

Hey Guys,

Here is a little of what is going on in regards to the Great Lakes Compact (Water Diversion).

The Great Lakes Compact was ratified by the Governors of all 8 U.S. states and Canadian provinces in December 2005, but still required that each states legislature pass the compact as written (no amendments) into state law. While Michigan by virtue of having the most to lose (biggest portion of the pie) and should have been the first state to pass the compact into law, Minnesota beat us to that honor in February 2007. We spoke with Senator Patty Birkholz and Donna Stine, MUCC Executive Director 3/13/07 to explain what the reason for the delay was in approving the Compact into law? It happens that our legislators were not entirely happy with the revised compact as it does not close all the loopholes. In this instance, large scale ground water (Ice Mountain) diversions as well as including containers under 5 liters. The State legislators also wanted a good definition and review to quantify what our ground water resources were! In 2005, the state formed the GAC (Groundwater Advisory Council) and tasked the council with reviewing and identifying "all" our water resources, then testing and reviewing against the current and potential effects of small to large scale groundwater diversions. This report is due to be delivered to the legislature in the May/June 2007 time frame.

Senator Birkholz then quoted that once the report is received and reviewed, three bills will be sent to the Michigan Senate & House floors for approval. My wording may not be exactly what the bill is titled, but pretty sure it will be dealing with 1) large scale ground water diversions, 2) diversions in containers under 5 liters, and 3) the Great Lakes Compact to be approved by legislators and signed into law sometime during the 2007 summer/fall session!

The beauty of the Great Lakes Compact is that it is a starting point and does not usurp the individual states authority to enact laws and restrictions exceeding the compacts requirements.

The importance of this has much to do with Michigan Public Act PA 32 & PA33 which were passed into law in 2005, enacted January 1, 2007 was the first law of its type to be enacted by any of the co-signers of the Great Lakes Compact. Public Act 32 & 33 required that 1) all ships transiting within the Great Lakes register/draw a permit and 2) all ocean going ships transiting the Great Lakes sign an agreement to a) not dump ballast water while in transit or b) install one of 4 viable technologies to sanitize the ballast water systems in the ships. These systems are based on the use of chlorine (2 types), and on the use of ultrasonic waves (2 types) that would kill any organisms in the ballast water. I have attached the article Senator Patty Birkholz had published in the Detroit Free Press on March 11th, 200 "Don't water down state's new, tighter ballast rules!"

As many know, invasive species including the newest fish virus VHS are the result of ballast water. This is another subject that the revised Great Lakes Compact 2005 did not do enough for, but thankfully some of our legislators have seen the light! Currently, there are only 3-4 ocean going vessels that the new laws effect, so all the blather about losing jobs and other things is simple posturing on the shippers parts. The truth is that by Michigan leading the way, immense pressure has been applied to the other compact members to enact similar legislation, which has only been verbally stated, will have to work on confirmation of other states progress. Enough pressure has been applied that when MUCC sent a contingent of representatives to Washington D.C. last week, they secured a promise from the Canadian Ambassador that Canada will enact identical legislation to PA32 & PA 33 sometime before May 2007!

So don't hesitate to write your state representative or senator and push for approval of these bills once they have been submitted to the House & Senate!

Tight Lines!

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