environmental Alliance

When Environment Canada and the U.S. Environmental Protection Agency updated their inventories of dioxin releases last year, they confirmed what we already knew—waste incineration is the largest source of this deadly pollutant. When the inventories further fingered medical waste incinerators as the second largest dioxin source in both countries, it affirmed the need for Great Lakes United's membership in the international "Health Care Without Harm" campaign, and the importance of continuing our efforts to "green" health care in the Great Lakes-St. Lawrence River basin.

Great Lakes United is one of 270 members in Health Care Without Harm (HCWH), a collaboration of environmental organizations, hospitals and health care associations advocating for environmentally sustainable health care. Campaign members are working together to promote healthy alternatives to mercury and polyvinyl chloride medical equipment (like thermometers and I.V. bags) and safe, non-incineration options for medical waste.

GLU's Clean Production Task Force was busy with HCWH last fall hosting workshops for hospital staff and health care associations. The first workshop, held in Toronto in September, was co-hosted by the Toronto Environmental Alliance, the Environmental Health Clinic of Sunnybrook and Women's College Health Sciences Centre, the Environmental Health Committee of the Ontario College of Family Physicians, and the Hospital for Sick Children.

Staff from over a dozen area hospitals shared their experiences and ideas for successful environmental programs, and enthusiastically endorsed the creation of a regional HCWH network to collaborate more regularly on these issues.

A month later, GLU and the Canadian Association of Physicians for the Environment brought HCWH to Ottawa. In a similar show of interest, the Canadian Medical Association, the Canadian Public Health Association, the Canadian Healthcare Association and the Canadian Nurses' Association were among a dozen organizations that supported forming a national net-

work to address environmental issues in health care.

In Canada and the United States, biomedical waste incinerators (both commercial and on-site hospital facilities) are the second largest source of dioxins into our air, behind only municipal waste incinerators. Dioxin is a profoundly toxic class of chemicals released into our environment through a variety of industrial sources, including the manufacture and disposal of polyvinyl chloride. Hospitals use PVC extensively in patient care, but it is common practice to unnecessarily incinerate vinyl products in the disposal of biomedical waste, which releases deadly dioxin.

Environment Canada estimates yearly releases from the nation's medical incinerators to be 25 grams. U.S. estimates 488 grams. Health Canada's "tolerable daily intake" is 70 picograms for the average adult, the US EPA's figure is 7 to 28 picograms.

In 1998, Health Canada documented high dioxin exposures to certain Great Lakes populations—specifically, breast-feeding infants who ingest levels of dioxin sixty times greater than do adults, and sport fishers who consume Great Lakes fish.

Ontario leads Canadian provinces in dioxin emissions, which are released from an estimated fifty-six hospital incinerators, none of which have pollution control equipment. GLU was a stakeholder in the development of national standards on dioxin from Canadian incinerators, which are scheduled to take



Chief Financial Officer Phyllis Hoesphay of the Toronto Hospital for Sick Children speaks at Toronto Health Care Without Harm workshop sponsored by Great Lakes United, the Toronto Environmental Alliance, and several health care groups.

effect this spring. U.S. EPA will soon release the final version of its long-awaited "dioxin reassessment" study—a draft released in June described dioxin as ten times more cancer-causing than previously thought.

Hospital PVC may be problematic for reasons besides releasing dioxin when it is incinerated. One of the most compelling reasons for switching from PVC to various alternatives is the growing evidence that a substance known as DEHP (di-2-ethylhexyl phthalate), which is added to vinyl medical products to make them flexible, may pose serious health risks to patients, particularly newborns and premature infants.

In July 2000 the U.S. National Toxicology Program reviewed seven vinyl plasticizers (known generically as "phthalates") for reproductive and developmental toxicity, and identified only DEHP as a substance showing such evidence. The program expressed "serious concern" about DEHP's use. DEHP levels are also looked at in a soon-to-be-released report by the U.S. Centers for Disease Control on the levels of twenty-five toxic chemicals in the blood and urine of the American people. Furthermore, groundbreaking reports documenting the health effects of DEHP and potential patient exposures from IV bags and tubing and in neonatal intensive care units were released this past year by the Lowell Center for Sustainable Production at the University of Massachusetts and by Health Care Without Harm. While considering the invaluable benefit of these treatments for patients, these findings point to the opportunity to switch to safer, non-PVC alternatives in these procedures without sacrificing patient care.

Reducing the health and environmental impacts from PVC lies in finding alternative products and taking advantage of waste management innovations. In Canada and the United States, hospitals have access to effective non-PVC products for almost every use. Incineration of medical waste can be reduced through waste reduction and diversion programs, proper biomedical waste segregation and non-incineration sterilization technologies.

HCWH members have also catalyzed dramatic moves to eliminate mercury in health care, since it contributes to worker and patient health risks as well as environmental pollution. Mercury, a potent nervous system toxin, is found throughout hospitals, from lab chemicals and thermometers to electronic switches, sphygmomanometers and fluorescent lights. Accidental breakage contaminates air in the hospitals and can make its way

through drains to water bodies.

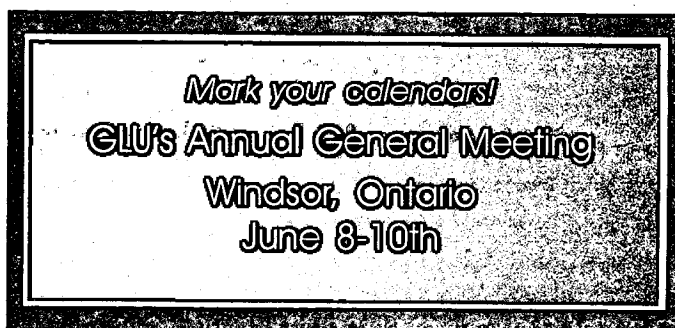
Like PVC, mercury is also often improperly disposed of: Ontario hospitals released 30 kilograms of mercury last year.

Over five hundred hospitals and clinics have signed HCWH's "Mercury-Free Medicine Pledge" and are switching to electronic devices and collecting mercury thermometers for proper disposal. American cities like Ann Arbor, Michigan; Duluth, Minnesota; and Boston have passed bylaws restricting or banning the sale of mercury fever thermometers. U.S. EPA Region 1 recently encouraged all New England municipalities to consider similar regulations.

HCWH has generated tremendous momentum in the United States. Great Lakes United's work has been instrumental in identifying a community of concern in Canada for the environmental impact of its health care system. GLU's fall workshops generated interest in building both a regional and international network to share successes and catalyze green innovation.

For more information on DEHP, check out Web sites for Health Care Without Harm at www.noharm.org, the Lowell Center for Sustainable Production at www.uml.edu/centers/LCSP/hospitals, the U.S. Centers for Disease Control at www.cdc.gov/nceh/dls/, and the US National Toxicology Program at www.cerh.niehs.nih.gov.

For more information on dioxin, see Web sites for a dioxin inventory provided by Environment Canada at www.ec.gc.ca/dioxin/english/index.htm, backgrounders by the Canadian Council of Ministers of the Environment at www.ccme.ca, the draft dioxin reassessment of the U.S. Environmental Protection Agency at www.epa.gov/ncea, and a scientific study modeling dioxin transport from specific sources in Mexico, the United States and southern Canada to the remote northern province of Nunavut by the Commission on Environmental Cooperation at www.cec.org.



Niagara River progress(?)

by Margaret Wooster

The Niagara River is almost cleaned up!
Or is it?

An October 2000 report by New York, Ontario, and our two federal governments estimates that remediation efforts have reduced potential inputs of eighteen priority toxic substances to the Niagara River by over 90 percent.

The report, "The Reduction of Toxic Loadings to the Niagara River from Hazardous Waste Sites in the United States," seems to be corroborated by data from two Niagara River monitoring stations showing water quality improvements.

The question is: Are we succeeding or failing in the clean up of the Niagara River?

Measured against the very specific goals of the Niagara River's "Four Party Agreement," which aimed at 50 percent reduction in the leakage of certain toxic substances from twenty-six U.S. hazardous waste sites, the governments can claim success.

But then there's that pesky measure of cleanup in the Great Lakes Water Quality Agreement: restoration of river's "beneficial uses." That is: Is the Niagara River now safely fishable and swimmable?

By that important measure, the one that matters most for people living in the region, we are failing.

Sediment monitoring and advisories against eating the river's fish show that many toxic hotspots affecting the river remain. For example, a study of all U.S. tribu-

taries to Lake Ontario by New York State's Department of Environmental Conservation shows that the highest levels of toxic PCBs in young-of-year fish (over 1,400 parts per billion), occur at the mouth of Scajaquada Creek, a tributary to the Niagara River in Buffalo.

According to the *Tuscarora Environment News*, sediment samples at Niagara River tributary Bloody Run Creek contained hexachlorobenzene, chromium, mercury and dioxin/furans above the Ontario Ministry of the Environment's "severe effect levels." These toxins were absent in samples taken as little as five meters away, "making hotspots of very high contamination a real possibility all over the Niagara."

The Buffalo River, also a tributary of the Niagara River, has known sediment hotspots that have not been remediated even though they may be regularly disturbed and made "bioavailable" (absorbable by living things) due to routine navigational dredging.

Worse still, industries like Bethlehem Steel, Huntley Steam Station, and DuPont still have permits to dump toxic substances into the air, water and soil of the Niagara River watershed—some 5.5 million pounds in 1998, according to self-reporting by the top one hundred emitters. The toxics released by these companies include some of the same priority substances that the cleanup programs address: long-lived toxic pollutants like mercury, lead and dioxin.

This past summer the Lake Erie shore immediately upstream from the river experienced a record number of beach closings due to sewage overflows. Late in the summer this same stretch of shoreline saw an outbreak of Type E botulism that the New York Department of



Niagara and Horseshoe Falls. Excellent viewing—but should you eat the fish?

Environmental Conservation estimates killed over five thousand birds, including 583 common loons, 2,479 red-breasted mergansers, and 1,714 ring-billed gulls.

Although New York Sea Grant says there is no direct relation between Type E botulism and dirty water, a U.S. Geological Survey fact sheet says, "Providing fresh water and shade may be all that is required" to save birds in the early stages of botulism infection, suggesting that pollution contributed to the birds' susceptibility. Ironically, the Niagara River was declared a globally significant Important Bird Area just two years ago.

The governments deserve credit for setting goals, taking action, and making progress. But the fact is that the Niagara River remains polluted and unsafe. What is needed now is a refocus on the original goal: a fishable (meaning naturally reproducing, safe-to-eat fish) and swimmable river, and a reassessment of the major continued sources of stress to the system.

People's Summit on Free Trade in the Americas

by Gabrielle Pelletier, Québec Environmental Network

In April 2001, the leaders of thirty-four countries of the America (all except Cuba) will be meeting in Québec City, Québec, to pursue negotiations leading to a Pan-American Free Trade Agreement.

This meeting is a follow-up to meetings in Miami in 1994 and Santiago, Chile, in 1998. The objective is to hold a final meeting in 2005 to sign the agreement.

Like the negotiations leading to the creation of the World Trade Organisation and the abortive talks on the Multilateral Agreement on Investment, citizens are excluded from negotiations for the Pan-American Free Trade Agreement. This situation increases the possibilities for the imposition of an unfair and environmentally destructive growth model favouring exclusively the business sector.

In order for citizens to be heard, non-government organizations are holding a People's Summit April 17 to 21, 2001, just before the free trade negotiations, to make sure that alternative economic development models are presented to the world.

The Québec Environmental Network has been actively working for many years to reinforce the environ-

mental aspect of the alternative economic model. In this context, the QEN is organising the Environmental Forum of the People's Summit. This forum will identify the environmental issues related to free trade and present alternative economic development experiences in the Americas.

We are hoping to get as many environmental activists as we can from all over the Americas to participate in this event. Our objective is to have representation from the whole continent. Please come!

If your organisation is interested in coming to Québec City, let us know as soon as possible. Please send us any information you might have in regards to alternative, ecologically sustainable development experiences initiated in the Great Lakes region that you may judge interesting to share with the other participants of the forum.

Please send us the name and address of the person in charge of the project before the end of February, via email at rqge@cam.org, or by regular mail or fax to the GLU Montréal office.

See you at the People's Summit in April!

Change in U.S.-Canada toxics strategy?

by Margaret Wooster

Is it time to shift the effort to end dioxin pollution from industrial and incineration sources to wood stoves and rural burn barrels?

Great Lakes basin environmentalists are saying "Not yet" to the Dioxin Workgroup of the U.S.-Canada Binational Toxics Strategy. This is a call to all groups working on the problem of continuing dioxin emissions and their impacts on fish, wildlife and human health in the Great Lakes to help us deliver this message to the basin's federal environmental officials!

On the prediction of major emissions reductions from new EPA-mandated "maximum achievable control technologies" (MACT) and new Canada-wide standards for dioxin, the workgroup is taking its focus off the current known major point sources of dioxin in the Great Lakes Basin, these being municipal and medical waste incinerators, as well as other possible single major sources including steel manufacturing plants and base

metals smelting plants.

The most recent dioxin inventories from both Canada and the United States underline the importance of maintaining BTS focus on eliminating dioxin emissions from industrial sources. Environment Canada identifies waste incineration and steel manufacturing as the largest sources by sector, emitting a total of 95 grams "toxic equivalency quotient" in 1999 (61 percent of total atmospheric emissions).

Likewise, the EPA draft dioxin "reassessment" study lists waste incineration as the overwhelming leader in dioxin emissions. The particular prominence of medical waste incineration as a source of Great Lakes dioxin, and the fact that Hamilton's Stelco sintering plant is the single largest dioxin point source in Canada (6.0 grams toxic equivalency quotient per year) further emphasizes the need to maintain the current BTS focus on industrial and combustion sources.

As for the Canada-wide standards for dioxin, they have been proposed, but are not scheduled to be formally adopted until this spring. Like the MACT standards, they will demand further attention to measure compliance and progress.

Send the right message

Great Lakes United and Sierra Club have argued that it is premature for the Dioxin Workgroup to switch focus to burn barrels and residential wood combustion, and it sends the wrong message to the Great Lakes community insofar as it shifts the burden for change from industry to individual consumers.

A better move for the workgroup, and one that many environmental groups supported from the beginning, would be to focus attention on material and process changes that would eliminate dioxin production in the first place. For example, who are the largest producers and users of polyvinyl plastics in the basin? Do alternatives for these products exist? Both the Health Care Without Harm and the Clean Car campaigns have had some successes with this approach.

Come to the workgroup meeting

We could use your help in keeping the focus where we think it should be, on alternatives to incinerating dioxin-producing materials. The next Binational Toxics Strategy stakeholders meeting is on May 17 at the Delta Chelsea Hotel in Toronto. The workgroups are open to

new and old participants, so it's not too late to get involved. Great Lakes United may be able to help with travel costs.

Other BTS workgroups you might be interested in look at eliminating PCBs, pesticides, hexachlorobenzene/benzo(a)pyrene, octachlorostyrene and mercury.

Upcoming workshops

Two BTS-related workshops are coming up this spring: On February 21, Great Lakes United is hosting a workshop, "Extended Producer Responsibility: The Wave of the Future," with a panel of international speakers and practitioners. The workshop runs from 8:30 to 4:00 at the Holiday Inn Select in Windsor, Ontario. Registration is \$10.

On April 24-25 there will be another workshop "Treating Great Lakes Contaminated Sediments," on sediment treatment technologies, case studies and demonstration projects. The workshop will be at the Holiday Inn North in Ann Arbor Michigan. There is a registration fee of \$50.

For more information on the Binational Toxics Strategy workgroups, workshops and progress, see the BTS website: www.epa.gov/glnpo/bns/

Talk o' the Lakes

U.S. states will lose clout in Congress

Results of the 2000 U.S. census indicate population shifts that will reduce Great Lakes representation in the U.S. House of Representatives by a whopping nine seats starting with the 2002 congressional election cycle.

A total of just twelve seats shifted throughout the United States, meaning that the Great Lakes states absorbed three-quarters of all the lost seats.

Losing a seat apiece will be Illinois, Indiana, Michigan, Ohio and Wisconsin. Losing two seats will be New York and Pennsylvania. Minnesota will be spared the reduction in power.

For those concerned with the long-term politics of continental water supply, seven of seats will go to the water-short states of Arizona, California, Colorado, Texas, and Nevada.

—Reg Gilbert

Toronto sewage sludge

Toronto is scrambling to find a place to put its sewage sludge, the concentrated solid wastes residues from materials that are flushed down the millions of industrial drains and toilets in Toronto.

Last month, the storage facility that houses Toronto sewage sludge in Halton Region terminated their agreement with Toronto's waste hauler, the U.S.-based Azurix Corporation. The region will no longer store Toronto sludge in an open lagoon north of Oakville. The lagoon, which is about the size of a football field, has had containment and odour, causing complaints from neighbours and forcing the region to act.

The region is requiring Azurix to remove excess material and provide an impermeable cover over the lagoon. The lagoon must be decommissioned and all the sludge on site removed by next January.

With no other place to put the sludge, Toronto has returned to full incineration as an interim measure. Plans are being finalized to haul the sludge to a landfill, most likely in Michigan.

Rural residents have been concerned about the practice of putting sludge on farmland because of the foul odours and the risk of contaminating rural aquifers and drinking wells.

—Maureen Reilly

U.S. "Great Lakes Strategy"

The U.S. Environmental Protection Agency's Great Lakes National Planning Office is in the process of developing their "Great Lakes Strategy." The draft strategy has gone through its second review by the members of the U.S. Policy Committee.

This is not just a five-year strategy—it will go beyond and be broader with measurable objectives and key actions and following a layout of chemical integrity, physical integrity, biological integrity, and partnerships. The next level of review will be staff and then public consultation with a public workshop in early spring.

Great Lakes United will keep you up to date on the release of the Great Lakes Strategy document to the public and the timelines for public input.

—Patty O'Donnell

Two U.S. IJC commissioners resign

In late January, two of the three U.S. presidential appointees to the International Joint Commission submitted their resignations as part of George W. Bush's takeover of the Oval Office. Alice Chamberlin and Susan Bayh are gone, leaving Tom Baldini as the only U.S. commissioner at the IJC.

On the Canadian side, Frank Murphy's term was up last year and his position stands vacant, leaving only Commissioners Leonard Legault and Robert Gourd.

As a result, the IJC is unable to function officially, because as it cannot convene a quorum (four commissioners are needed) to conduct business.

The IJC was created as part of the 1909 Boundary Waters Treaty to mediate disputes between Canada and the United States regarding boundary waters. The signing of the Great Lakes Water Quality Agreement in 1972, together with important amendments to the agreement in 1978 and 1987, made the IJC a significant factor in Great Lakes environmental protection.

Once again we are reminded of how counter productive the IJC appointment system is on the U.S. side, allowing each new president to immediately reward trusted allies with IJC commissions, versus the Canadian system of set terms. Not only do we begin with people who may not be the most qualified for the job, but we lose them just when they're getting good!

Great Lakes United thanks Alice Chamberlin, Susan Bayh and Frank Murphy for their service to the Great Lakes community. And we urge both governments to appoint new commissioners as soon as possible.

—Margaret Wooster

Ontario drinking water reforms

According to *Eco/Log Week*, thirty-five Ontario water plants in sixteen municipalities are failing to meet the province's new reporting requirements.

Environment Minister Dan Newman reported that as of late November the owners of two plants had not provided the Ministry of the Environment with the name of the accredited laboratory analyzing their water samples, as they were required to do by late August.

Owners of thirty-five facilities failed to meet the October 30 deadline for filing quarterly reports describing steps taken to comply with new regulations and summarizing test results.

MOE seems to be taking drinking water violations a lot more seriously since the deaths in Walkerton last May of six people and the sickening of half the town's population of four thousand.

Of the recent reporting failures, Newman said, "The ministry's investigators will consider prosecutions on a case-by-case basis." —Reg Gilbert

Québec diversion moratorium

Just before Christmas Québec Minister of the Environment Paul Bégin announced that the province's moratorium on bulk water export would be extended to January 1, 2002.

Said Minister Bégin, "This extension is going to allow our government to develop and integrate a new water policy, which will address the water export issue in a proper fashion." This is a worrisome statement because nobody knows exactly what the new policy will be.

The moratorium was adopted by decree in 1999 to prevent any large export of surface water or underground water. At that time Québec was the only province ban bulk water export. British Columbia and other provinces have since done so. —Stéphane Gingras

Member News

Thank you, new individuals members!

Welcome to Great Lakes United and thank you so much for strengthening the Great Lakes United coalition:

Ritu Agarwal, Hamilton, ON
Ders Anderson, Chicago, IL
Calvin Campbell, Guelph, ON
David Chervinsky, Grand Island, NY
Bill DeForest, Oswego, NY
Linda DeStefano, Syracuse, NY
Dan Emerton, Fenton, MI
Kathleen Grosskopf, Tonawanda, NY
Merrick Hayes, Buffalo, NY
Craig Hebert, Hull, PQ
Jay Heckman, Buffalo, NY
Elizabeth Hunt, Amherst, NY
John Jablonski, East Aurora, NY
Dean & Ann Jewett, E Aurora, NY
Tom Johnson, Duluth, MN

Ken & Linda Kahn, Buffalo, NY
Bradley Karkkainen, New York, NY
Arthur Keroack, Williamsville, NY
Pat Lawson, Port Hope, ON
Michael Leahy, Washington, DC
Bruce Mackenzie, Toronto, ON
Paula Mohen, Madison, WI
Larry & Givelda Pogue, Dundas, ON
Donald Reeves, Buffalo, NY
Marge Samuelson, Hamburg, NY
Suzanne Simon, Buffalo, NY
Gary Skoog, Brockport, NY
Lyle & Phil Toohey, Orchard Park, NY
Jerry Viste, Sturgeon Bay, WI
Margaret Mary Wagner, Kenmore, NY
Martha Wallace, Snyder, NY
Elinor Weiss, E Amherst, NY

Thank you, new organizational members!

Antioch College, Yellow Springs, OH
CAW - Dept of Health & Safety, Toronto, ON
CAW Local 27, London, ON
Citizens Actively Representing Environmental Security, Port Elgin, Ont
Citizens Regional Transit Corp., Williamsville, NY
Green Onion Resource Center, Grand Marais, MN
International Union — UAW, Detroit, MI
Sisters of Mercy, Snyder, NY
WorldConnect, Buffalo, NY

Thank you, year 2000 donors!

We want to give a *special* thank you to the people who go above and beyond the duty of membership to support Great Lakes United. Your support is so important and much appreciated!

Ritu Agarwal—Dave and Judy Allen
Robert Anschuetz—Hedwig Auletta
Leigh Barker—Cheesebro—Fran Beach—Robert Beck
Georganna Bidlack—Theodore Bistany—Judith Bock
Eleanor Bookwalter—Lee Botts—Blair Bower
Cam & Donna Brown—Tim Brown
Ray & Debbie Burke—Mary Ann Byers—James Carlo
Mavis Carlton—Ronald Cass—Anne Catt
Charles Chester—Clarence & Doris Christensen
Margaret Cole—Sally Coleman

Walter & Constance Constantine
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 Aaron Hopkins—Norman Hubberth
 Thomas & Martha Hyde—John Jablonski
 David & Samena Jeffery—Dean & Ann Jewett
 Peggy Johnson—David Johnson—Mike Johnson
 Edwin & Susan Johnston—David Kennedy
 Bruce Klosner—Dorothy Kristich
 George and Danielle Kuper—Pat Lawson
 Harold & Betty Leader—Ray LeVan
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 Pat Lupo—James Macdonald—Frederick Mattheaei
 Robin McClellan—Mark McCraw—Joyce McEwan
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Thank you, generous grantors!

The foundations and grantors who support us deserve particular recognition for taking a stand on the crucially important issues of Great Lakes protection. Thanks again to all of you.

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Trout Unlimited
University of Buffalo; NYS Anglers Study
U.S. Environmental Protection Agency
Waterwheel Foundation (gifting entity of Phish)

A last goodbye

We are sorry for the loss of Robert McClellan. He was a friend and generous supporter of Great Lakes issues and of Great Lakes United. Our sympathies to his friends and family.

Our new Endowment Fund



In the nineteenth and twentieth centuries, heavy industry dominated the Great Lakes, from the mining of ores through the processing and manufacture of products like steel, cars, chemicals, and electricity, to the mounds of slag, tailings, and other wastes.

For the most part, these industries were located along the shores of a Great Lake or tributary stream.

Who would have thought back then that *the water itself* would become the most precious resource of the twenty-first century?

So who is looking after the water? Great Lakes United is. We are looking for solutions: cleaner production technologies and materials; restoring the habitats and wildlife that once contributed to the overall health of the ecosystem; protecting water flows from over-consumption, whether in the form of export, diversion or misuse.

But it will take a long time. That's why we started an endowment fund last June with the Community Foundation for Greater Buffalo: to ensure that Great Lakes United will be around for years to come. And we are pleased to say that in just six months, we are almost halfway to our goal of \$25,000 by year end.

Please consider investing in the future of the Great Lakes by giving a gift to Great Lakes United Endowment Fund. Just indicate on your check that you gift is intended for the endowment, and we'll do the rest, including sending you a charitable receipt.

Thanks to the Community Foundation for Greater Buffalo, and to all our charter donors, for helping to get us started:

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Michael Stieler—Mark Storch—Patricia Troy
Maureen Wall—Barbara Wallenhorst
Leonard Weber—Ann Weiss—Peter Wise
Elgin Wolfe—Margaret Wooster—Mark Wyckoff

Member profiles

Mike Williams

Mike Williams is a member of the Walpole Island First Nation. He works as Assistant Director of the Walpole Island Heritage Centre and is in charge of their Natural Resources and Environment division. Mike is a member of the Great Lakes United Board of Directors.

Having been at the centre for thirteen years, Mike has encountered issues that occur both on and off the First Nations' territory. These include water quality (discharges into the St. Clair River, an Area of Concern), air quality, invasive species, and myriad "problems of the day" issues.

On-territory issues include resource management (wetlands or hunting grounds, natural heritage, forestry), Environmental Management Framework, the EAGLE Project, and Aboriginal Title issues as they relate to the environment.

Mike Williams is of Ojibway / Potawatomi descent and was born and raised on Bkejwanong ("where the waters divide"). He is Turtle Clan and has a wife, three daughters, two stepdaughters, and three grandchildren.

Breast Cancer Prevention Coalition

We are a network of breast cancer survivors, friends and supporters who are deeply concerned that human health is being harmed by environmental poisons. Our focus is the primary prevention of cancer, one of the most devastating diseases of all time, which has escalated rapidly in recent decades.

In 1960, the lifetime risk for a Canadian woman to contract breast cancer was one in twenty. Today, this risk is one in eight. Tragically, breast cancer is the leading cause of death among women thirty-five to fifty-five years of age. For all cancers combined, the North American risk is now one in three—one in two if you count all skin cancers. This is an increase from one in four in 1960.

Our small but feisty Ontario-based coalition believes that the continuing escalation of cancer incidence is due in no small part to our exposure to thousands of synthetic chemicals and radioactive pollutants released constantly into our workplaces and the environment at large, as well our exposure to a variety of common

products, such as pesticides, cleaners, some pharmaceutical products and hair dyes, that we use on a regular basis. Ontario ranks second among all Canadian provinces and U.S. states in annual releases of toxic chemicals and carcinogens.

In addition to the Primary Prevention of cancer, we advocate for two additional "PPs": the Precautionary Principle and Pollution Prevention.

Members of the Breast Cancer Prevention Coalition were instrumental in staging the March 1999 workshop held at McMaster University in Hamilton, Ontario, "Everyday Carcinogens: Stopping Cancer Before It Starts." For more information on the coalition, see our Web site at www.stopcancer.org or contact Liz Armstrong at (519) 833-1100 or liz@ican.net.

Mike Walker

Mike has worked for General Motors in Grand Rapids, Michigan, for twenty-five years. He works in welder maintenance as a journeyman. Mike is a member of United Autoworkers Local 730, belongs to the local's conservation committee and represents the third shift on its executive board.

Mike is married to Cathy and has three children, Jeremy, twenty-nine, Daniel, twenty-six, and Matthew, twenty-five, and a granddaughter, Larissa, one.

Mike is busy. He is a member of numerous sporting and conservation organizations, from Buckmasters and the National Rifle Association to Wildlife Forever and Michigan United Conservation Clubs.

Says Mike of his environmental interests: "I have been involved in conservation efforts since 1970. I was a participant in the first Earth Day held in Detroit. My family has always shown respect for Mother Earth. We try to do everything we can to protect her. In the local's conservation committee we have been doing an annual spring clean up of a local cold water stream called Buck Creek. We involve the community of Wyoming, Michigan. I wanted to become a member of Great Lakes United to help myself to better learn how to protect the Great Lakes area. We need to do a better job of protecting our environment and not let "big business" dictate what they believe to be in the best interest of Great Lakes citizens. I want to do my part to preserve the Great Lakes for my children and grandchildren and for all of us in the Great Lakes basin."

... governors offer waters plan

continued from the cover page

its provisions, particularly an exemption for certain "small" uses under 1 million gallons per day, undermine the environmental protection purpose of the plan. The cumulative impacts of the putatively small proposals on local water levels or the Great Lakes basin environment could be dramatic.

Furthermore, the exemption would hamper the annex's ability to serve as a defense against bulk water export and diversion proposals. International trade agreements and U.S. commerce law may limit the ability of regional governments to prevent export and diversion projects, unless the efforts to do so are non-discriminatory. Strict environmental protection may be an acceptable basis for preventing export and diversion proposals, but the exemption makes Annex 2001's environmental protections less strict.

The new standard for water use proposals

Current state and provincial water use laws prevent harm only to other human users of water, with little consideration for the effects of water use projects on plant or animal life. Annex 2001 would change all that:

The aforementioned agreements will include a standard that no State or Province will allow a new or increased withdrawal . . . unless the applicant for the withdrawal establishes that its proposal, together with the applicant's existing use:

- A. Includes implementation of all reasonable and appropriate water conservation measures; and
- B. Does not, individually or cumulatively, together with current basin-wide water uses, cause significant adverse impact to the quantity or quality of the Waters and Water-Dependent Natural Resources of the Great Lakes Basin; and
- C. Results in an improvement to the Waters and Water-Dependent Natural Resources of the Great Lakes Basin; and
- D. Complies with all applicable laws.

The combination of points B and C—the word "and" between them is key—is rare in environmental law.

Wetlands protection and some other environmental laws sometimes require mitigation—improvements that make up for permitted damage. But in mitigation schemes the damage is usually certain while the improvement is hoped-for or even experimental. The result is often significant degradation, even when intentions are good.

Annex 2001 proposes a system requiring *both* no significant damage *and* improvement in order to obtain a water use permit. In theory—implementation could be very different—this combination has the potential to truly protect the Great Lakes basin ecosystem.

What's right with Annex 2001

The definition of "improvement" in Annex 2001 is substantially better than in previous drafts, perhaps demonstrating government seriousness to get environmental protection right under the new system.

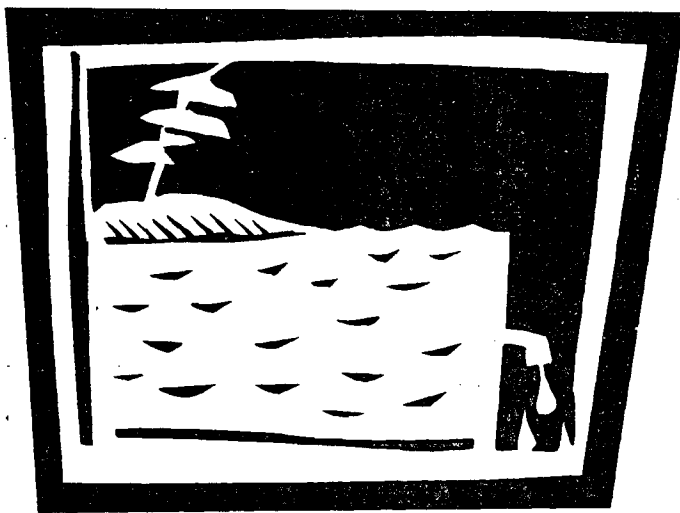
First, the current annex makes it clearer that planned improvements cannot be used to make up for harm caused by a water use proposal. Second, the annex now assures that improvements will be focused on the water system rather than laudable but unrelated efforts like urban tree planting. Finally, the draft annex now forbids the use of improvement projects mandated in point C from satisfying the basic water conservation requirements of point A. Improvement projects designed to conserve water would have to go beyond the requirements of point A.

Other positive provisions of Annex 2001 include making the new system binding on the signers and including the public in future water-related decisions. Both elements are essential for an agreement based on Annex 2001 to actually protect the region.

What needs improvement in Annex 2001

Although it is a long step in the right direction, Annex 2001 must be greatly improved to successfully prevent abuse of the basin water system and prevent damaging export and diversion projects:

- 1) *Include Canada.* The views of Ontario and Québec must be part of the final Annex 2001. The possibility that the states will proceed on their own is extremely dangerous to the region. The basin's waters absolutely must be managed as a whole if the region's protective legal structures are to withstand the scru-



tiny of international trade court in coming decades. Ontario's statement criticizing the current draft of the annex is available at www.glu.org.

- 2) *Delete the exceptions.* The new annex, and its requirements for environmental scrutiny, water conservation and improvement, will not apply to certain diversions of less than 1 million gallons per day. This so-called "de minimis exemption" opens a loophole that could eventually lead to a serious loss of basin water. Furthermore, the exemption is actually a substantial step back from the governors' current authority under the U.S. Water Resources Development Act of 1986, under which the governors may veto diversion projects of any size. The "de minimis" provision should be deleted in its entirety from Annex 2001. The question of which small uses should be exempted from the new standards for practical reasons—wells drilled to supply drinking water for one or two homes is an obvious candidate—would be more appropriately addressed in the detailed negotiations that will follow signing of the annex.
- 3) *Impose a moratorium on exports and diversions and exercise stricter scrutiny of major new or increased water uses* within the Great Lakes basin. Rather than defining a size of diversion that is automatically approved, the governors should follow last year's recommendation by the U.S.-Canada International Joint Commission and impose both a moratorium on all diversion proposals and stricter scrutiny on major new or increased in-basin uses until the new standards for judging water use proposals have been negotiated and implemented.
- 4) *Create a restoration strategy.* Annex 2001 must contain a commitment to develop an overall strategy for protecting the Great Lakes basin ecosystem. Even well-intended improvement measures will be ineffective unless they are part of a plan containing broad ecosystem improvement goals, with specific objectives and dates for achieving them.
- 5) *Improve water conservation.* The water conservation provisions of the annex are weak. The states and provinces should require "maximum achievable" (rather than "reasonable and appropriate") conservation before new or increased uses are considered. Strong conservation measures are the cornerstone of two critical goals of the annex: effective protection of the Great Lakes basin ecosystem and credibility in the eyes of rest of the continent and the world that we are preserving the lakes for their own sake rather than for the (likely illegal) benefit of local economic interests.
- 6) *Look at all alterations, not just withdrawals.* The scope of water-related proposals affected by the annex's scrutiny should go beyond mere water "withdrawals" (that is, taking water out of lakes, rivers, or the ground). Annex 2001 should be broadened to include the full range of human actions that damage the basin water system and the living things that depend on it. For example, simply slowing down a river's flow can make it impossible for certain fish to reproduce, thereby having a more serious impact on aquatic life than even a large withdrawal. An approval system that treats all human changes to the water system as seriously as standard water withdrawals would be much harder to question as illegal under international trade agreements.
- 7) *Include the St. Lawrence River basin.* As the farthest downstream jurisdiction, Québec is the most vulnerable to abuses of the Great Lakes water system; it needs to be centrally involved in protecting it.
- 8) *Include the basin's First Nations and tribes.* Creation of new agreements for managing basin water uses should involve the region's Native people, who have a long history of environmental concern and sovereign rights to certain basin waters. Native exercise of tribal rights outside the final agreement could ultimately undermine the state and provincial effort to protect the region's waters.
- 9) *Assure strong public participation and education.* After signing the Annex 2001 framework, the states and

provinces will start negotiating a detailed agreement that will cause extensive changes in basin water use practices. If the final agreement is going to truly protect the lakes, be understood by the public, and ultimately be passed into law in every state and province, thorough public education efforts and ongoing public involvement in negotiating the final agreement will be necessary.

Please comment!

The governors need to hear from the public on Annex 2001. To weigh in on this important document, write the Council of Great Lakes Governors by February 28 at cglg@cglg.org, by fax at (312) 407-0038, or by regular mail at Annex 2001 Comments, Council of Great Lakes Governors, 35 East Wacker Dr. #1850, Chicago, Illinois, 60601.

Ontario residents have been invited by the provincial government to comment on the document to the council or to the province. Write Natural Resources Minister John Snobelen at minister@mnr.gov.on.ca, by fax at (416) 314-2450, or by regular mail at Annex 2001 Comments, Ontario Minister of Natural Resources, 6th Floor, Room 6641, Whitney Block, 99 Wellesley St. W., Toronto, Ontario, M7A 1W3.

Pennsylvania, Ohio, and Indiana held hearings in January and early February. Michigan held a hearing in Lansing on February 2, but is planning another in Marquette February 14. New York is still considering

hearings in Buffalo, Oswego, and Albany in late February. See www.glu.org for details when they are released. Various Great Lakes environmental and civic groups have urged Minnesota, Wisconsin, and Illinois to hold hearings, but the states have not yet responded. If you live in one of these states, call your governor now to urge him to schedule public hearings on one of the most important steps your state will take this year.

Illinois—Gov. George Ryan, 207 Statehouse, Springfield, Illinois 62706, 217-782-0244, fax: -524-4049.

Minnesota—Gov. Jesse Ventura, State Capitol, 75 Constitution Ave., Saint Paul, MN 55155, 800-657-3717, fax: 651-296-0674. **Wisconsin**—Gov. Tommy Thompson, 125 S. State Capitol, Madison, Wisconsin, 53702, 608-266-1212, fax: -267-8983

Despite provincial disagreement with elements of Annex 2001, we are also asking citizens in Ontario and Québec to request provincial hearings on the document. Given the final signing schedule for Annex 2001, there may be no other opportunity for citizens to weigh in on provincial negotiating positions and plans. To reach your premier:

Ontario—Premier Mike Harris, Legislative Building, Queen's Park, Toronto Ontario, M7A 1A1, 416-325-1941, fax: -3745. **Québec**—Premier Lucien Bouchard, 885, Grande Allée Est, Québec City, Québec, G1A 1A2, 418-643-5321, fax: -3924

See www.glu.org for hearing details as they become available. For more information email reg3@glu.org.

Join Great Lakes United!

Sure! Somebody's got to care! Sign me up as a member:

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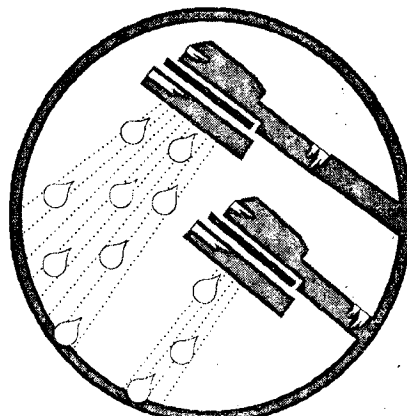
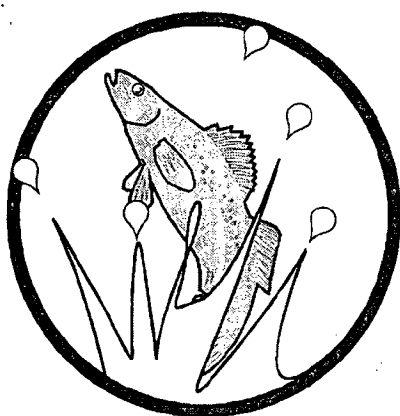
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In the United States please make checks payable and send to

Great Lakes United, Buffalo State College, Casserty Hall, 1300 Elmwood Ave., Buffalo, New York, 14222

In Canada please make cheques payable and send to Great Lakes United Foundation, 4525 rue DeRouen, Montréal, Québec, H1V 1H1



... an ecosystem agenda for water use reform

continued from the back page

consensus among basin activists thinking about what the governors and premiers should do.

So without further ado, find the summary of the document on , the summary:

Water defines the world for people who live in the Great Lakes and St. Lawrence River basin.

Water is the economic, recreational, and spiritual basis of human society here. Water is the foundation of the region's fish, plant, and wildlife communities.

But the basin water system is in danger. Climate change, diversion and export proposals, and industrial, agricultural, and municipal misuse all threaten the source of our culture, our well-being, and the well-being of the living things around us.

Fortunately, news of threats to the lakes has galvanized both public opinion and government interest in better protecting the region's waters. Basin political leaders have begun to act. The U.S. and Canadian federal governments asked the International Joint Commission to write a comprehensive report on protecting Great Lakes waters, which was delivered in March 2000. Ontario, Québec, and Minnesota are developing strategies for managing water use. The Great Lakes provinces and states have been meeting and will soon put forward a collective plan to reform basin water use practices.

The public has a crucial role to play in this process: We must insist that new solutions for sustaining water for future generations *fully* protect *and* restore the already heavily damaged basin water system. To do this,

reform projects must address *all* the many changes people cause in the natural state of water, from exporting it for drinking to draining wetlands for development and damming streams for electricity.

This document recommends a comprehensive set of reforms based on specific environmental protection and restoration objectives. These recommendations—environmental “must haves” for any reform project to succeed—can distinguish proposed approaches that lead to sustainable use of Great Lakes waters from those that push the region further down the spiral of non-sustainable water use.

In brief, these recommendations are:

1. The federal, tribal, state and provincial governments should place a moratorium on new or increased water uses, diversions, and other changes to the Great Lakes and St. Lawrence River water system, until a comprehensive conservation and ecosystem restoration strategy has been developed and implemented in legislation and permitting
2. The goal of the strategy must be to protect *and* affirmatively restore the basin water system, not just fend off additional harm
3. A central objective of the strategy must be substantial reductions in basin water consumption and use
4. The comprehensive conservation and restoration strategy must:
 - Address *all* changes to the Great Lakes and St. Lawrence River water system. Managing solely for how much water is used while neglecting, for example, how and where it moves, will not protect water for the benefit of all users, including nonhuman users
 - Provide specific, binational protection and restoration goals for the basin water system
 - Include a basin-wide standard to be applied to all decisions on proposed new water uses or alterations of the water system
 - Be conservation-based, that is, based on protect-



ing and restoring the basin water system as opposed to accommodating and mediating the wasteful needs of use sectors

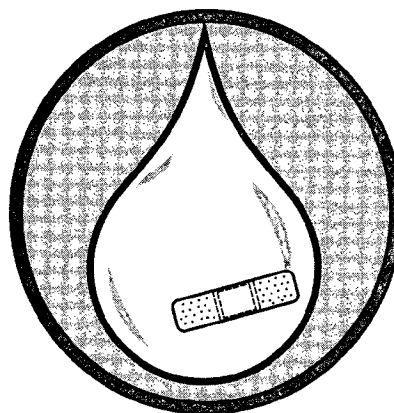
- Set conservation targets by use sectors with timelines
- Take a watershed approach to system protection and resto-

ration by encouraging living within the means of individual watersheds, defined as no larger than major river watersheds

- Prohibit new diversions of water between watersheds

- Embody the precautionary principle: use conservative approaches in the absence of perfect information about the needs of the water system

5. The public must have full access to the process for developing and implementing both the basinwide conservation and restoration strategy and the standard for making decisions on proposed water uses and alterations
6. All water use and alteration decisions must be subject to challenge by citizens
7. The process for developing and implementing the strategy and standard must be guided by the region's state, provincial and tribal governments, but it must also respect and accommodate the legitimate role of the federal governments: overseeing the national and international interest in protecting and restoring the basin water system
8. The federal governments must assure the availability of a constitutionally valid mechanism that enables vigorous international, tribal, provincial and state cooperation
9. Should state, local and tribal governments fail to create a strategy, the federal governments should step in to assure that a strategy is created
10. The onus must rest with those proposing new or increased water uses or alterations to the water system to show that they are consistent with the strategy and standard
11. Information on the connection between the basin water system and the life it supports should be



continuously and aggressively gathered and assimilated into a publicly accessible, binational water information base that is understandable and useful to lay citizens

12. Regional climate change should be aggres-

sively researched and climate change data evaluated with water data to routinely review the estimated impacts of climate change on basin water quantities and movement

13. The effects of all approved water uses must be monitored for periodic evaluation of the uses against the standard and strategy, and to inform future water use decisions. This monitoring information should be included in the binational water information base
14. Water use approvals must be rescindable if evidence later arises that they are no longer, or never were, consistent with the strategy and standard
15. Every individual's access to water for basic human needs—drinking, cooking, and bathing—must be guaranteed

A workshop

Extended Producer Responsibility and the Automotive Industry The Wave of the Future

February 21, 2001

Windsor, Ontario

Holiday Inn Select, 1855 Church Road
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Sponsored by

Canadian Autoworkers Union's
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and Great Lakes United

Information: Alex at alex@glu.org or (716) 886-0142

... mercury in cars

continued from the cover page

Mercury may also enter the environment during automobile shredding and dismantling at the more than ten thousand U.S. automobile scrap yards.

Mercury is a persistent heavy metal that is highly toxic to humans and wildlife and is dangerous in minute amounts—1/70 of a teaspoon of mercury can make all the fish in a twenty-five-acre lake unsafe to eat.

The National Academy of Sciences reports that each year an estimated 60,000 children in the United States may be born with a higher risk of neurological damage resulting from the maternal consumption of methylmercury-contaminated fish during pregnancy.

One auto mercury switch contains nearly a gram of mercury, equivalent to the amount of mercury found in household fever thermometers, which are now being banned by many city and state governments due to increasing concern about the health risks resulting from the disposal of mercury containing products.

Toxics in Vehicles: Mercury estimates that electric arc furnaces emit 15.6 metric tons of mercury each year. This is more than all manufacturing sources combined and the fourth largest source overall—behind the leading combustion sources: coal-fired power plants, municipal waste incinerators, and commercial/industrial boilers.

Automobiles are likely the single largest source of mercury-contaminated scrap fed to electric arc furnaces. "Our report clearly documents how the unnecessary use of mercury in automobiles is the primary culprit in contaminating the scrap steel recycling and recovery system," said Charles Griffith, Auto Project director at the Ecology Center. "These new findings show that the auto industry is one of the largest sources of mercury pollution."

Another report, *Toxic by Design*, shows that auto manufacturers continue to use mercury in product design and purchasing decisions despite known concerns and the availability of practical, cost-effective alternatives. The report, released by Environmental Defense, also finds that mercury is released at the facilities where automotive switches are manufactured for delivery to the automakers.

"The automobile industry has known about this

problem for nearly a decade,," said Environmental Defense engineer Dean Menke, "but they have failed to take the steps necessary to correct it, despite the existence of practical, low-cost alternatives. Some auto manufacturers have begun phasing out these materials, but this study demonstrates that faster, more decisive action is critically needed."

Alternatives to the mercury-containing switches are available, including a ball-bearing switch that is a drop-in replacement for a mercury switch used in convenience lighting. The switch does not require a redesign of the part or vehicle itself. Other mercury switch alternatives include electro-optical switches, inductive sensors, photoelectric sensors and ultrasonic sensors.

While U.S. manufacturers continue to use mercury switches for lighting and antilock brake applications, international automakers such as Toyota, Volvo, and BMW have completely eliminated mercury switch applications since 1993.

North America currently has a record 225 million automobiles on the road, up ten million from 1990. While growing concerns over global warming and air quality have focused public attention on fuel efficiency and tailpipe emissions, these studies are among the first to document environmental impacts resulting from car manufacture and disposal.

Both reports call on U.S. automakers to immediately eliminate the use of mercury switches in new cars and trucks and to label vehicles that contain mercury. In addition, the Clean Car Campaign calls on the automobile industry to take responsibility for the removal and safe collection of mercury switches in the existing fleet of vehicles currently on the road. These recommendations were also backed by a coalition of over fifty environmental and public health groups that signed on to an action plan developed by the Clean Car Campaign.

Society routinely expects automakers to take responsibility for vehicles that pose safety or environmental hazards while on the road. Likewise, the automakers need to address the serious hazards of their products once sent to the scrap heap. "This is the Firestone problem in a different form," said Griffith. "The mercury is just hurting people once the car is off the road."

Both reports are available at www.cleancarcampaign.org or contact Alexandra McPherson at alex@glu.org for hard copies.

Mercury facts

Mercury first became known as a human health hazard over a hundred years ago, with the appearance of the brain-damaging "Mad Hatter" syndrome among workers exposed to mercury in the hat industry. Hat manufacturers no longer use mercury, but many other industries still do.

Mercury deposited into our ecosystems is consumed by living things and gets more highly concentrated as it moves up the food chain. Ocean and fresh water fish that people enjoy eating are very susceptible to mercury contamination. As a result, top predator fish such as salmon, lake trout and walleye may have mercury concentrations more than a million times higher than their surrounding water (see National Wildlife Federation's 1997 report *Ohio's Mercury Menace*). Fish in more than fifty thousand bodies of water in forty U.S. states have such high levels of mercury that people are warned not to eat them (see the U.S. Environmental Protection Agency's 1998 fact sheet update, "Listing of Fish and Wildlife Advisories").

Woman, children, and fish-eating anglers are at high risk of adverse health effects from mercury contamination in foods, namely fish. Women who are or expect to become pregnant are advised not to eat any mercury-contaminated fish, as unborn children are vulnerable to mercury poisoning. When ingested, methylmercury easily crosses the placenta and blood brain barriers, exposing unborn children to dangerous levels of mercury. Exposure to mercury in the womb can have adverse effects on neurological development of children (see *Neurotoxicology and Teratology*, vol. 19, no. 6, 1997).

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printed on bleached paper for the third time in
a row, but we have now found a source of recycled,
process-chlorine free paper that comes in the
large rolls used by "web" presses. we will use it next issue

An Ecosystem Agenda for Water Use Reform

The governors and premiers of the Great Lakes and St. Lawrence River basin seem to be serious about reforming regional water use laws to address centuries of abuse of the basin water system and to prevent environmentally damaging bulk water export and diversion proposals.

In their Annex 2001 document (see cover story), they propose to change basin water use law so that it is based on environmental protection rather than on impacts to other users.

But how exactly should they do that? What should the governments be looking for as they decide to approve or disapprove a proposed project?

Throughout 2000 five basin groups attempted to answer this rather new question.

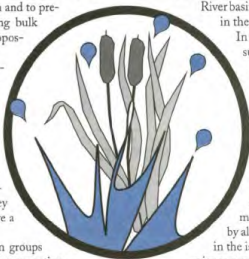
After six months deliberation, the groups—Great Lakes United, the Canadian Environmental Law Association, the National Wildlife Federation's Great Lakes

office, Strategies St-Laurent, and the Lake Michigan Federation—put a draft document out to comment by several dozen Great Lakes and St. Lawrence River basin activists with some expertise in the area.

In December we released the result—*Water Use and Ecosystem Restoration: An Agenda for the Great Lakes and St. Lawrence River Basin*. The summary of the document is reprinted below, and the full text is available at www.glu.org.

We do not consider the document the final word on this very complex subject. We expect that the next several months or even year of perusal by all those people with an interest in the issue will result in a number of wise comments and corrections, and ultimately a second edition. But for now we hope *Water Use and Ecosystem Restoration* can serve as a rough draft of

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