

## Great Lakes-St. Lawrence River Basin Water Resources Compact - A Brief Summary

**Background:** To adopt a more consistent approach to managing and protecting the water and water-dependent natural resources of the Great Lakes basin, each of the eight Great Lakes states enacted legislation adopting the Great Lakes-St. Lawrence River Basin Water Resources Compact (Compact). Act No. 43 was signed into law on July 4, 2008 authorizing Pennsylvania to join the Compact and providing for implementation of a water management program in the Pennsylvania portion of the basin. President Bush signed a joint resolution of Congress providing consent for the Compact on October 3, 2008. The Compact became effective on December 8, 2008.

**Scope:** The Compact applies to both surface and groundwater; defining the Basin by its surface water divide. All new or increased diversions<sup>1</sup> out of the Basin are prohibited, with limited exceptions described below. It also establishes a “decision-making standard” applicable to new or increased withdrawals and consumptive uses that requires the following:

- all water withdrawn is returned less an allowance for consumptive use;
- proposal results in no significant individual or cumulative adverse impacts;
- proposal incorporates water conservation measures;
- compliance with all applicable state, federal, and local laws; and the
- proposed use in reasonable.

**Applicability:** Pennsylvania’s new water management program is applicable to any new or increased diversion, consumptive use of 5 MGD or more, or withdrawal of 100,000 GPD or more that occurs within the basin. Certain diversion proposals to transfer water for public water supply purposes to an area within a “straddling community” but outside the basin may be approvable if certain standards are met.

**Diversion Exceptions Subject to Regional Review:** In addition to Department review, the following diversion proposals are subject to more stringent standards as well as separate review and approval by the 8 Great Lakes states who are members of the Compact Council and also review by the Regional Body composed of the Compact Council members plus representatives of the Canadian provinces of Ontario and Quebec, in accordance with the Great Lakes – St. Lawrence River Basin Sustainable Water Resources Agreement and the Compact:

- proposals to divert Great Lakes water to a community within a county that straddles the Great Lakes Basin; and
- proposals to transfer water from the basin of one Great Lake to that of another that result in more than 5 MGD consumptive use.

**Baseline:** The Department will be establishing a “baseline” for determining a new or increased diversion, consumptive use or withdrawal by preparing a list of the applicable withdrawal limitation specified in a permit, or capacity of existing systems as of the effective date of the Compact. Notice and opportunity for comment on the baseline list will be given to each existing water user and the public.

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<sup>1</sup> “Diversion” is defined as “a transfer of water from the basin into another watershed or from the watershed of one of the Great Lakes into that of another by any means of transfer . . . but does not apply to water that is used in the basin or a Great Lake watershed to manufacture or produce a product that is then transferred out of the basin or watershed.”