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Ban Near on Diverting Water From Great Lakes

By [SUSAN SAULNY](#)

The House began debate Monday on a sweeping bill that would ban almost any diversion of water from the Great Lakes' natural basin to places outside the region.

The measure is intended to put to rest longstanding fears that parched states or even foreign countries could do long-term damage to the basin by tapping into its tremendous body of fresh water.

The bill, which would also put in place strict conservation rules for the eight states that border the lakes, is expected to win House approval, perhaps as soon as Tuesday. It has already been passed by the Senate, and the Bush administration has signaled its support.

So House backing for the measure, known as the Great Lakes Compact, is regarded by its many advocates across the Midwest and in New York and Pennsylvania as a long-sought final piece to a complicated puzzle whose solution started taking shape a decade ago in an effort to give the region control over its water. The fear was that without strict, consistent rules on who is entitled to that water, it might start disappearing.

"People realized that Great Lakes water is a finite resource and that death by a thousand straws is a real threat," said Jordan Lubetkin, a spokesman for the National Wildlife Federation. "There is a perception that because the Great Lakes are so vast, they are immune from harm. That is not the case."

Before the legislation even reached Congress, the states bordering the lakes had to approve the compact individually, agreeing — in a contentious process that itself took years — to certain common goals. The last state to approve, Michigan, did so only in July, following Illinois, Indiana, Minnesota, New York, Ohio, Wisconsin and Pennsylvania.

(The Canadian provinces of Ontario and Quebec have adopted a nearly identical document.)

Though passage in the House is foreseen, support there is not unanimous. Some members say the pact is not strong enough to protect the lakes, which together account for 20 percent of the world's fresh surface water.

Among the dissenters is Representative Bart Stupak, Democrat of Michigan, who complained Monday about an exception that would allow bottled water to be shipped outside the basin, among other management issues.

"Because these concerns remain unaddressed," Mr. Stupak said in a statement, "I regret that I have to urge my colleagues to join me in opposing the compact until proper protections are put in place."

"I see no reason why we must rush this process when our nation's most precious natural resource is at stake," said Mr. Stupak, whose district borders three of the lakes, calling the bottled-water exemption a loophole that could be used for large-scale diversion, exactly what the compact seeks to prevent.

But one of the compact's drafters, Samuel W. Speck, former chairman of the water management working group of the Council of Great Lakes Governors, said the exemption was "not an issue."

"By and large, bottled water isn't shipped that far," Mr. Speck said. "We found there is more bottled water sent into the Great Lakes Basin than sent out. It wasn't a matter of us losing water. We actually gain water from the shipping."

"There are those things that would irritate perfectionists," he continued, "but it was the only way to get

something so comprehensive and with enforcement enacted in all of the states and provinces. That's an amazing accomplishment, and a very important one as we're looking at greater demands for water and threats that [climate change](#) will bring."

Under the measure, water generally would not be allowed to be diverted from the basin except under rare circumstances that would require the approval of all eight bordering states. In addition to the bottled-water exemption, an exception has been made for so-called straddling communities that lie on the basin's borders, among other negotiated concessions based largely on whether diverted water could be restored to the lakes.

As for outlying states, Mr. Speck, among others, said he hoped they realized that guarding the freshwater supply with more vigor was in the long-term interest of the entire country.

"Some people will say, 'Gosh, that's discrimination against other states,' " Mr. Speck said. "The reality is that in the eight Great Lakes states, the largest parts of those states are outside of the basin. They're not treating other states different from how they're treating large areas of their own states."

Another advocate of the compact, Steve Wieckert, a Republican member of the Wisconsin Assembly, said it had caused a tough fight in his state, because about half of Wisconsin falls outside the Great Lakes Basin. Some residents accused him of creating second-class citizens, but Mr. Wieckert, whose own district falls within the basin, said the compact was fair.

"No one else could come up with a better answer," he said. "We needed a compact, and this was the best compact we could come up with."

Catrin Einhorn contributed reporting.