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Testimony of Cameron Davis, President & CEO, Alliance for the Great Lakes & Co-Chair, Healing Our Waters®-Great Lakes Coalition

on the Great Lakes - St Lawrence River Basin Water Resources Compact

Before the U.S. Senate Judiciary Committee
July 30, 2008

Good morning Chairman Feingold, Ranking Member Specter, Chairman Leahy and members of the Committee. My name is Cameron Davis and I serve as president & CEO of the Alliance for the Great Lakes. Formed in 1970, the Alliance is the oldest non-partisan, citizens' not-for-profit Great Lakes protection organization. Our mission is to conserve and restore the world's largest freshwater resource using policy, education and local efforts, ensuring a healthy Great Lakes and clean water for generations of people and wildlife. In that capacity, I was privileged to be appointed by the Council of Great Lakes Governors to provide advice in the development of the standards currently embodied in the legislation before you. I'm also fortunate to serve as the co-chair of the Healing Our Waters® -Great Lakes Coalition, which is made up of more than 100 organizations dedicated to Great Lakes restoration.

As a boy, I stood on the shores of Lake Michigan during our Sunday family picnics and marveled at how it seemed like heaven: the blue waters mirrored the sky and the pure white sailboats floated weightlessly, reminding me of angels. Just

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like heaven, Lake Michigan seemed to go on forever. To me, it was infinite. In fact, with up to 95 percent of the nation's and nearly 20 percent of the Earth's fresh surface water, the Great Lakes still today seem infinite.[1]

But, we know now that's not true. Less than 1 percent of their waters are renewed every year through rain, snow melt and groundwater recharge. In other words, when I stood on the beach and thought these magnificent waters went on forever, I was wrong. The Great Lakes are, essentially, a non-renewable resource.

We're entering an era of critical water conservation and we're not alone. According to the United Nations, by 2025, some two-thirds of the world's population will live in "water-stressed" areas, lacking ready access to clean, fresh water.[2] The only solution is to live within our hydrological means. And, in this region, we can no longer afford to act under the myth that the Great Lakes are limitless. They are one of America's most revered national jewels, and one of the natural wonders of the world. As such, just as we are privileged to enjoy them, we have a responsibility to protect them. Understanding this, more than a dozen governors from three political parties called for, and 16 state legislative chambers recently passed, a contract among the states – the Great Lakes-St. Lawrence River Basin Water Resources Compact – to establish uniform, binding water use standards for the region. In a time of skepticism, this is a remarkable sign of bipartisan, long-term thinking. Without this Compact, the Great Lakes are vulnerable to depletion. We urge you to ratify the Compact now to protect these magnificent natural treasures. The Compact can serve as an international model

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[1] Appreciation is expressed to: Alliance for the Great Lakes (Gary Ballesteros, Kate Bartter, Joel Brammeier); Ohio Environmental Council (Kristy Meyer) for their assistance in the review of this testimony.
[2] United Nations Environment Programme, "Vital Water Graphics," http://www.unep.org/dewa/assessments/ecosystems/water/vitalwater/ (July 25, 2008)

for bringing parties together to reach an accord on resource protection. The longer we wait to ratify the Compact, the more we put these waterways at risk. Here's why.

We Must Conserve Our Water Budget

In the past, when it looked like a community was running low on water, it simply turned to a new supply. But watersheds are like bank accounts. For every dollar you take out of your bank account, you must replace it with another dollar or over time you will deplete that account. Watersheds act the same way. For every gallon removed without being replaced, we risk the depletion of our watersheds, even watersheds as seemingly vast as the Great Lakes. For the first time ever, we will now have standards — including a requirement for "return flow" — that will allow the use of some of the watershed account's interest, but won't allow us to deplete the account's principal. We need the Compact to be good stewards of the resource and because there are no new, magical supplies to which we can turn.

Threats of Mismanagement Are Real

In 1998 a small Ontario firm called the Nova Group secured a permit to ship millions of gallons of Lake Superior water overseas. An astonished public cried foul, asking how this could possibly be. Several of us who studied the laws and policies on the books found that our laws and policies were weak, at best not executed, at worst non-existent, and most times inconsistent from state to state.

While the Nova permit was ultimately rescinded, it shined a light on the problem I mentioned at the beginning of my testimony: because many of us have perceived the

Great Lakes as limitless, efforts to create uniform, binding water conservation standards had not been viewed as an urgent priority.

Congress Asked for Water Conservation Standards

In partial response to the Nova incident, in 2000 Congress stepped in, urging the eight Great Lakes states, in consultation with the two Canadian provinces, to establish common water withdrawal decision-making standards to achieve water conservation and resource improvement.[3]

While the call for such standards was important, even more important was the fact that leaders from all around the nation saw fit to call for the protection of the Great Lakes ecosystem. As such, the Compact isn't before you for consideration simply because we inside the region want it. It's before you because you and your colleagues from around the nation passed a law calling for it out of the belief that the Great Lakes are a national treasure deserving of national protections.

Congress asked for new standards, and the states, municipalities, businesses and public interest groups delivered. The Compact does exactly what Congress suggested. Now we're asking Congress to finish the job and approve the Compact.

The Compact Will Bolster Our Efforts to be Good Stewards

While 10 years ago the Nova Group sought a permit to send water overseas, the real need for the Compact comes from within. Maybe because those of us who live, work and play in the Great Lakes perceive it as limitless, we've never had much incentive to create uniform, binding water use standards. There never have been rules of the game

[3] Water Resources Development Act, 42 U.S.C. § 1962d-20(b)(2).

to ensure that water use decision-making standards are transparent, predictable and fair. As such, we have been profligate water wasters. The Compact puts the onus on the citizens and governments of the Great Lakes states to prove that if we want more water from the Great Lakes, we must first prove that it's needed and that conservation measures have been exhausted. And that's where the onus should be. If we're going to keep water from being shipped thousands of miles away, we should be as demanding of water conservation from ourselves as we are of others. The Compact represents the first time in history that all jurisdictions – the states and the two Canadian provinces through a mirror "Agreement" – will now have "rules of the game" for managing the Great Lakes.

The Great Lakes are a National Treasure Worthy of National Safeguards

The Alliance for the Great Lakes and the Healing Our Waters-Great Lakes Coalition believe that these waters don't simply provide nice neighborhood beaches, prized fishing holes or resources for local businesses. Like the Amazon rainforests, plains of the Serengeti, or the holy Himalayan Mountains, the Great Lakes are among the world's wonders. And today, when I take my wife and 2-year-old son to the beach, I try to teach him that though the Great Lakes aren't as infinite as heaven, as I thought when I was a boy, they still provide the solace and inspiration of heaven. As such, preserving them is a national ecologic, economic – and even more important – a sacred imperative.