

ecosystem view.”<sup>23</sup>

Accordingly, Michigan’s Governor Engler signaled the formal end of the no diversion Great Lakes regional policy by stipulating specific conditions under which out of basin diversions would receive Michigan approval,

“We are not saying that there are no circumstances under which a proposal to divert Great Lakes water out of basin can be approved. We believe that in order for a diversion proposal to be approved, it must be demonstrated that there is an imminent danger to public health, safety, and welfare, and that there is no prudent or feasible alternative water supply. In addition, such proposals must contain plans to implement meaningful conservation measures. Diversions should be developed with clean water returned to the Great Lakes basin after use.”<sup>24</sup>

At the Lowell diversion conference, Ontario also moved away from its no diversion stance and stated its specific concerns about the diversion, indicating issues of cumulative impacts, precedent, compensation for loss values due to diversion, a specific approval process, and a moratorium on diversion until a new ( and lower) trigger level for diversions is officially established.<sup>25</sup>

After a May 8, 1992, conference on the Lowell diversion was concluded, Michigan was the only one of the Great Lakes states to veto the Lowell proposal. New York abstained while Ontario and Quebec sided with Michigan and opposed the diversion but had no formal veto power.<sup>26</sup> Governor Engler wrote to Governor Bayh indicating that his opposition was based on four criteria: the availability of other water sources, the precedent of a permanent diversion, the lack of a compelling need for this diversion, and the need for water conservation measures and a means to return the used water to the Great Lakes.<sup>27</sup>

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<sup>23</sup>“Report on the Disapproval of the Proposed Water Diversion....” op.cit.

<sup>24</sup>Engler, Governor John. Letter to Indiana Governor Evan Bayh, May 8, 1992.

<sup>25</sup> “Report on the Disapproval of the Proposed Water Diversion from Lake Michigan to Lowell Indiana, op. cit., 10.

<sup>26</sup>Id., at 3, 12.

<sup>27</sup>Engler, Governor John. Letter to Governor Bayh. 8 May 1992.