

**Great Lakes—St. Lawrence River Basin Water Resources Council  
Meeting Summary**

December 11, 2019

2:45 p.m. EST

Remote participation was available to individuals registering at:

<https://attendee.gotowebinar.com/register/6171617443213835020>

Listen only mode is available by calling:

Canada: 647/497-9429

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Passcode: 397-011-419

**Notice:**

Notice of the meeting was provided to the public through the Great Lakes Information Network's distribution list on November 12, 2019. Notice was also posted to the Great Lakes-St. Lawrence River Water Resources Council (Compact Council) website at [www.glscompactcouncil.org](http://www.glscompactcouncil.org). The notice included an announcement that the meeting agenda, draft resolutions and materials to be discussed during the meeting were available on the Compact Council's website. Call-in information was also posted to the front page of the Compact Council website.

**Call of Meeting:**

2:01 p.m. EST— The meeting was called to order by Chris Smith, alternate of Governor Eric Holcomb.

**Roll Call:**

The following Compact Council members, constituting a quorum, were present:

**Illinois (alternate of Governor J.B. Pritzker):** John Rogner, Illinois Department of Natural Resources.

**Indiana (alternate of Governor Eric Holcomb):** Chris Smith, Deputy Director, Indiana Department of Natural Resources.

**Michigan (alternate of Governor Gretchen Whitmer):** James Clift, Deputy Director, Michigan Department of Environment, Great Lakes & Energy.

**Minnesota (alternate of Governor Tim Walz):** Jess Richards, Assistant Commissioner, Minnesota Department of Natural Resources.

**New York (alternate of Governor Andrew Cuomo):** James Tierney, Assistant Commissioner, New York State Department of Environmental Conservation.

**Ohio (alternate of Governor Mike DeWine):** Rodney Tornes<sup>1</sup>, Chief of the Division of Water Resources, on behalf of Mary Mertz, Director, Ohio Department of Natural Resources.

**Pennsylvania (alternate of Governor Tom Wolf):** Tim Bruno, Chief, Office of the Great Lakes, Pennsylvania Department of Environmental Protection.

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<sup>1</sup> Signed proxy forms for individuals participating on behalf of official member alternates are available upon request.

**Wisconsin (alternate of Governor Tony Evers):** Adam Freihoefer<sup>2</sup>, Water Use Section Chief, on behalf of Preston Cole, Secretary, Wisconsin Department of Natural Resources

### **Actions Taken**

#### ***Review of December 11, 2019 Compact Council meeting minutes***

Mr. Smith asked for a motion that the December 11, 2019 Compact Council meeting minutes be approved as posted. Mr. Tierney moved to approve, and Mr. Bruno seconded the motion. The minutes were approved without objection.

### **Reports**

Noting that the Regional Body meeting adjourned immediately prior to the Compact Council meeting, a motion was made by Mr. Clift to incorporate minutes of the Regional Body reports into the Compact Council minutes. Mr. Tornes seconded the motion. The motion was approved. Pursuant to the approved motion, the following reports are incorporated by reference into the Compact Council's record and re-printed in their entirety below:

#### ***State and Provincial updates on implementation of the Great Lakes—St. Lawrence River Basin Sustainable Water Resources Agreement (Agreement).***

### **Illinois**

Mr. Rogner submitted a written report after the meeting as follows:

#### ***Lake Michigan Diversion***

that the Illinois Lake Michigan Water Allocation Program (Program) continues to manage Illinois' diversion of water from Lake Michigan in response to a 1967 Supreme Court Decree amended in 1980. This Decree limits Illinois' diversion to 3,200 cubic feet per second (cfs) based on a 40-year running average authorized by the "LEVEL OF LAKE MICHIGAN ACT [615 ILCS 50] and is implemented by the IDNR/OWR's Lake Michigan Management Section under Part 3730 Rules "ALLOCATION OF WATER FROM LAKE MICHIGAN".

Illinois' Diversion Accounting is overseen by the U.S. Army Corps of Engineers (USACE). The USACE's most recent certified diversion report, Water Year 2015 (October 1, 2014 – September 30, 2015) shows Illinois' Water Year 2015 certified flow as 2,447 cfs with a running average of 3,070 cfs.

#### ***Lake Michigan Water Allocations: Annual Water Audit Reviews***

The Lake Michigan Management Section continues to collect potable water supply, consumption and loss information from each of its 218 Lake Michigan Water Allocation permittees on an annual basis. The process is highly interactive and allows permittees

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<sup>2</sup> Signed proxy forms for individuals participating on behalf of official member alternates are available upon request.

and the Department of Natural Resources to work together to evaluate water system performance and investigate ways to reduce water loss. For Water Year 2017, all 218 permittees submitted requested data to the Department. Requested data related to Water Year 2018 is still being received and reviewed by the Department.

In addition, all direct diverters must submit a monthly pumpage form (LMO-3) which shows daily pumpage numbers and the amount of water sold to other Lake Michigan allocation permittees. A direct diverter is a permittee who has an intake structure on Lake Michigan or is the first Illinois user of water diverted outside of Illinois. There are currently 19 direct diverters. The Metropolitan Water Reclamation District of Greater Chicago submits monthly reports detailing Lake Michigan water used for Direct Diversion. All data collected continues to be submitted to the Corps of Engineers to be used in their diversion accounting.

*Water Conservation:*

Since Water Year (WY) 2015 the Department's regulatory threshold for non-revenue water (NRW) to Water Supplied is 12%, reducing to 10% in WY 2019. All Domestic permittees that exceed the Department's NRW threshold are required to submit a Water System Improvement Plan that outlines actions the permittee plans to undertake, along with a timeframe, to reduce NRW to less than the Department's threshold. In WY 2017, 93 permittees had a percent NRW at or above 12%. In WY 2017, the average NRW in the Lake Michigan water service region was about 12.8%. In Water Year 2017 total domestic Lake Michigan water use was 790 million gallons per day (mgd), this is a reduction of 330 mgd since 1992.

*Lake Michigan Water Allocation Update*

Approximately every 10 years, the Department reviews each Lake Michigan Allocation Permittee's allocation to determine whether or not it requires a revision. The Department is initiating work on the most recent update in early 2020. The Department is also anticipating receiving a petition for a new Lake Michigan water allocation from the City of Joliet in 2020.

**Indiana**

Mr. Smith reported the following:

Indiana is trying to use social media to promote conservation and efficiency. In 2019, that took the form of using groundwater awareness week. Using Facebook and Twitter, the State presented information on groundwater availability, statewide groundwater use and groundwater rights specifically within the Great Lakes Basin. Through that, they reached just over 80,000 users, engaging just over 4,000 of them resulting in just a little over 108,000 total impressions.

Reporting for the 2018 water use is nearly complete for all the significant water use categories. The deadline to submit the data was back in March. To date, the State has

95% compliance, but the State is still chasing down the remaining 5%. Those data points are on the IDNR website.

The Indiana Geological water survey has completed their review of significant water withdrawal facilities throughout the State but also within the Basin, and has provided the IDNR division of water with detailed well and intake locations as well as identifying approximately 3,500 potentially unregistered facilities throughout the State (not just in the Basin). IDNR staff is working with those facilities to identify that they are valid significant water withdrawal points, doing field studies, and then contacting property owners to get those owners registered and recording their water use. At this point, out of those 3,500 about 1,000 have been visited, resulting in about 50 new significant water withdrawal facilities being registered specifically within the basin.

Finally, on the State's five year report, the most significant change is House Enrolled Act 319 which is Indiana's new voluntary monitoring network. The program reinstated a monitoring network of wells that had pretty much gone offline during the 2008 recession. Those sources are now being brought back online. It includes 58 groundwater wells throughout the State, with about 11 of those within the Great Lakes Basin. That number continues to grow. The network is monitored and maintained by the IDNR division of water with the water level data then being posted by the U.S. Geological Survey. The siting of these wells is based upon past water right issues, potential groundwater discharges that exceed the recharge capabilities of the source aquifer.

### **Michigan**

Mr. Clift reported the following:

The State of Michigan has filed its five year report. The most significant change is that during the last legislative term, the legislature passed legislation that addressed the use of models when evaluating some new withdrawals, giving greater clarity as to when site specific data and models can be used in place of the system Michigan currently uses to evaluate those new withdrawals.

The legislation also created a water use advisory council that oversees the water management program. The council has existed for some time, but now exists pursuant to statute and must report to the legislature every two years. They just recently had their first meeting.

Legislation has been introduced this year—HB 5291—which would impact the State's water withdrawal program. It was just introduced, so details aren't available.

Additional staff have been added to the program that will get rid of some of the backlog where site specific reviews are required.

## **Minnesota**

Mr. Richards reported the following:

Minnesota has submitted its every five year water management program report. The fon du lac band of Lake Superior Chippewa and the 1854 Treaty Authority provided some fantastic input into this report.

There is a conference going on today called the highs and lows of Western Lake Superior water levels conference. It is a one day conference being hosted in partnership with NOAA, Sea Grant Minnesota, the Wisconsin Coastal Management Program and the Lake Superior research reserve. The focus is on existing lake level information and tools, and look at how they impact local communities and the resources that may be needed to address these local impacts.

The MDNR is working with USEPA and Environment Canada on the five year plan for the Lake Superior wide management action plan. Minnesota is writing up potential projects for that plan. Some of the hot issues for that may be addressed are PFAS, habitat protection, ecosystem function especially in light of climate change.

There is a coastal fen that's been identified that has unique geology on an undeveloped stretch of coastline that's been nominated for protection under a scientific and natural area law, and are now looking to receive Great Lakes Restoration Initiative funding to purchase the fen.

The water conservation report system is up and running. It's called the Minnesota permitting and reporting system. It provides dashboards for reporting water conservation measures, trend analysis and methods to measure as the State is receiving water conservation goals.

Finally, we had a request from an western organization called Water Train, and they submitted a preliminary request for a water well assessment in Dakota County, Minnesota. While not in the Great Lakes Basin, it is indicative of the interest Western States have in the water rich Great Lakes region. The State gave a response saying that the State did not see any path to approval of their project, and to date it has not come back yet.

## **New York**

Mr. Tierney reported the following:

New York continues to deal with fairly extreme overabundance of water, especially on Lake Ontario and the St. Lawrence River. New York has been working this past year to update all of the State's multi hazard mitigation plans addressing flooding issues and

Water Management along the coastal zones of the State's Great lakes and along the St. Lawrence River.

The flooding is to a point where New York has a whole commission set up to address it. And because 2019 was the most extreme event in New York's history and it just exceeded 2017, which was the previous high water mark on Lake Ontario in the St. Lawrence River in New York, the commission has identified over \$300 million dollars worth of resiliency projects, many in green infrastructure for the coast of Lake Ontario and the St. Lawrence River

New York is completed its annual water conservation efficiency report and the Department of Environmental Conservation has also completed its piece of the five-year program report update, which will be compiled by the Secretariat. The update reflects completion of the initial permit program and incorporates the adoption of technical guidance documents the State has developed pertaining to water withdrawal permit applications to provide better guidance for 404 permitting. The report also includes a lot more robust references to the numerous New York laws and regulations that illustrate New York's commitment to the compact.

Some of these laws and regulations will raise the standards for water efficiency, efficient plumbing and appliances, and will require New York State DEC to post all information regarding public water supply permits to the DEC's website including information on water usage and Water Conservation.

The DEC is working to make the whole water database very transparent and available known as our DEC information or info locator web site. Individuals can basically pull up anything they want about water quality in New York from that website.

Finally, New York is actively participating in the procedures update drafting subcommittee that's underway right now.

## **Ohio**

Director Mertz reported the following:

The Ohio Department of Natural Resources collected and compiled data on the 2018 Lake Erie Basin water withdrawals consumptive use and diversions pursuant to the compact protocols and submitted its report to the Great Lakes commission for inclusion in the Great Lakes water use database. This represents the fourth year in a row of 100% compliance of Basin facilities within the set time period. In 2018 five new water withdrawal facilities were registered in the Lake Erie Basin, three for dewatering, one for agricultural irrigation and one for dust control.

ODNR continued beta testing of an online water withdrawal reporting website. The Department anticipates the website will improve the accuracy of reported data by automatically checking for inconsistencies, including typos and other mistakes. Thus far, it has a reduced time required to input data into the database.

The ODNR's annual water conservation and efficiency program review document was compiled and submitted. ODNR has also completed and submitted the 5-year water conservation and efficiency program review and the five-year Water Management program report.

ODNR continued working with the Golf Course Superintendent's Association here in Ohio to develop and publish a best management practices for irrigation water conservation, which is one of our key efforts to promote conservation here.

ODNR staff participated in the compact Council and Regional body subcommittee that reviewed the proposed rules guidelines and procedures and also participated in the five-year review of the science strategy.

Ohio did have one legislative change in this year that came about via the State's biennial budget. Specifically, Ohio's legislature changed the requirements for obtaining a water withdrawal and consumptive use permit for groundwater withdrawals. Accordingly, any large new or increased groundwater withdrawal facilities will be required to submit a detailed groundwater flow model before they can obtain a permit.

### **Ontario**

Ms. Boyd reported the following:

In November, the Ministry of Natural Resources and Forestry on behalf of Ontario submitted the 2018 data for the water use the water use data submission. The ministry has also submitted its reports on the five-year Water Management program report, the Five-Year Conservation efficiency report and the annual water conservation and efficiency program assessment. The reports and analysis indicates that Ontario has seen only relatively minor variations over the five-year period and that the 2018 water withdrawals and consumptive uses changes amount to about one percent from the previous year.

As mentioned at the last meeting, Ontario established in 2016 a moratorium on new or increased permits for groundwater takings by water bottling facility facilities. The province has recently proposed to extend this moratorium until 2020. If this is approved the extension will enable the government some time to complete further analysis of the water quantity review and identify and assess options and publicly consult on any potential changes that the Province might consider to better manage water taking before the moratorium ends.

The Province is also undertaking work with the Canadian federal government and negotiating an agreement that serves as a key mechanism through which Ontario and Canada coordinate work to address their respective and shared commitments for the Great Lakes ecosystem and Basin respecting its restoration, protection and conservation. The current agreement was signed in 2014 and expired earlier this year. To that end, a draft agreement was posted for public comment to Ontario's environmental registry and to Canada's Gazette from July to September 2019. Very significant comments were received throughout the process and the Ministry is currently working with its partners within the provincial government to assess the input and look to negotiate the finalization of the agreement.

Earlier this year Ontario began working to phase in what is a large building energy and water reporting and benchmarking program. The program is new in that it requires commercial and multi-unit residential as well as some industrial buildings of a certain threshold or certain size to annually report their energy and water consumption and green house gasses. This information allows building a owners to benchmark their consumption data against other similar buildings and potentially realize some benefits.

Finally, and similar to Ontario's colleagues in New York, Ontario to has had an overabundance of water, and in July Ontario appointed a special advisor on flooding to conduct an independent review of flood Management in Ontario and to specifically look at the 2019 flooding events that took place. The Ontario government released the independent report at the end of November, and is that now looking to review the recommendations and determine the next steps moving forward. The review basically confirms that this year's record-setting flooding in many parts of the province was caused by a combination of severe weather conditions and found nothing that pointed to either human error or negligent operation of infrastructures. This is contrary what was perceived by many stakeholders and property owners that have been impacted by the flooding. Despite the fact that the advisor found that the Ontario government of Partners were effective at reducing and mitigating the flood risk group flood risk, the report contains a series of over 60 recommendations in total that range from increasing how we might increase public awareness, how we might become more flood resilient by looking at how we deliver programs looking at our policy framework, and looking at a wide variety of other factors as well. The Ministry is reviewing the remaining recommendations with other partners to determine next steps

Finally, Ms. Boyd noted that at the end of December she will be retiring from the Ministry of Natural Resources and Forestry, stated that it's been a pleasure being involved in the important work of this of this this group. She also announced that Jennifer Keyes will be taking over as the Director of the Branch and steps are being taken to formally designate her as Premier Ford's designee to the Regional Body.

### **Pennsylvania**

Mr. Bruno reported the following:

Pennsylvania continues to implement the requirements of the Compact and Agreement through facilitating state and local programming on water use. Pennsylvania submitted the Great Lakes water withdrawal, consumptive use, and diversion statistics for Water Year 2018 for compilation into the Annual Report of the Great Lakes Regional Water Use Database. Additionally, on December 10, 2019, Pennsylvania submitted to the Compact Secretariat the “Every 5-Year” Water Management Program Questionnaire including information on the Conservation and Efficiency Program.

During the 2018 Water Year, Pennsylvania observed an increase in overall water use and withdrawal amounts increased by approximately 7 percent, from approximately 37 million gallons per day (Mgd) in 2017 to 40 Mgd in 2018. While this represents a year-over-year increase, the 2018 water use totals are consistent with Pennsylvania’s 10-year running average. Approximately 32 Mgd, or 80 percent of the total 2018 water use amount, was dedicated to Public Water Supply purposes. The next largest sector was Self-Supplied Industrial with a total withdrawal amount of 5 Mgd followed by Self-Supplied Livestock use of 3 Mgd. The estimated total Consumptive Use was 4 Mgd, with Public Water Supplies accounting for most of the total consumptive loss.

DEP recently updated the Great Lakes Program webpages to include more information about the Great Lakes and St. Lawrence River Basin Sustainable Water Resources Compact and Agreement. Included in the updates is availability of a Pennsylvania Great Lakes Water Resources Inventory and Reporting document. The public can now see registered water users within the Pennsylvania Great Lakes Basin and view their annual water use from the 2005 Water Year forward. This document and other information regarding DEP Great Lakes Program can be found at the DEP webpage [dep.pa.gov](http://dep.pa.gov) and searching “Great Lakes Program”.

Looking forward to 2020, DEP recently established a timeline to convene the Great Lakes Water Resources Regional Committee to guide the process of making Lake Erie Basin amendments to the Pennsylvania State Water Plan. The Committee will aid in the collection and dissemination of data, prioritization of resource availability and protection, and the formation of water use policies in the Basin. The first meeting of the Committee will occur on January 29, 2020 and planning activities will conclude in mid-2021. More information about the Pennsylvania State Water Plan can be found at the DEP webpage [dep.pa.gov](http://dep.pa.gov) and searching “State Water Plan”.

Like Minnesota and New York, water levels have also been of major concern to the citizens of Pennsylvania. On October 29th, the Pennsylvania DEP as well as Pennsylvania Sea Grant came together for the Pennsylvania Lake Erie environmental forum, which is a semi-annual gathering to present topics to the public that are of interest. A special interest session was dedicated to high water levels where Dr. Drew Gronewold and Dr. Dick Norton both from University of Michigan come talk about the delicate balance of the hydrologic cycle and how that has been impacted by climate change. The session

can be easily accessible online, and a video of the entire conference should be available on the Pennsylvania cable network well as on YouTube.

## **Québec**

Ms. Théberge reported the following:

Québec continues to work on and improve the implementation of the Agreement through changes to existing legislation, funding research projects and developing and improving data and tools.

Québec submitted, in accordance with the agreed timetable, its 2018 data and metadata to the water use database.

Québec continued over the summer with its QA/QC exercise to improve water use data. For example: correcting data errors, improving compliance and developing outreach tools for water users. In preparation for 2019's reporting, outreach will target the fisheries sector and the question of water consumption.

Québec produced its "Every Five Year" Water Management Program Reports and Conservation and Efficiency Program Reports. Over the fall, the preliminary draft was the subject of a consultation with the general public and First Nations concerned. No comments were made. The report has been submitted.

Furthermore, Québec's Water Conservation and Efficiency Program was adopted in 2013 and aims to promote a sustainable use of water resources throughout Québec and preserve the health of our ecosystems. The five-year review of our Program coincides with the "Every Five Year" review conducted in line with the Agreement and Compact. Québec will take advantage of this opportunity to update its Program next year.

Finally, Québec has submitted its 2019 annual Water Conservation and Efficiency Program report.

## **Wisconsin**

Mr. Freihoefer reported the following:

Year of Clean Drinking Water: Governor Tony Evers has declared 2019, Wisconsin's Year of Clean Drinking Water to focus attention on addressing drinking water quality issues including lead service lines, nitrates and bacteria in drinking water, and PFAS problems. WDNR is developing rules on PFAS levels in groundwater, surface water and public drinking water.

Water Management and Water Conservation Program Report: Wisconsin submitted its water management and consumptive use program report on December 11, 2019. The draft report was initially provided to the Regional Body and Compact Council in June

2019 and made available for public comment. The Wisconsin DNR also held a conference call with Wisconsin Tribes to discuss the draft report. Based on the comments Wisconsin received the draft was updated into a final report.

Water Use Data: Wisconsin submitted its 2018 aggregate water use data to the Great Lakes Commission in August 2019. Water use in Wisconsin for 2018 remained consistent from 2017. In 2018, a recirculating thermoelectric power plant in Southeastern Wisconsin went offline, reducing a diversion and consumptive use of 6 million gallons per day. However, increases in irrigation from some hot, dry periods during the growing season offset the reductions in water withdrawals related to the powerplant that went offline. Wisconsin had just over 3,000 reporting water sources in the Great Lakes Basin, with 37 new sources in 2018.

City of Waukesha Diversion update: The City continues to work on applications for various permits. The switch to Lake Michigan water is still expected to occur in 2023. Public comment periods and meetings were held this fall for the wetland and waterways permit, final environmental impact statement and the WPDES permit. Information on permit applications are available on the Wisconsin DNR website, [City of Waukesha diversion page](#).

Proposed Nemadji Trail Energy Center Power Plant: Wisconsin has received applications for a new natural gas-powered electric generating facility in the city of Superior located in the Lake Superior Basin. The proposed facility is referred to as the Nemadji Trail Energy Center (NTEC) and includes construction of five high capacity wells with an estimated average water use of 2.9 million gallons per day and peak demands up to 4.1 million gallons per day. Water loss is projected to range from 1.73 million gallons per day to 3.97 million gallons per day. The project is currently being reviewed by the Wisconsin Public Service Commission and applications are under review by Wisconsin DNR staff.

**Administrative reports.**

Mr. Smith invited Peter Johnson on behalf of the Regional Body’s Secretariat, to give an administrative report.

In his administrative report, Mr. Johnson reminded participants that the Procedures update Phase 1 was completed in December of 2018, but a second Phase II of Procedures Updates was initiated immediately thereafter. To that end, he noted that the procedures update team has been reformed and a work plan has been developed and shared with Tribes, First Nations and Metis as well as the stakeholder advisory committee, resource group and observers. He noted that the work plan outlines the focus areas of work as well as plans moving forward for meetings conference calls.

Accordingly, he reported a call was held on August 28th of this year that was open to Tribes, First Nations and Metis, followed by another call with stakeholders from the

advisory committee, as well as the research group and observers. The purpose of the calls was to answer questions about the work plan. Since that time, the procedures update team has been developing draft changes to address the subject areas in the work plan. A meeting is planned for mid March that the Tribes, First Nations and Metis as well as the Advisory Committee, Resource Group and Observers will be invited to in order to review initial drafts and to allow some back and forth among the participants. Following that meeting, additional revisions will be made and then the Procedures Update Team will have a public feedback meeting in conjunction with the June 2020 Regional Body and Compact Council meetings. Thereafter, the feedback will be considered and revisions will be made, with a plan on going out for public comments on revised drafts in the fall 2020. He noted that the goal remains to update the procedures by December of 2020.

In addition, Mr. Johnson reported that the Compact and the Agreement require the States and Provinces to review basin-wide conservation efficiency objectives every five years and make changes as appropriate. Mr. Johnson noted that the Regional Body and Compact Council had reviewed the current objectives and have before them today a resolution to reaffirm those objectives. Mr. Johnson reminded the participants that the individual states and provinces must be consistent with these objectives when developing their own water conservation and efficiency programs.

In addition, Mr. Johnson noted that during last year's December meeting of the Regional Body and the compact Council, it was announced that an effort would be undertaken to update the Regional Body and Compact Council science strategy. Mr. Johnson reported that, accordingly, a science team was formed and a science strategy was developed over the last year a meeting. As part of the development process, a meeting was held in Detroit in September that had representation has from Tribes, First Nations and Metis as well as stakeholders advisory committee Resource Group and Observers. Revisions to the science strategy were made based on those discussions, and the final science strategy is being considered for joint adoption by the Regional Body and Compact Council later today. Mr. Johnson noted that the science strategy is intended to provide direction to researchers both within the States and Provinces and among the broader research and research funding Community as to what would be most helpful for the Regional Body and Compact Council's work. He also noted that it will guide activities such as organization and sessions for the International Association for Great Lakes research. Finally, he noted that the science strategy envisions an annual face-to-face meeting with scientific staff from the States, Provinces and the broader research community, as well as Tribes, First Nations, Metis and stakeholders to share best practices and otherwise work together to advance the goals of the science strategy.

Mr. Johnson also noted that the States and Provinces have or are in the process of submitting their every five year Water Management program and Conservation and Efficiency program reports. He noted that over the next year the States and Provinces will be reviewing these reports with the intention of issuing a declaration of finding on

the State and Provincial programs a year from now. He also noted that the reports are available on the Regional Body and Compact Council websites. He stated that they are subject to correction as may be required going forward and if corrections are made it will be noted on the websites.

Finally, Mr. Johnson noted that the Regional Body and Compact Council websites have been updated and upgraded and would appreciate any feedback participants would like to give.

Mr. Smith then noted that the 2018 Great Lakes Regional water use report had been issued this day by the Great Lakes Commission. He called on Margo Davis of the Great Lakes Commission to provide a report.

Ms. Davis reported that in 2018 the total water withdrawal was right around 40.4 billion gallons a day or 152.8 billion liters a day, which represents a 4% decrease in water withdrawals from 2017. Of those withdrawals, it was right around 5% loss to consumptive use, which is about 1.9 billion gallons per day or 7.2 billion litres a day.

Ms. Davis also reported that there are a lot of similar trends that have been seen in the past. For example, the primary use continues to be thermoelectric power production, followed by public water supply and self supply industrial. For most watersheds, the main source of water was from that Great Lakes or St. Lawrence surface water, with the exception being Lake Superior where the main source of withdrawal was from other surface water in the Basin.

In general, Ms. Davis reported that most watersheds saw decreases in their withdrawals and consumptive uses. There was an increase in St. Lawrence Watershed withdrawal by around 2%. Similarly, St. Lawrence consumptive uses did increase as did Lake Ontario's. The remaining watersheds all saw decreases.

Ms. Davis reported that in total the Basin gained 124 million gallons a day or 468 million liters a day, which is about 80 percent less than what was gained by the Basin last year. This was almost entirely due to a decreased volume of the incoming diversions from the Long Lac and Ogoki diversions.

Ms. Davis closed by recognizing the work of the water use data managers and thanked them all. She noted that they will be convening the water use data managers to look at how the process can be improved, including addressing some inconsistencies in the way in which diversions were reported.

**Opportunity for public comments.**

Noting that the Regional Body meeting adjourned immediately prior to the Compact Council meeting, a motion was made by Mr. Richards to incorporate minutes of the Regional Body reports into the Compact Council minutes. Mr. Rogner seconded the

motion. The motion was approved. Pursuant to the approved motion, the following reports are incorporated by reference into the Compact Council's record and re-printed in their entirety below:

**Marc Smith, National Wildlife Federation**

**Todd Brennan, Alliance for the Great Lakes**

Mr. Brennan commended the members of the Regional Body and Compact Council for all their work in getting to this point in developing guidance, rules, the new science strategy and submitting the water management reports. In particular, Mr. Brennan appreciated the science strategy that will help to both inform scientific understanding towards management as it pertains to things like cumulative impacts, but also as it pertains to the implementation of the Compact and Agreement, as well as the prioritization of improvement of cumulative impact assessments. Mr. Brennan encouraged continuing communication of the research needs identified in the science strategy to the research community and others.

He also encouraged an ongoing process to develop a method to better incentivize and track those research projects that support the science strategy. Mr. Brennan also suggested considering teaming up with a group of funders to help create a mutually incentivize portfolio of prioritize research projects that inform the uncertainties that are talked about in the science strategy.

He closed by stating that he looks forward to seeing the process evolve in terms of the management reports and conservation and efficiency reports as they've been submitted. He noted that some of them changed a little bit due to comments that were submitted and that he and his colleagues look forward to the process with the council over the next year of looking at the reports. He indicated that he hopes that the States adjust based on lessons can be learned from the different States in terms of the way that they are managing their programs and reporting to improve any inconsistencies that might exist, or even simply just communicate inconsistencies that might exist. He noted that as a member of the advisory committee, he is happy to participate and is a willing partner in all activities.

**New Business**

- Consideration of *Resolution #42* Affirmation of Basin-Wide Conservation and Efficiency Objectives

Mr. Smith noted that the first item of business to be considered was Affirmation of Basin-Wide Conservation and Efficiency Objectives. He stated that these objectives are reviewed every five years. After review by the Compact Council members, a Resolution has been drafted to affirm the existing objectives. I would note that each of the States has developed programs consistent with these objectives, and nothing prevents the individual States from engaging in new approaches in meeting these objectives.

Mr. Rogner moved for adoption of the resolution, and Mr. Bruno seconded the motion. Mr. Smith stated that unless there is an objection, he would assume that everybody votes in the affirmative on the resolution. No objection was raised and the resolution was adopted.

- Consideration of *Resolution #43—Adoption of Draft Fiscal Year 2021 Budget (July 1, 2020-June 30, 2021)*.

Mr. Smith noted that the proposed budget and the resolution granting approval of the budget were previously distributed to the members and were posted to the Compact Council website on November 8. Mr. Smith stated that the Compact Council was just being asked to preliminarily approve the budget resolution.

Mr. Freihoefer moved to approve preliminarily approve the resolution, and Mr. Tornes seconded the motion.

- Illinois--Yes
- Indiana--Yes
- Michigan--Yes
- Minnesota--Yes
- New York--Yes
- Ohio--Yes
- Pennsylvania--Yes
- Wisconsin—Yes

The resolution to preliminarily adopt the budget was approved unanimously.

- Consideration of Joint Regional Body/Compact Council Resolution 2019-1  
Adoption of the Regional Body and Compact Council Science Strategy

Mr. Smith noted that the next item on the agenda is the adoption of the Joint Regional Body/Compact Council Resolution 2019-1 that adopts a Regional Body and Compact Council Science Strategy. He noted that a great deal of work went into the development of the Science Strategy by staff at the States and Provinces, with important input from Tribes, First Nations, Metis, representatives of our Resource Group and the broader stakeholder community. Mr. Smith stated that the Science Strategy will help guide the efforts of the Regional Body and Compact Council as they collectively provide leadership to advance scientific understanding that can assist us as we manage the Great Lakes-St. Lawrence waters. The Science Strategy will also provide direction to others within the research community, in both academia and within the federal government, as to what research activities would be of the greatest assistance to our work. He noted that this Science Strategy is being presented today to both the Regional Body and Compact Council for adoption.

Mr. Tierney moved that the resolution be adopted, and Mr. Freihoefer seconded the motion. Mr. Smith stated that unless there is an objection, he would assume that everybody votes in the affirmative on the resolution. No objection was raised and the resolution was adopted.

- Consideration of *Resolution #44—Election of Chair and Vice-Chair*

Mr. Smith noted that the last order of business is consideration of Resolution #44-- Election of Chair and Vice-Chair. The resolution would elect the Governor of Michigan to serve as the Compact Council Chair, and the Governor of Wisconsin to serve as the Compact Council Vice-Chair, beginning immediately after this meeting until the next Annual Meeting of the Compact Council, to be held on or about December 8, 2019.

Mr. Richards moved that the resolution be adopted, and Mr. Rogner seconded the motion. Mr. Smith stated that unless there is an objection, he would assume that everybody votes in the affirmative on the resolution. No objection was raised and the resolution was adopted.

#### **Other Business**

Mr. Smith congratulated the Governors on their elections as chair and vice chair. Mr. Smith also thanked the Compact Council members for the opportunity to serve as chair the past year again, and that obviously all the recognition goes to the members of the Compact Council. Mr. Smith thanked the members for all the time and effort that they put into this very worthy cause.

Mr. Bruno stated that he wanted to recognize and thank the Joyce foundation and Kenneth Kilbert, Professor at the University of Toledo College of Law for the work they did to review the Great Lakes States water management and conservation and efficiency programs. Mr. Bruno stated that he thought their review was very respectful of each of the States' reports, and that while it was a very tall order to understand the programs in each of the States, Mr. Bruno believed it was very beneficial and helped Pennsylvania identify some things that the State could do to improve the way it interact with the Compact. Mr. Smith stated that he would agree with Mr. Bruno's statement.

#### **Adjournment**

Mr. Smith invited a motion to adjourn and a second. Mr. Rogner moved and Mr. Freihoefer seconded the motion. The motion passed without objection and the meeting was adjourned.

The full text of the materials discussed at the meeting is available online at [www.compactcouncil.org](http://www.compactcouncil.org).