

this would be a temporary diversion and that a veto would likely anger Wisconsin and other states supporting the Wisconsin petition. Canada had no formal role in the final decision to permit this diversion as they had no veto authority, but they did express their concern in their role as a signatory of the Great Lakes Charter.

However, it was not long after the Pleasant Prairie diversion project had been “approved” that the region’s governors were faced with a similar request from another community -- Lowell, Indiana -- located outside the basin but within another Great Lakes state. It became apparent from this proposal and several others on the horizon that the ad hoc policy of Pleasant Prairie could not be extended indefinitely without totally undermining the no out of basin water diversion policy altogether.

For Michigan, the problem was even more acute. As one news reporter observed: “Because Michigan lies almost entirely within the basin, it has incredible clout. The state will never need the other states’ approval to use water.”<sup>20</sup> However, as G. Tracy Mehan, the Director of Michigan’s Office of the Great Lakes also observed in the same article, “But if Michigan vetoes all their (other Great Lakes states) proposals, the other states may become so frustrated that they break away from a united stand on water diversions.”<sup>21</sup>

Like Pleasant Prairie, the Lowell diversion project raised public health drinking water concerns. While Lowell was distinguishable from Pleasant Prairie on several fronts including its permanent nature, the real issue was a political one of where to draw the line on these Great Lakes state diversion requests. It was clear from the transcripts of the hearings on the Lowell diversion request that most states, notably with the exceptions of Michigan and New York, were sympathetic to Lowell’s plight.

With New York unlikely to cast a veto against the Lowell request for political reasons,<sup>22</sup> Great Lakes United member Bruce Kershner summarized the unfortunate position Michigan faced if it vetoed the Lowell diversion request:

“Michigan is going to be the scapegoat, the seeming villain in all this when in reality, Michigan, because of its central location surrounded by four lakes is the one that is forced right now to take that basin wide position — that basin wide view in being willing to stand up and veto this in spite of the fact that its against the tide of the other states.” We think the other states are just not looking at the long term and at the

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<sup>20</sup>Poulson, David. “The Fight for Water.” The Ann Arbor News, 4 March 1996: A-1.

<sup>21</sup>Id.

<sup>22</sup>Schornack, Dennis. Memorandum to Governor John Engler . 13 August 1991 which outlines Governor Cuomo’s likely political rationale for not opposing the Lowell diversion.