A New Paradigm for the Great Lakes?

SAGINAW BAY WATERSHED CONFERENCE
SAGINAW VALLEY STATE UNIVERSITY

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June 12, 2014
A New Restoration Paradigm?

The economy is a wholly owned subsidiary of the environment.

Gaylord Nelson
National Economy Depends on the Great Lakes

- 30% of GNP
- 125 million tons cargo
- $53 billion in annual revenue
- Boating supports 250,000 jobs
Great Lakes

Environment
- 20% of world fresh surface water

Quality of Life
- Vast region of interconnected fresh surface water

Economy
- Critical resource for economy, recreation and environment
You can see it from space!
Organize!
Years of Work Led To GLRI

- 2003 - Great Lakes Governors 9 Priorities
- 2004 – HOW Coalition Formed
- 2005 - Great Lakes Regional Collaboration
- 2008 – Great Lakes Compact Passed
- 2008 – Great Lakes President Elected
Great Lakes Restoration Initiative
Four Years of Successes

• $1.6 Billion Appropriated
• Scores of Projects Funded
• Downpayment on Economic & Environmental Revitalization
Tribe makes history

The Red Cliff Chippewa will welcome the public to its 88.6-acre Frog Bay Tribal National Park. The property features nearly one-quarter mile of beach on Lake Superior with views of the Apostle Islands.
A New Restoration Paradigm?

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What the heck is a “water of the United States”? 
What waters are protected by the Clean Water Act?

- Since 1972, the Act generally has prohibited “any addition of any pollutant to **navigable waters** from any point source....”
- “The term ‘navigable waters’ means the **waters of the United States**, including the territorial seas.”
  - **Note**: No limitation on the kinds of water bodies covered by the law
- So, numerous Clean Water Act pollution control programs don’t apply unless there’s a “water of the United States”
What kinds of waters have been most affected?

Ephemeral Stream (Rillito River, Arizona)

Wetlands Near Non-Navigable Streams (West Branch Perkiomen Creek, PA)
85    87    50    60    60    90    56    46
What do we need to do?

• With the continuing loss of the nation’s water resources, many have urged EPA and the Corps to take science-backed action, leading to regulations that protect as many waters as possible consistent with the Court’s opinions.
How has the Obama administration responded?

- **Clean Water Protection Rule proposal** published April 2014, followed by 3 months of public comment. **Due 7/21!**
- Based on science report’s conclusions
- Hundreds of thousands of comments, mostly supportive of clean water, already pouring in.
What does the rule do?

Slightly increases the percentage of waters nationwide protected by the Act (by about 3 percent). That's still less inclusive than Reagan-era policies.

Maintains existing exemptions, codifies a number of exemptions that had previously only been followed as a matter of agency policy, and reduces coverage for ditches.

Enormously improves clarity about what waters are in and what ones are out, making implementation and enforcement of the law far more efficient and predictable.

Is paired with a ruling that 56 different agricultural & conservation practices are generally exempt from Corps’ permitting.

HEALTHY LAKES
HEALTHY LIVES™
Let’s Get This Clean Water Rule Across the Finish Line!

1 million comments for clean water!
Clean Water Editorials and Op-eds!
Tell your legislators you vote clean water!

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Great Lakes Compact
Significance

Ten jurisdictions across international boundaries agreeing to manage largest surface freshwater resource in the world collectively. First multi-jurisdictional agreement of this magnitude in the world.
“It (the Compact/Agreement process) is a textbook example of collaboration—two nations, multiple jurisdictions, NGOs, agriculture and industry—all working together for the greater good of the Lakes.”

USEPA Administrator Mike Leavitt, 2004
FEAST AND FAMINE IN THE GREAT LAKES

How Nutrients and Invasive Species Interact to Overwhelm the Coasts and Starve Offshore Waters

PUBLIC HEALTH ADVISORY
Algai toxins at this location are unsafe. Swimming and wading are not recommended. Do not ingest the water and avoid surface scum.

HEALTHY LAKES
HEALTHY LIVES
Great Lakes ice coverage falls 71 percent over 40 years, researcher says
CLIMATE SUMMIT

WHAT IF IT'S A BIG HOAX AND WE CREATE A BETTER WORLD FOR NOTHING?

- ENERGY INDEPENDENCE
- PRESERVE RAINFORESTS
- SUSTAINABILITY
- GREEN JOBS
- LIVABLE CITIES
- RENEWABLES
- CLEAN WATER, AIR
- HEALTHY CHILDREN
- ETC. ETC.
We have a responsibility to future generations

“The ultimate test of a person’s conscience may be the willingness to sacrifice something today for future generations whose words of thanks will never be heard.”

Gaylord Nelson
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How has the Obama administration responded?

- EPA scientists developed a report that documents the scientific support for the rule.
- Report was already subject to peer review, and is now undergoing final review by Science Advisory Board.
- Concludes that small streams and nearby waters are critical to the health of downstream waters.
THIS RULEMAKING PROCESS SHOULD PROCEED TO A SOUND FINAL WATERS OF THE U.S. DEFINITION

• Clarify protections for about 60% of continental US stream miles and their neighboring wetlands.

• Restore enforcement of CWA pollution safeguards undermined by uncertainty, confusion, and delays from SWANCC and Rapanos decisions.

• Address oil spills and other violations not being addressed because of Rapanos.

• Clearly restore CWA protections for millions of non-floodplain wetland acres important to downstream waters.