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Press Release

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Waukesha proposal will not harm the Great Lakes

By Waukesha Mayor Shawn Reilly

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 1.5 miles outside of the Great Lakes basin surface divide. Under the Compact, it needs the permission of the eight Great Lakes Governors, with input from Canadian provinces, to use Lake Michigan water.

Waukesha is proposing to withdraw one one-millionth of 1% 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 – an agreement among states and provinces that was enacted into federal law – in 2008. Water is prohibited by the Compact from being pumped to areas beyond the surface divide of the Great Lakes.

The Compact does, however, allow water to be pumped to communities in counties that straddle the Great Lakes Basin. Waukesha is in a straddling county, so it can apply for Great Lakes



water, but only if it returns the water to the lake after use and treatment. Only a handful of communities in the Great Lakes states are likely to ever apply for water. But that legal use and return of water under the Compact would be no precedent for illegal use beyond straddling counties.

The other primary requirement of the Compact is that a community in a straddling county must have “no reasonable water supply alternative.” Opponents of our request for water claim that the Compact says lake water must be a “last resort,” but that is not what the Compact says. There is a big difference between no reasonable alternatives and no alternatives at all.

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 has found 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 was well below projections. The DNR has issued a draft opinion, after five years of review, that Waukesha’s application meets the Compact’s requirements. It is currently reviewing input from a recent public comment period on its Environmental Impact Statement.

The purpose of the Compact was to ensure that decisions on Great Lakes water are made on objective, scientific review, not on politics. The drafters knew that laws that allowed decisions to be based on knee-jerk, political reactions would not hold up in court, so they created objective standards and requirements for fact-finding in the Compact. Efforts by some to influence decisions with misleading opinion pieces and social media campaigns threaten the very purpose of the Compact.

Our city helped 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. We are 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.

For more information, see the Frequently Asked Questions at www.waukesha-water.com.