



STATE OF MICHIGAN
OFFICE OF THE GREAT LAKES
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

KEN DEBEAUSSAERT
DIRECTOR

September 25, 2006

RECEIVED

OCT 02 2006
OFFICE OF THE
SECRETARY

Mr. Scott Hassett, Secretary
State of Wisconsin
Department of Natural Resources
101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921

Dear Secretary Hassett,

This letter is in response to your June 13, 2006 letter to Governor Jennifer M. Granholm, regarding the application for a water diversion for the City of New Berlin, Wisconsin. Governor Granholm has forwarded your correspondence to the Office of the Great Lakes for a reply.

Michigan law requires that our legislative committees with jurisdiction over natural resources and the environment be advised of the Governor's receipt of any proposal for diversion subject to the provisions the Water Resources Development Act (WRDA). Your letter and the City of New Berlin's application agree that the New Berlin proposal would result in a diversion and as such would be subject to WRDA. Even though your letter did not request approval of the diversion, in keeping with the spirit of our law, I have provided your notice and the application to those legislative committees. I have attached a copy of my letter to the legislative committees and a press release issued by Governor Granholm regarding this matter.

We acknowledge with appreciation Wisconsin's appropriate action in bringing this proposal to the attention of the Great Lakes Governors. The Water Resources Development Act clearly requires the approval of all Great Lakes Governors before any diversion can proceed. We expect that all diversion proposals will continue to follow this procedure and will not proceed without the approval of all the Great Lakes Governors.

Should the State of Wisconsin decide to bring this proposal forward for Governor Granholm's formal approval as required by federal law, Michigan will also initiate a period of public comment, as is required by Michigan law.

Sincerely,

Ken DeBeaussaert
Director
517-335-4056

Attachments

cc: Governor Jennifer M. Granholm



STATE OF MICHIGAN
OFFICE OF THE GREAT LAKES
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

KEN DEBEAUSSAERT
DIRECTOR

June 28, 2006

VIA FAX

The Honorable Patricia Birkholz, Chair
Senate Natural Resources and Environmental
Affairs Committee
State Capitol
P.O. Box 30036
Lansing, Michigan 48909-7536

The Honorable David Palsrok, Chair
House Natural Resources, Great Lakes, Land Use,
And Environment Committee
State Capitol
P.O. Box 30014
Lansing, Michigan 48909-7514

Dear Senator Birkholz and Representative Palsrok:

Governor Jennifer M. Granholm's priority of protecting the Great Lakes was demonstrated by her Special Message to the Legislature on Water in 2004, and her signing earlier this year of the historic new water protection laws you helped shepherd through the Legislature. In keeping with that law, on behalf of Governor Granholm, I am writing to advise that we are in receipt of a copy of an application for a water diversion for the city of New Berlin, Wisconsin.

The Wisconsin Department of Natural Resources has forwarded a copy of the application for any "reaction" and "staff comments on the completeness of the proposal." The communication does not request Governor Granholm's approval of the application.

As you know, under 42USC1962d-20, any diversion proposal requires the approval of all Great Lakes governors. Michigan's new water law, signed earlier this year, requires notice to legislative committees with jurisdiction over natural resources and the environment of any proposal received subject to the federal law cited above.

While the communication we received does not request the Governor's approval of the New Berlin application, it is in fact a proposal that would be subject to the federal law. In keeping with the spirit of the Michigan law, we wanted to provide early notice to you.

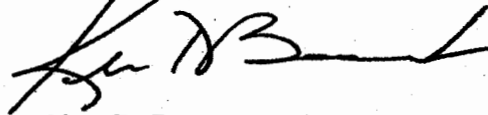
Senator Patricia Birkholz
Representative David Palsrok

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June 28, 2006

The proposal being put forward by New Berlin is now being reviewed by the Department of Environmental Quality (DEQ). If you have any questions, please do not hesitate to contact me.

Sincerely,



Ken DeBeaussaert
Director
517-334-4056

cc: Michigan Congressional Delegation
Governor Jennifer M. Granholm
Senate Natural Resources and Environment Affairs Committee Members
House Natural Resources, Great Lakes, Land Use, and
Environment Committee Members
Mr. Tim Hughes, Governor's Office
Ms. Rebecca Humphries, Director, Department of Natural Resources
Mr. Steven E. Chester, Director, DEQ
Ms. Carol Linteau, Legislative Liaison, DEQ

www.michigan.gov
(To Print: use your browser's print function)
Contact: Heidi Watson 517-335-6397

Release Date: June 28, 2006
Last Update: June 28, 2006

Governor Granholm Committed to Protecting Michigan's Water Resources

June 28, 2006

LANSING – Governor Jennifer M. Granholm today forwarded to legislators an application from New Berlin, Wisconsin, to divert Lake Michigan water for drinking water purposes. Granholm indicated that she would not consider the application for diversion.

“Earlier this year, I was proud to sign into law measures that provide Michigan water with the strongest protection in decades,” Granholm said. “The collective regional focus now needs to be on all states passing, and Congress ratifying, the agreements which will enact the prohibitions on diversion contained in the Agreement I signed with the other Great Lakes governors and the premiers of Ontario and Quebec last year.”

The diversion proposal was received as part of a communications to the Governor's office from the Wisconsin Department of Natural Resources. The application has been forwarded to the legislative committees with jurisdiction over Great Lakes issues via Ken DeBeaussaert, director of the Office of the Great Lakes. A letter from Director DeBeaussaert accompanied the proposal.

The New Berlin application would be subject to federal law requiring the approval of all Great Lakes governors for any Great Lakes water diversion. While New Berlin and Wisconsin governor Jim Doyle have not yet asked for formal approval, in keeping within both the letter and the spirit of Michigan law, Granholm has notified the Legislature and the people of Michigan of their proposal.

Currently, Michigan law bans diversions of the kind being proposed by New Berlin. In addition, the Great Lakes-St. Lawrence River Basin Water Resources Compact proposed under the Great Lakes Charter Annex Implementing Agreement has not passed a single state Legislature or been approved by Congress. The Agreement was signed in December 2005.

“Our water is our most treasured natural resource, and I will continue to be vigilant in protecting it so that it can continue to inspire and provide for future generations of Michiganians,” Granholm said.

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