

June 9, 2016

Great Lakes Compact Council
c/o Conference of Great Lakes and St. Lawrence Governors and Premiers
20 N. Wacker Drive, Suite 2700
Chicago, Illinois 60606

Dear Compact Council Members:

On behalf of the undersigned bi-national conservation organizations representing hundreds of thousands of people from across the Great Lakes, we write to encourage you to consider additional issues concerning the Declaration of Finding adopted by the Regional Body regarding the City of Waukesha's proposed Great Lakes Water Diversion under the Great Lakes – St. Lawrence River Basin Water Resources Compact (Compact).

We commend the Regional Body for agreeing with us that the Waukesha diversion application as submitted failed to meet the rigorous standards in the Compact. We appreciate the work done by the Regional Body to evaluate and add more stringent conditions to the Declaration of Finding on Waukesha's diversion request. As the first test of the Compact, Waukesha's application will set lasting precedent for the Great Lakes region and ultimately determine the long-term viability of the Compact itself.

As the Compact Council takes into consideration the Declaration of Finding, public comments and other materials in the record, we have remaining issues that need to be addressed. Specifically, the Compact Council should set forth additional conditions that will ensure compliance with the rigorous requirements and underlying principles of the Compact. These include:

- Additional measures, including enforcement and penalty provisions, necessary to ensure that compliance with all conditions can be enforced by the Compact Council, its members, and citizens;
- Additional measures that make it clear that the Wisconsin Department of Natural Resources must manage the diversion, and all conditions, by incorporating them in the form of a permit or binding contract that entitles the Compact Council, its members, or any person to enforce the terms of the permit or contract;
- Requiring a maximum daily demand cap and reducing Waukesha's allowed average daily demand to the amount of water Waukesha actually uses currently accounting for reduced water use from conservation measures;
- Consider requesting Wisconsin Department of Natural Resources to conduct a new alternative analysis on the new diversion area at 8.2 mgd;
- Requiring Waukesha to return water via the Milwaukee Metropolitan Sewerage District to avoid adverse impacts to the Root River and downstream communities;

- Strike any reference in the conditions that references the groundwater hydrological connection between Lake Michigan and the Mississippi River Basin since this is not a Compact requirement; and
- Additional measures that require Waukesha to fully implement and strengthen its water conservation program.

We appreciate your review of our concerns and ensuring these are addressed on the record by the Compact Council. If these issues are not addressed, the Compact's stringent criteria for approval have not been met and we encourage you to veto Waukesha's proposed diversion of water from Lake Michigan.

Sincerely,

Marc Smith
Policy Director
National Wildlife Federation

Molly Flanagan
Vice President, Policy
Alliance for the Great Lakes

Kristy Meyer
Managing Director, Natural Resources
Ohio Environmental Council

James Clift
Policy Director
Michigan Environmental Council

Cathy Martin
Program Manager
Save the Dunes

Elizabeth Moran
Water & Natural Resources Associate
Environmental Advocates of New York

Scott Strand
Executive Director
Minnesota Center for Environmental Advocacy

Gary Botzek
Executive Director
Minnesota Conservation Federation

Steve Morse
Executive Director
Minnesota Environmental Partnership

Karen Hobbs
Senior Policy Analyst
Natural Resources Defense Council

Nancy Goucher
Manager, Partnerships
Freshwater Future

Jennifer McKay
Policy Director
Tip of the Mitt Watershed Council

LeRoger Lind
President
Save Lake Superior Association

Deanna White
State Director
Clean Water Action Minnesota

Lori Andresen
President
Save Our Sky Blue Waters (MN)

Jennifer Bolger Breceda
Executive Director
Milwaukee Riverkeeper

Jill Crafton
Chair
Great Lakes Committee – Izaak Walton League

Jodi Habush Sinykin
Of Counsel
Midwest Environmental Advocates

Kristin Larsen
Friends of the Cloquet Valley State Forest
Minnesota

John Crampton
President
Izaak Walton League - MN Division

Ezra Meyer
Water Resources Specialist
Clean Wisconsin