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CANADIAN ENVIRONMENTAL LAW ASSOCIATION
L'ASSOCIATION CANADIENNE DU DROIT DE L'ENVIRONNEMENT

New Protections for the Great Lakes Follows a Long Hard Negotiation

The Canadian Environmental Law Association (CELA) will be breathing a sigh of relief when the eight Great Lakes Governors and two Canadian Premiers sign the two Great Lakes Annex Agreements in Milwaukee, Wisconsin this afternoon. "This is an historic moment for Great Lakes and St. Lawrence River Basin", said Sarah Miller, CELA Water Policy Researcher. "While on the surface it seems to go without saying that we should be doing our best to protect 20% of the world's freshwater, there are still those that feel bounty means no limits".

It was difficult for ten jurisdictions to reach consensus said John Jackson. Ontario was instrumental in transforming the first weak drafts released in 2004 into the version being signed today that extends the prohibition on bulk water exports already in place in Ontario and Quebec to the Great Lakes States". Despite constitutional and political differences, and a wide range of water management approaches in the basin, the jurisdictions have acted in the best interests of protecting the integrity of the ecosystem.

New protections that these agreements give us that we did not have when the negotiations began in 2001 are:

- A prohibition on all new or increased water exports with some exceptions in the US for near neighbours,
- The first set of ecological standards that large water removals must meet that are aimed at preventing harm,
- Mandatory conservation programs in all jurisdictions overtime,
- A legally binding compact to be sanctioned by Congress among the Great Lakes States,
- Provisions to address the science deficit through understanding and tracking water uses and their cumulative impacts,
- The first water quantity agreements which protect all components of the watershed of the Great Lakes that are inclusive of the lakes, their connecting channels, tributaries and groundwater,
- Thresholds on consumptive uses within the basin that can be strengthened over time, and
- Undertakings by Great Lakes States to represent Ontario and Quebec interests in any future US Supreme Court consideration of increases to the Chicago Diversion.

"When we compare these agreements with the status quo we think we can no longer face a water short world without these tough rules for the use of the Great Lakes", said Sarah Miller. These agreements should send a strong message to thirstier parts of the Continent that they will need to live within their own water budgets in the future and deter them from attempts to tap into the Great Lakes.

Today is just a first step on the path to water sustainability for the region. The Annex will need to be put into laws that pass the legislatures of the eight Great Lakes and Congress. While the Provinces have constitutional restrictions that do not allow them to legal obligations across borders, Ontario and Quebec will bid themselves through their domestic legislation by adopting Annex provisions into their water management laws.

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