



THE CORPORATION OF THE TOWN OF COBOURG

LEGISLATIVE SERVICES DEPARTMENT
VICTORIA HALL
55 KING STREET WEST
COBOURG, ONTARIO, K9A 2M2

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File No.C00 AIT

September 19, 2016

David A. Ullrich, Executive Director
Great Lakes and St. Lawrence Cities Initiative
20 North Wacker Drive, Suite 2700
Chicago, Illinois 60606

Dear David A. Ullrich:

Re: In support of the City of Waukesha, Wisconsin, USA resolution **opposing** the approval of the Waukesha Water Diversion Application.

This letter is being sent to acknowledge your request to Council of the Town of Cobourg to support the City of Waukesha, Wisconsin, USA resolution **opposing** the approval of the Waukesha Water Diversion Application.

Town of Cobourg Council passed the following resolution at the Regular Council Meeting on September 19, 2016,:

WHEREAS, the Great Lakes and St. Lawrence River Basin represents approximately 20% of the world's surface freshwater resource and supports the third largest economy in the world; and

WHEREAS, on December 13, 2005, the Great Lakes Governors of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin, and the Premiers of Ontario and Quebec signed the Great Lakes—St. Lawrence River Basin Sustainable Water Resources Agreement (the "Agreement"), and the Governors endorsed the companion Great Lakes—St. Lawrence River Basin Water Resources Compact (the "Compact"), which was later approved by the United States Congress and signed by the President, banning new water diversions from the Basin except in communities located in counties straddling the water division line between the Great Lakes-St. Lawrence Basin and other basins; and

WHEREAS, the Town of Cobourg, is located along Lake Ontario in the Province of Ontario and is an active Great Lakes Coalition Member Municipality;

WHEREAS, it is acknowledged that the City of Waukesha applied to the Wisconsin Department of Natural Resources under the exception for a "Community within a Straddling County" to use Lake Michigan as its source of drinking water (the "Waukesha Application"); and

WHEREAS, the Compact requires proposals for diversions to satisfy seven specific conditions; and

WHEREAS, the Regional Body, after having reached an agreement on a Declaration of Finding and a set of conditions for the application, forwarded its recommendation to the Compact Council, and that all eight Great Lakes states voted in favor of the Waukesha Application; and



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WHEREAS, on June 21, 2016, the Compact Council issued its Final Decision approving the Waukesha Application with Conditions; and

WHEREAS, the Waukesha Application does not meet the terms of the Agreement nor the Compact, and the precedent-setting nature of the Final Decision to approve the Application is of great concern to the Mayors of the Great Lakes and St. Lawrence Cities Initiative; and

WHEREAS, the approved service area still contains parts of communities which are not part of the City of Waukesha and which have not demonstrated a need for the water, amounting to a clear violation of the Compact; and

WHEREAS, this broader service area is not a "Community within a Straddling County" as defined and required by the exception conditions in the Agreement and Compact; and

WHEREAS, there are reasonable water supply alternatives to meet the drinking water quantity and quality needs of the City of Waukesha; and

WHEREAS, the impacts of the proposed return flow of water through the Root River to Lake Michigan are likely to have adverse impacts on the ecosystem and to the urban shores of the mouth of the River; and

WHEREAS, the Conditions for Approval were not subject to public comment while debated by the Regional Body and Compact Council despite the Compact's requirement that all relevant information be available to the public for comment; and

WHEREAS, the Regional Body review process did not provide adequate opportunity for public comment as only one public meeting was held in the City of Waukesha, and that hundreds of public comments against the Application did not appear to be considered during the Regional Body or Compact Council process;

NOW THEREFORE, BE IT RESOLVED THAT the Town of Cobourg, Ontario affirms its commitment to the protection of the Great Lakes water resources by calling on the Governors of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin, and their representatives on the Compact Council to reconsider their Final Decision to approve the Waukesha Application; and

BE IT FURTHER RESOLVED, that the Town of Cobourg, Ontario supports challenges by the Great Lakes and St. Lawrence Cities Initiative to the Compact Council's approval of the Waukesha Application under procedures adopted by the Compact Council, which may include requesting a hearing and initiating judicial review of the Final Decision; and

BE IT FINALLY RESOLVED, that in support of the resolution of the City of Waukesha, WI, a county straddling the basin division line; the Town of Cobourg Council urge the Governors and Premiers of the Regional Body and Compact Council, consistent with good public policy, to reverse its approval of the Waukesha diversion application and ensure that the provisions of the Compact are strictly applied



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in this and any future application in order to protect the finite water resources of the Great Lakes and St. Lawrence River basin; and

FURTHER THAT the resolution be circulated to Prime Minister Trudeau, Premier Wynn, MPP Kathryn McGarry, Minister of Natural Resources and Forestry, the Great Lakes and St. Lawrence Initiative and to the International Joint Commission for the Great Lakes.

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Carried

The Town of Cobourg support your efforts to oppose the approval of the Waukesha Water Diversion Application.

Yours very truly,

Lorraine V. Brace,
Municipal Clerk

LVB/ns

p.c. Prime Minister Justin Trudeau
Premier Kathleen Wynn
MPP Kathryn McGarry / Minister of Natural Resources and Forestry
Mayor Denis Coderre, Chair Great Lakes and St. Lawrence Cities Initiative
International Joint Commission for the Great Lakes



Town of Cobourg

RESOLUTION

IN SUPPORT Of the CITY OF WAUKESHA, WISCONSIN, USA OPPOSING THE APPROVAL OF THE WAUKESHA WATER DIVERSION APPLICATION

WHEREAS, the Great Lakes and St. Lawrence River Basin represents approximately 20% of the world's surface freshwater resource and supports the third largest economy in the world; and

WHEREAS, on December 13, 2005, the Great Lakes Governors of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin, and the Premiers of Ontario and Quebec signed the Great Lakes—St. Lawrence River Basin Sustainable Water Resources Agreement (the "Agreement"), and the Governors endorsed the companion Great Lakes—St. Lawrence River Basin Water Resources Compact (the "Compact"), which was later approved by the United States Congress and signed by the President, banning new water diversions from the Basin except in communities located in counties straddling the water division line between the Great Lakes-St. Lawrence Basin and other basins; and

WHEREAS, the Town of Cobourg, is located along Lake Ontario in the Province of Ontario and is an active Great Lakes Coalition Member Municipality;

WHEREAS, it is acknowledged that the City of Waukesha applied to the Wisconsin Department of Natural Resources under the exception for a "Community within a Straddling County" to use Lake Michigan as its source of drinking water (the "Waukesha Application"); and



WHEREAS, the Compact requires proposals for diversions to satisfy seven specific conditions; and

WHEREAS, the Regional Body, after having reached an agreement on a Declaration of Finding and a set of conditions for the application, forwarded its recommendation to the Compact Council, and that all eight Great Lakes states voted in favor of the Waukesha Application; and

WHEREAS, on June 21, 2016, the Compact Council issued its Final Decision approving the Waukesha Application with Conditions; and

WHEREAS, the Waukesha Application does not meet the terms of the Agreement nor the Compact, and the precedent-setting nature of the Final Decision to approve the Application is of great concern to the Mayors of the Great Lakes and St. Lawrence Cities Initiative; and

WHEREAS, the approved service area still contains parts of communities which are not part of the City of Waukesha and which have not demonstrated a need for the water, amounting to a clear violation of the Compact; and

WHEREAS, this broader service area is not a "Community within a Straddling County" as defined and required by the exception conditions in the Agreement and Compact; and

WHEREAS, there are reasonable water supply alternatives to meet the drinking water quantity and quality needs of the City of Waukesha; and

WHEREAS, the impacts of the proposed return flow of water through the Root River to Lake Michigan are likely to have adverse impacts on the ecosystem and to the urban shores of the mouth of the River; and

WHEREAS, the Conditions for Approval were not subject to public comment while debated by the Regional Body and Compact Council despite the Compact's requirement that all relevant information be available to the public for comment; and

WHEREAS, the Regional Body review process did not provide adequate opportunity for public comment as only one public meeting was held in the City of Waukesha, and that hundreds of public comments against the Application did not appear to be considered during the Regional Body or Compact Council process.



THEREFORE, BE IT RESOLVED, that the Town of Cobourg, Ontario affirms its commitment to the protection of the Great Lakes water resources by calling on the Governors of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin, and their representatives on the Compact Council to reconsider their Final Decision to approve the Waukesha Application; and

BE IT FURTHER RESOLVED, that the Town of Cobourg, Ontario supports challenges by the Great Lakes and St. Lawrence Cities Initiative to the Compact Council's approval of the Waukesha Application under procedures adopted by the Compact Council, which may include requesting a hearing and initiating judicial review of the Final Decision; and

BE IT FINALLY RESOLVED, that in support of the resolution of the City of Waukesha, WI, a county straddling the basin division line; the Town of Cobourg Council urge the Governors and Premiers of the Regional Body and Compact Council, consistent with good public policy, to reverse its approval of the Waukesha diversion application and ensure that the provisions of the Compact are strictly applied in this and any future application in order to protect the finite water resources of the Great Lakes and St. Lawrence River basin;

AND FURTHER THAT the resolution be circulated to Prime Minister Trudeau, the Premier Wynn, MPP Kathryn McGarry, Minister of Natural Resources and Forestry, the Great Lakes and St. Lawrence Initiative and to the International Joint Commission for the Great Lakes.

Signed this 19th day of August, 2016

Mayor Gil Brocanier
Town of Cobourg