

Canadian paper calling such a proposal “dangerous”¹⁸ and the U.S. Corps later withdrew its request for the increased temporary diversion.¹⁹

Despite the fact that this 1988 Corps diversion attempt was unsuccessful, it was nevertheless clear that the political solidarity of the region’s states and provinces upon which the Great Lakes Charter depended was weakening. Furthermore, the fact that the Water Resources Development Act of 1986 granted veto power to U.S. governors reduced the ability of the Canadian provinces to influence Great Lakes diversion issues in Lake Michigan, contrary to their equal status to states under the Great Lakes Charter.

What may have inflicted a mortal wound to the traditional Great Lakes water diversion ban strategy came from a tiny town known as Pleasant Prairie, Wisconsin, where a request for Lake Michigan water to meet safe public drinking water needs first officially pitted Great Lakes states against each other over a new out of basin water diversion.

What made this situation unusual was that Pleasant Prairie, although a part of the Great Lakes state of Wisconsin, was considered geographically outside the Great Lakes basin and thus subject to gubernatorial veto power by any of the Great Lakes state governors. While the size of the diversion was small and by itself unlikely to have any significant impact on Great Lakes water levels, the region’s historic no diversion policy was clearly threatened from a precedential standpoint by Wisconsin and a number of other states sympathetic to Pleasant Prairie’s plight (and perhaps foreseeing similar situations in their own states). Only Michigan (which was wholly within the Great Lakes basin and, unlike Canada, possessed a Congressionally empowered veto) had the luxury of looking at this project from a regional versus more parochial perspective.

PLUGGING THE DIKE OF DISSENSION: WATER DIVERSION POLICY ON HOLD

The debate over Pleasant Prairie’s water diversion request in 1989 was a painful one, as correspondence among the region’s governors will attest. Without delving in to the details of the project, the outcome of the project was a half-hearted approval (or perhaps better stated a lack of formal objection) to the proposal by the region’s governors for a variety of reasons. For example, Michigan abstained from using its gubernatorial veto, believing that

¹⁸“Proposal to divert Great Lakes water called dangerous.” Toronto Star, 19 March, 1987: A 10.

¹⁹The U.S. Army Corps of Engineers initially cited their authority to increase the Chicago diversion in navigational emergencies under USC Title 33, section 1, but still sought Great Lakes Governor approval under the WRDA of 1986 cited in footnote 15.