



GREAT LAKES LEGISLATIVE CAUCUS

Great Lakes News for Legislators

An online newsletter of the Great Lakes Legislative Caucus

Caucus Chair: Michigan Sen. Patricia Birkholz

April 2008

On Tap This Issue

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- New development in Ohio
- Ballast rules unveiled
- State vs. invasive species
- Congress comes to region
- Water task force meets
- Earth Day cleanup
- Caucus events coming soon!

Quick Links

Great Lakes Legislative Caucus www.greatlakeslegislators.org

Alliance for the Great Lakes www.greatlakes.org

Council of Great Lakes Governors www.cglg.org

Great Lakes and St. Lawrence Cities Initiative www.glsclcities.org

Great Lakes Commission www.glc.org

Great Lakes Environmental Law Center www.greatlakeslaw.org

Great Lakes Regional Collaboration www.epa.gov/greatlakes

Great Lakes United www.glu.org

Great Lakes WATER Institute www.glw.uwm.edu

Healing Our Waters Coalition www.healingourwaters.org

International Association for Great Lakes Research www.iaglr.org

International Joint Commission www.ijc.org

Northeast Midwest Institute www.nemw.org/greatlakes.htm

The Joyce Foundation www.joycefdn.org

U.S. Fish and Wildlife Service, Great Lakes Basin Ecosystem www.fws.gov/midwest/greatlakes

[Newsletter Archive and More on the Caucus](#)

Fifth state set to OK Great Lakes compact

Wisconsin is **on the verge** of becoming the fifth state to ratify the **Great Lakes-St. Lawrence River Water Resources Compact**.

Concerns about certain provisions in the proposed interstate agreement, along with legislative disagreement over state-specific implementing language, had stalled passage of the compact during the state's regular 2008 session.



However, legislators are now planning to meet in special session thanks to a compromise reached between leaders in the Republican-led Assembly and Democrat-controlled Senate. Lawmakers have said the compromise agreement would be consistent with the compact language already passed in four other states: Illinois, Indiana, Minnesota and New York.

The **compromise agreement** creates for the first time a statewide conservation program, introduces incentives for regional water planning and provides for legislative oversight of the governor's vote on the regional rules implementing the compact. According to **Milwaukee Public Radio**, the agreement also establishes a framework for communities that straddle or lie outside the basin to seek approval to tap into the Great Lakes for their drinking water.

Compact deal in Ohio? Constitutional amendment proposed

An Ohio lawmaker who has opposed the compact in its current form says he will stop blocking its passage if his concerns about private-property rights are addressed via a state constitutional amendment, **The Cleveland Plain Dealer** reports.

According to Sen. Tim Grendell, language in the compact would "effectively convert private surface and groundwater ownership rights of the citizens . . . into public trust property." Compact proponents have said the agreement includes language protecting existing property rights.

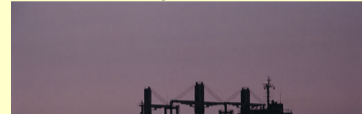
Minnesota unveils draft language for new ballast water permits

Minnesota's attempt to regulate the ballast water discharges from commercial ships in Lake Superior took another step forward in April with the release of **draft language** for a new permitting system.

Plans are to have a new regulatory system in place by Sept. 30. The state is now receiving public input on its plan, which is designed to control the introduction and spread of aquatic invasive species.

According to the **Minnesota Pollution Control Agency**, the permit would require commercial ocean-going and Great Lakes-only vessels to obtain a National Pollutant Discharge Elimination System/State Disposal System permit prior to discharging ballast water into state waters.

The permit would likely require best management practices and specific performance standards for the discharges. For example, a ballast water performance standard might specify an allowable number of living detectable organisms per cubic meter of water.



"Existing federal ballast water management requirements and policies have not been effective in preventing biological invasions in the Great Lakes," the PCA said in explaining the need for state-level regulations.

In a **letter** earlier this year to the PCA, the U.S. Great Lakes Carriers Association said state-level permits would create a "regulatory nightmare with potential major negative local consequences."

Wisconsin legislators to consider invasive species rules in '09

Wisconsin legislators will be asked next year to OK new rules that "represent the first comprehensive effort at regulating invasive species" in the state, including fish and aquatic plants, the **Wisconsin State Journal** reports.

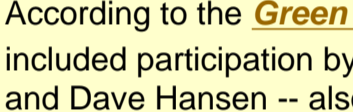
Based on a set of criteria, the new system would classify invasive species in one of three categories: prohibited, restricted and non-regulated. It also would establish rules for the sale and transportation of invasive species, as well as institute new penalties and fines.

Wisconsin's Draft Invasive Species Identification, Classification and Control Rule is available [here](#).

Congress comes to Green Bay for Great Lakes hearing

Heightened concerns about lower water levels in the Great Lakes brought a congressional subcommittee to Green Bay, Wis., in April.

According to the **Green Bay Press-Gazette**, the public hearing -- which included participation by at least two state legislators, Sens. Robert Cowles and Dave Hansen -- also focused on the environmental problems being caused by aquatic invasive species.



About 300 people attended the hearing of the U.S. House Committee on Transportation and Infrastructure Subcommittee on Water Resources and Environment.

Water levels in all of the Great Lakes are below historical averages. Record-low levels were reported on Lake Superior in August and September of 2007. Higher levels are being reported on Superior so far this year. According to the **The Detroit News**, lakes Erie and Ontario are at last year's levels, while Michigan and Huron are slightly down.

Factors impacting lake levels include precipitation and winter air temperatures in the Great Lakes region.

Some **regional federal lawmakers** have called for a closer examination into the impact that global warming is having -- and could have in the future -- on low water levels. **Others** have cited management of the lakes as a contributing factor to the lower lake levels, including the dredging of the St. Clair River.

Improving water infrastructure charge of Pennsylvania task force

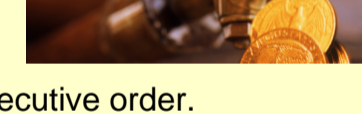
Shrinking federal funds to improve the region's wastewater and drinking-water infrastructure has at least one Great Lakes state looking at new funding options and alternatives to traditional system upgrades.

The **Pennsylvania Sustainable Water Infrastructure Task Force** met for the first time in April. It was created by executive order earlier this year.

Like other states, Pennsylvania is struggling to maintain and upgrade its water-related infrastructure. A federal Clean Water Needs Survey found that Pennsylvania is facing nearly \$11 billion in unmet drinking-water infrastructure needs and at least \$7.2 billion in unmet wastewater infrastructure needs.

As part of its charge, the task force will examine "non-structural alternatives to capital upgrades, such as nutrient credit trading, water re-use and conservation."

It also will focus on the actual costs of water and sewer service, and develop recommendations on how to allocate costs among customers as well as state and federal assistance programs.



"Pennsylvania needs a comprehensive strategy to ensure the long-term sustainability of its water infrastructure," **Gov. Ed Rendell** said in issuing his executive order.

"Without one, our ability to tackle the serious environmental and economic infrastructure challenges facing our communities will be jeopardized."

Earlier this year, a **report** issued by two Great Lakes groups - the Great Lakes Commission and Great Lakes and St. Lawrence Cities Initiative - found that, without greater federal assistance, Great Lakes sewage contamination will continue and worsen in the future due to insufficient drinking-water and wastewater systems.

Earth Day cleanup targets proper disposal of pharmaceuticals

In the wake of **reports** of prescription and over-the-counter drugs being found in state waterways, including the Great Lakes, state and federal officials have stepped up efforts to make sure unused pharmaceuticals are disposed of safely.

The **U.S. Environmental Protection Agency** is marking Earth Day in April by setting a goal in the Great Lakes region to collect "1 million pounds of e-waste and 1 million unwanted pills."

With the help of state and local officials, the cleanup effort is taking place throughout the region. **Wisconsin**, too, has used the regional Earth Day event to launch a six-month-long, two-county pilot project. Under the Wisconsin Old Medicines Mail Back Pilot program, participating pharmacists will inform customers about a toll-free number to call for a pre-paid shipping label and packing materials to return leftover drugs. A designated reverse distributor for pharmaceuticals in Milwaukee will catalog all received materials and arrange for proper disposal.

According to the **Alliance for the Great Lakes**, researchers are "increasingly troubled" by the disruptive impact that pharmaceuticals and other pollutants are shown to have on the hormonal systems of organisms in the Great Lakes. These findings, too, have heightened concerns about the potential impact on people.

Legislators encouraged to take part in caucus events

Sign-up for three upcoming Great Lakes Legislative Caucus events is continuing.

On June 13 and 14, the caucus will meet in Chicago; travel stipends will be available to participating legislators.

Through a mix of programming and discussion opportunities, the event will give legislators the chance to learn more about key Great Lakes-related environmental issues and policy trends.

Legislators will receive more information about the meeting in the weeks ahead. They also can contact Mike McCabe at mmccabe@csg.org or 630/925-1922 or Tim Anderson at tanderson@csg.org or 630/925-1922.

Please click [here](#) to download a meeting registration form.

Teleconference calls on Great Lakes water quality, economy

Later this week, the first of two planned regional teleconferences will be held. These calls will allow legislative participants to learn from Great Lakes experts and to share ideas with one another on important issues impacting the ecosystem and region.

The focus of the first call will be on Great Lakes water quality and pollution prevention efforts. Featuring a presentation by Robert Sweeney, executive director of the International Association for Great Lakes Research, the call will run from 11 a.m.-noon EDT (10 a.m.-11 a.m. CDT) on Friday, April 25.

The second conference call will be held May 19 from 2:30-3:30 EDT (1:30-2:30 CDT). It will feature a presentation by the Brookings Institution's John Austin, who will examine the role that Great Lakes protection and restoration can play in strengthening the region's economy.

Legislators, legislative staff and interested others are encouraged to participate in these calls.

Please click [here](#) to sign up for these calls.



About the Newsletter and the Great Lakes Legislative Caucus
Great Lakes News for Legislators is an online publication of the Great Lakes Legislative Caucus (GLLC). The GLLC is a nonpartisan group of state and provincial lawmakers from eight states (Illinois, Indiana, Michigan, Minnesota, New York, Pennsylvania, Ohio and Wisconsin) and two provinces (Ontario and Québec). The goal of the caucus is to facilitate the regional exchange of ideas and information on key Great Lakes issues, strengthen the role of state and provincial legislators in the policymaking process, and promote the restoration and protection of the Great Lakes. All legislators are welcome to participate. Funding for the caucus is provided by the Joyce Foundation. The Council of State Governments provides staffing for the caucus. More information is available at www.greatlakeslegislators.org.

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