

Shawn Reilly: Waukesha loves Lake Michigan

By Shawn Reilly

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WAUKESHA: The Great Lakes will not be harmed by Waukesha, Wisconsin's application to use and return Lake Michigan water under the terms of the Great Lakes Compact. And Waukesha will not set any precedent for harm by others.

Waukesha is proposing to withdraw one one-millionth of 1 percent of Great Lakes water. But then it will return the same amount back to the lakes, after use and advanced treatment. So there is no harm to the Great Lakes.

And water for Waukesha will not set a precedent for harmful diversions of water to California or other far-away places. The question of where to draw the line on use of Great Lakes water was settled with the adoption of the compact as federal law in 2008. Water is prohibited by the compact from being pumped to areas beyond the surface divide of the Great Lakes.

But the compact specifically allows communities in counties that straddle the Great Lakes Basin to apply for water, if they show the need and return the water to the lakes after use and treatment. Approval of the eight Great Lakes governors, with input from Canadian provinces, is also required, under a process designed to ensure that decisions are objective, not political.

Only a handful of communities in straddling counties are likely to ever apply, but the drafters of the compact knew that Waukesha, which is 1.5 miles outside of the Great Lakes basin surface divide, would likely be one of them because of our water problems. But meeting Waukesha's needs under the compact would be no precedent for illegal use beyond straddling counties.

Despite our effective water conservation program, Waukesha needs a new water supply because our primary source of water has been drawn down hundreds of feet. Part of the problem is due to a layer of shale rock in the area that restricts the amount of precipitation that soaks through the ground into the groundwater. The other problem is that the demand on the aquifer is high, due to the dense population in southeastern Wisconsin and northeastern Illinois.

The drawdown has also caused an increase in naturally-occurring contaminants in the water, including concentrations of radium, a carcinogen, that exceeds federal drinking water standards. Waukesha is under a court order to provide a water supply that meets radium standards.

Wisconsin's Department of Natural Resources analysis shows that continuing use of groundwater by Waukesha would unreasonably damage 700 to 2,300 acres of wetlands, along with lakes, streams and aquifers, even if water use would be well below projections. The agency has issued a draft opinion, after five years of review, that Waukesha's application meets the compact's requirements.

The DNR is currently reviewing input from a recent public comment period on its Environmental Impact Statement, and may forward the Waukesha proposal to the other Great Lakes states and provinces late

this year. Attempts by some to dismiss Waukesha's application before the compact review process has even begun are premature and threaten the compact's purpose.

The drafters of the compact created objective standards and requirements for fact-finding in the compact because they feared that the prior law allowed arbitrary, political decisions that created legal risks to the law itself. So the compact includes a regional review process where the Great Lakes states, with input from the provinces, can examine the facts of a proposal and issue findings. Waukesha's application should be objectively evaluated at that time through this regional review, not through a misleading and inaccurate social media campaign by a group of opponents.

Our city provided critical support to pass the compact in Wisconsin, to protect the Great Lakes and to help meet our own water supply needs. The compact may also help a small number of communities in other Great Lakes states that may someday face similar needs, if they recycle the water back to the Lakes.

Waukesha is not a threat to the compact or to the Great Lakes. Approval of our application is an opportunity to show that the spirit of trust and cooperation that led to the compact can be relied on as we face other regional challenges in the future. I urge people to use the compact's process of regional review to make informed decisions.

The writer is the mayor of Waukesha.

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