

**TESTIMONY SUBMITTED TO:
SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT
MANAGEMENT
COMMITTEE ON GOVERNMENTAL AFFAIRS
U.S. SENATE
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The Great Lakes Commission applauds the subcommittee's initiative in holding a hearing on ecosystem restoration needs and initiative in the Great Lakes basin. The eight Great Lakes states, acting through the Commission, have long supported the notion of a comprehensive, consensus-based ecosystem restoration plan to enhance inter-jurisdictional and interagency coordination, and provide a blueprint for Congressional action. We are pleased that the recent U.S. General Accounting Office (GAO) report, titled, *An Overall Strategy and Indicators for Measuring Progress Are Needed to Better Achieve Restoration Goals*, has brought additional attention to this unmet need.

We believe that any such plan must reflect the priorities of our governors; represent a true partnership among all levels of government; recognize the binational status of the resource; be based on sound science; have the backing of the Great Lakes Congressional Delegation; reflect the views and enjoy the popular support of diverse stakeholders; build upon existing programs, authorities and institutions; include measurable goals; establish clear lines of accountability for implementation; and be supported by significant, long-term sustainable funding.

The following testimony presents the Great Lakes Commission's perspectives and recommendations on this subject. It presents an overview of the Great Lakes Commission; discusses its role, responsibility and initiatives in ecosystem restoration; builds a case for a *Great Lakes Restoration Plan*; presents comments on the recently released GAO report; highlights Great Lakes Commission contributions to restoration planning (current and prospective); and offers recommendations reflecting the collective views of the Commission's membership as embodied in resolutions and policy statements. Included is a descriptive overview of a recently announced partnership with the National Oceanic and Atmospheric Administration's National Sea Grant College Program that promises to significantly advance ecosystem restoration efforts in the Great Lakes Basin.

Overview of the Great Lakes Commission

The Great Lakes Commission is a binational agency that promotes the orderly, integrated and comprehensive development, use and conservation of the water and related natural resources of the Great Lakes Basin and St. Lawrence River. The Commission was established by joint legislative action of the Great Lake states in 1955, via the Great Lakes Basin Compact, and granted congressional consent in 1968 through Public Law 90-419. Commission members include the eight Great Lakes states, with associate member status for the Canadian provinces of Ontario and Québec secured through a 1999 Declaration of Partnership. Each jurisdiction appoints a delegation of three to five members comprised of senior agency officials, legislators and/or appointees of the governor or premier. All Commission activities are directed at realizing our vision of a healthy environment, a

prosperous economy, and a high quality of life for all citizens. Three principal activities support this vision:

- ▶ Information sharing among the membership and the entire Great Lakes-St. Lawrence community
- ▶ Policy and plan research, development and coordination on issues of regional interest
- ▶ Advocacy of those positions on which members agree.

The Great Lakes Commission has a legislative mandate to represent the collective views of the eight Great Lakes states before the Congress and the federal government.

The Great Lakes Commission and Ecosystem Restoration: Role, Responsibility and Initiatives

In passing the Great Lakes Basin Compact, The U.S. Congress and the legislatures of the eight Great Lakes states established an organization with an explicit mandate to plan for and promote the “orderly, integrated, and comprehensive development, use, and conservation” of the water and related natural resources of the Great Lakes Basin and St. Lawrence River. Article I of the Compact (PL 90-419) provides for this planning function, and calls on the Commission to address environmental, economic and quality of life considerations in offering advice and recommendations on management of the Basin’s resources and their uses. Articles VI and VII further specify the nature and purpose of the Commission’ planning, coordination, analysis and recommendatory functions, and identify the range of topical areas to be addressed.

The Commission’s role and responsibility in ecosystem planning is further established in its *Five Year Strategic Plan*, unanimously adopted by its membership in 2000. In that document, the membership articulates a vision for the Great Lakes St. Lawrence system - a “system that offers a prosperous economy, a healthy environment and a high quality of life for its citizens by applying sustainable development principles in the use, management and protection of water, land and other natural resources.” To achieve that vision, the Commission provides a series of goals, objectives and strategic actions that address the need for a well-coordinated, comprehensive and consistent approach to advancing environmental and economic prosperity.

The Great Lakes Commission’s involvement in large scale ecosystem planning dates back to its formation in 1955 and a succession of planning initiatives since that time that have addressed a range of issues associated with the use, management, restoration and protection of the resource. In recent years, among many others, the Great Lakes Commission has developed such plans and strategies on issues that include aquatic nuisance species prevention and control; water quality management; nonpoint source pollution control; Areas of Concern clean-up; environmental monitoring; environmental and commercial dredging; land re-use and preservation; regional air toxics emissions; lakewide restoration; wetlands conservation and health; and a sustainable transportation system. Such plans have been integrative in nature, accommodating and addressing the range of environmental and economic considerations that determine ultimate success in restoration, protection and management efforts.

The Great Lakes Commission has also historically assumed a coordinative role in advancing ecosystem planning efforts by strengthening linkages and cooperative efforts within a complex

“institutional ecosystem.” Such complexity, along with the multitude of “players” in the basin governance process, has historically led to some confusion among elected officials, other policy makers and the general public. Commonly asked questions have included, “What are the roles and responsibilities of the various Great Lakes agencies? “Who speaks for the Great Lakes?” And, “Is there a shared vision for the Great Lakes and a plan, or blueprint, to achieve it?”

In the mid-1990s, the Great Lakes Commission coordinated a response to the latter question with the development of *An Ecosystem Charter for the Great Lakes-St. Lawrence Basin*. That document, which consisted of a vision statement, set of principles and a series of goals, objectives and strategic actions, was the product of a large binational drafting committee comprised of federal, state and provincial officials, and representatives of business/industry interests, citizen organizations, user groups and academia. The intent was to highlight fundamental resource management principles that enjoyed broad support. In essence, the Ecosystem Charter is an affirmation that the members of the Great Lakes community are generally “in the same boat and rowing in the same direction.” Once completed, the Ecosystem Charter garnered the signatures of approximately 175 agencies, organizations and other entities. Its principles and related provisions remain largely relevant today.

The Great Lakes Program to Ensure Environmental and Economic Prosperity

The most recent contribution of the Great Lakes Commission to large scale ecosystem restoration planning is embodied in *The Great Lakes Program to Ensure Environmental and Economic Prosperity*. The program is an annually produced descriptive listing of the U.S. federal legislative and appropriations priorities of the eight Great Lakes states articulated through the Great Lakes Commission. Reflecting the input of the larger Great Lakes - St. Lawrence community and garnering the unanimous support of its eight member states, the program sets forth seven goals that include cleaning up toxic hotspots; shutting the door on invasive species; controlling nonpoint source pollution; restoring and conserving wetlands and critical coastal habitat; ensuring the sustainable use of our water resources; strengthening our decision support capability; and enhancing the commercial and recreational value of our waterways. Associated with each is a benefits statement and series of “selected priority actions” for Congressional consideration.

The genesis of *The Great Lakes Program* dates back to the Commission-sponsored “Great Lakes Day in Washington” in March 2000. At that event, Congressional staff recommended that the Commission re-orient its long-standing list of appropriations priorities to reflect a common theme and consistent set of goals. “Restore the Greatness” was subsequently adopted by member states as the theme and, in subsequent years, *The Great Lakes Program to Ensure Environmental and Economic Prosperity* has emerged as a much-consulted blueprint for Congressional action.

The Great Lakes Program is an important step toward the development of a large scale, long term *Great Lakes Restoration Plan*. In fact, a key recommendation in the 2003 version is the development, via intergovernmental partnership, of such a plan that reflects the collective priorities of the region’s governors and is based on regionwide consensus of the stakeholder community.

The Case for a Great Lakes Restoration Plan

The ecological and economic importance of the Great Lakes basin, coupled with its size, multiple use and multi-jurisdictional characteristics, has fostered the development of a complex set of institutional arrangements for its management. Policymaking and management authority is shared by two federal governments, the Commission's eight member states, its two associate member provinces (ON, QC), a multitude of First Nations/tribal authorities, several regional agencies, and literally hundreds of sub-state/provincial governments. Inter-agency agreements and cooperative arrangements are a common feature on the governance landscape, and there is growing recognition that an ecosystem-based, partnership-oriented approach is a fundamental component of successful basin governance.

While initiatives such as the *Ecosystem Charter* speak to the long standing interest in the *Great Lakes Restoration Plan* concept, the heightened awareness of this need is largely attributable to several recent developments. Congressional support for the “Comprehensive Everglades Restoration Plan,” a multi-year, multi-billion dollar initiative, emphasized the benefits to be realized if all players in a given region pulled together and supported a single plan. It also prompted many in the Great Lakes basin to wonder if this region – historically the leader in institutional innovation and collaboration – might be “losing its edge.” Also, the Great Lakes Commission heightened regional interest in a comprehensive, consensus-based plan when it released (in March 2001) its annual U.S. federal legislative and appropriations priorities in the form of *The Great Lakes Program to Ensure Environmental and Economic Prosperity*. And, a multitude of other public agencies with Great Lakes responsibilities – particularly U.S. federal agencies – have recently launched comprehensive strategic planning initiatives that speak – to varying degrees – to the *Great Lakes Restoration Plan* idea. The Congressional Great Lakes Task Force reaffirmed the desirability of a region-wide, consensus-based plan that could help inform and direct its legislative/appropriations efforts, and invited the Great Lakes governors (in a letter dated March 1, 2001) to help coordinate contributions to that effort. In making that request, it was emphasized that the plan needs to originate in the region and garner broad-based support among the range of regional interests.

The building blocks for development of a *Great Lakes Restoration Plan* are already largely in place; numerous agencies at all levels of government, as well as nongovernmental interests, maintain (or are in the process of developing) strategic plans that can contribute to a broader, consensus-based *Great Lakes Restoration Plan*. Among many others, the following are relevant:

- ▶ As noted earlier, the Great Lakes Commission has developed, on behalf of its member states and provinces, a *Five Year Strategic Plan* (2000) that presents a vision statement, goals, objectives and strategic actions. Its annual U.S. federal legislative and appropriations priorities statement (*The Great Lakes Program to Ensure Environmental and Economic Prosperity*), formally adopted by its eight state members, includes several dozen recommendations organized around seven themes. And, as also noted previously, the Commission coordinated the development of the *Ecosystem Charter for the Great Lakes-St. Lawrence Basin* in 1995.
- ▶ The U.S. Policy Committee, with coordination assistance from the U.S. Environmental Protection Agency (Great Lakes National Program Office), has developed a *Great Lakes Strategy*. The U.S. Policy Committee is a consortium of U.S. federal, state and regional agencies with responsibilities related to implementation of the U.S. Canada *Great Lakes Water Quality Agreement*.

- ▶ The International Joint Commission has developed a strategic plan to guide its efforts – and those of its boards – under the terms of the *Boundary Waters Treaty of 1909* and the U.S.-Canada *Great Lakes Water Quality Agreement* of 1972 (as amended by Protocol in 1987).
- ▶ The Great Lakes Fishery Commission maintains a *Joint Strategic Plan for Management of Great Lakes Fisheries* which was developed and endorsed by federal, state and tribal governments. It provides the agency and its many partners with a framework for individual and collective fisheries management activities.
- ▶ The National Sea Grant Program maintains a *Sea Grant Network Plan* that highlights the agency's role in economic leadership; coastal ecosystem health and public safety; and education and human resources. Complementing this are strategic plans specific to each Great Lakes Sea Grant Program.
- ▶ The U.S. Army Corps of Engineers (Great Lakes and Ohio River Division) recently initiated a strategic planning process under provisions of the *John Glenn Great Lakes Basin Program* authorized in the Water Resources Development Act of 1999. The objective is to define Corps authorities, inventory current activities, and document unmet needs and partnership opportunities. The Corps is also initiating – per Congressional directive – a *Great Lakes - St. Lawrence Seaway System Review Study* that will examine issues, unmet needs and opportunities associated with the Great Lakes-St. Lawrence maritime transportation system with a significant focus on environmental baseline conditions. Also, the Corps is partnering with the Great Lakes Commission – and multiple U.S. and Canadian agencies from the local to federal level – on development of a comprehensive management plan for the St. Clair River and Lake St. Clair watershed.
- ▶ The U.S. Geological Survey has developed a draft strategic plan that outlines its own Great Lakes mandate and identifies future priorities. It identifies major societal issues that USGS can address, and provides for the appointment of a Great Lakes Coordinator, a Great Lakes Technical Team and a Great Lakes Coordination Outreach Team. Approval of the draft plan is anticipated in the near future.
- ▶ The Great Lakes Environmental Research Laboratory (NOAA) crafted a strategic plan in 2000 that presents a mission statement and a series of associated goals, related activities, products and strategic actions. As with the other selected plans identified above, interagency collaboration and partnership are prominently featured.
- ▶ State and province level initiatives exist as well. Among others, New York has developed a 25 year *Great Lakes Management Plan*; Ohio has developed a restoration plan for Lake Erie; and Michigan's Office of the Great Lakes has issued strategic planning documents, including a *Lake Huron Initiative*. Literally every Great Lakes state and province has some type of Great Lakes strategy, whether it be statewide, agency-specific or topic-specific. Among others, states/provinces have plans that address one or more of the following: aquatic nuisance species prevention and control; coastal management; nonpoint source pollution; water use/conservation; spill prevention and response; land use and air quality management.

Further, the Congress is presently providing substantial restoration grants to individual Great Lakes states.

- ▶ Complementing these activities are issue-specific strategies at the regional level that have restoration plan relevance. Among many others are the strategic plans of the Great Lakes Commission-coordinated Great Lakes Panel on Aquatic Nuisance Species; the binational Waterways Management Forum (coordinated by the U.S. Coast Guard); and the elements of *Annex 2001* of the Great Lakes Charter endorsed by the Great Lakes governors and premiers.

The proliferation of strategic planning initiatives within Great Lakes-related institutions is appropriately viewed as a strength. At the individual agency level, such plans are instrumental in defining roles and responsibilities, articulating unmet needs, identifying partnership opportunities, and formulating visions and blueprints to achieve them. Generally speaking, their development is collaborative and inclusive. Even a cursory review of their respective provisions finds that there are, indeed, many areas of fundamental agreement that suggest we are “in the same boat and rowing in the same direction.”

What we have, however, is a necessary but insufficient condition for moving the basin’s restoration needs forward. These many strategies and plans need to be “massaged” into a single, states-led, comprehensive, plan that accommodates and reflects the input from a range of interests in the binational region. This will yield the collective vision needed to achieve success at the Congressional, gubernatorial and state legislative levels, and provide us with a clear understanding of where we are, where we want to be, and how to get there. Working with its member states, the Great Lakes Commission has committed to assisting with this effort by providing technical and scientific support to the region’s governors and premiers and the larger Great Lakes - St. Lawrence community.

Perspectives on the U.S. General Accounting Office Report

The Great Lakes Commission applauds the recent release of the GAO report (*An Overall Strategy and Indicators for Measuring Progress Are Needed to Better Achieve Restoration Goals*) and urges careful consideration of its recommendations. Report findings re-affirm concerns our membership has expressed in recent years through formal resolution and other policy positions. Simply stated, we need an overall plan with a consensus-based vision, goals, objectives and strategic actions by which the restoration and protection efforts of governmental agencies at all levels can be conducted.

The GAO did a commendable job of documenting current federal and state restoration programs and in characterizing the nature and focus of current coordination efforts. It also conveyed the complexity of institutional arrangements and the enormity of the restoration challenge. The fact that its authors concluded that current indicators provide an inadequate basis for assessing restoration progress is testament to the need for a more comprehensive and coordinated approach to establishing and benchmarking goals.

While the Great Lakes Commission supports the overall findings and recommendations of the report, several observations with implications for any prospective plan development are in order:

- ▶ The descriptive inventory of restoration-related programs and projects is, by GAO admission, extensive but incomplete. It does not capture many of the ongoing state and federal initiatives, not to mention those funded outside of government (e.g., foundations, private sector), or pursued by other governmental (e.g., regional and sub-state entities) and non governmental entities. The Great Lakes Commission, for example, is directing over \$8.0 million to its regional initiatives in FY 2004, many of which have a restoration focus. As a restoration planning process moves forward, the GAO inventory effort should be expanded.
- ▶ The Great Lakes “institutional ecosystem” is arguably the most complex and mature arrangement for basin governance in the world. There are a multitude of institutions, restoration plans and coordinative mechanisms already in place. Adding to this complexity through new institutional arrangements – at least without thoroughly exploring the potential of existing ones – is counterproductive. Most of the pieces of the restoration plan puzzle are already available, and the emphasis should be placed on assembling them, rather than on duplicating or re-inventing them.
- ▶ The report appears to overstate the relevance of the U.S. - Canada *Great Lakes Water Quality Agreement* – at least in its current form – to ecosystem restoration efforts. This is due to the fact that the current agreement is 16 years old and is rapidly becoming a memorial to the past rather than a beacon for the future. An updated – and potentially expanded – Agreement is fundamental to the success of any prospective restoration plan. The Great Lakes Commission has long been on record in support of Agreement review.

The Great Lakes Commission’s Contribution to Development of a Great Lakes Restoration Plan

Through formal resolutions, policy statements and project initiatives, the Great Lakes Commission has identified several areas where it has, and will continue to advance the collective effort toward development and implementation of a *Great Lakes Restoration Plan*.

- ▶ Technical and Scientific Support to the Great Lakes Governors and Broader Regional Leadership: The Great Lakes Commission, as an organization of the Great Lakes states and provinces, recognizes the leadership role of the Great Lakes governors, in consultation with their counterparts in Ontario and Québec, in establishing overarching ecosystem restoration priorities and subsequent development of a *Great Lakes Restoration Plan*. Toward that end, the Commission has made available its considerable resources and technical expertise in restoration plan design, formulation, implementation and monitoring.
- ▶ Legislative Review and Analysis: Consistent with its mandate, the Great Lakes Commission will both contribute to and respond to federal legislative initiatives involving restoration planning and appropriations legislation, ensuring that the collective interests of the Great Lakes states are represented.

- ▶ Enhancing Intergovernmental and Interagency Coordination in Plan Development: Through its membership, Observer program (for non-state public agencies) and various coordinating mechanisms (e.g., committees, task forces, meetings), the Great Lakes Commission will continue to provide a forum for all basin interests – both within and outside government – to contribute toward plan development and implementation. In turn, the Great Lakes Commission will continue to participate in the many existing regional forums (e.g., International Joint Commission, U.S. Policy Committee, Binational Executive Committee) where such coordination efforts will also move forward.
- ▶ Identify Restoration Priorities and Associated Scientific Considerations: Thanks to support from NOAA and its National Sea Grant College Program, the Great Lakes Commission is partnering with the Great Lakes State Sea Grant Programs on an ambitious two-year initiative that will involve researching ecosystem problems and needs; assessing existing restoration initiatives; conducting focus groups to identify priorities; and convening a restoration planning forum to assemble outcomes and convey them to Basin leadership and stakeholders. The process will be an inclusive one and will welcome the involvement of all interests in the binational Great Lakes-St. Lawrence basin. The outcome will be science-based data and information on prospective restoration priorities, as well as advice and observations on plan formulation, implementation and monitoring.

This initiative will yield benefits for all concerned. It will provide the Great Lakes governors and premiers with detailed, science-based information needed to formulate, refine and advocate restoration priorities. It will assist the Great Lakes Commission in shaping and advancing its annual compilation of federal legislative and appropriations priorities. Similarly, it will assist Sea Grant in its ongoing efforts to target resources to research, education and extension priorities. Further, it will complement multiple other restoration plan contributions from entities within and outside of government.

Recommendations of the Great Lakes Commission

In considering the preparation of a *Great Lakes Restoration Plan*, via Congressional action or other means, the Great Lakes Commission offers the following recommendations:

- 1. Experiences, both within the Great Lakes-St. Lawrence Basin and in other regions of North America, suggest that a successful ecosystem restoration planning process must provide, among others, for the following:**
 - a) gubernatorial leadership in plan formulation, in partnership with all relevant levels of government;
 - b) a sound scientific basis and rationale for all restoration goals and associated tasks and activities;
 - c) strong bipartisan support from the Great Lakes Congressional Delegation;
 - d) an open and inclusive development process that reflects the views and cultivates the support of stakeholder groups;
 - e) involvement most of relevant Canadian interests in the process, recognizing that restoration efforts must be pursued on a basinwide and, hence, binational basis;

- f) use of existing institutions, programs, authorities and plans as a basis for plan development and implementation, fully exploiting their potential;
- g) benchmarking (and associated monitoring) of all goals, tasks and activities to ensure that progress can be measured over time and with appropriate adjustments made;
- h) establishment of clear lines of authority and accountability for implementation;
- i) an overarching set of principles that can provide general guidance for, and ensure consistency among other restoration plans and activities of any scale; and
- j) significant, long-term, sustainable funding consistent with documented needs.

2. ***The Great Lakes Program to Ensure Environmental and Economic Prosperity should be used as a foundation for plan development.*** This document, which includes a vision statement, seven overarching goals, and some 50 priority actions, has been unanimously endorsed by the Board of Directors of the Great Lakes Commission and reflects the consensus of the states acting through the Great Lakes Commission. Significantly, the Program is based both on federal programs that have been authorized, yet inadequately funded, and no new start initiatives of interest to the states. Complementing the incorporation of Program elements into the plan should be a similar exercise for many other restoration-related plans and strategies that have been developed in recent years. Principal among these is the *Great Lakes Strategy* endorsed by the U.S. Policy Committee and coordinated by U.S. EPA.
3. **Plan development and implementation must be results oriented, and pursued with a sense of urgency.** Establishment of a new bureaucracy, particularly in light of the array of existing institutions, programs, policies, plans and coordination mechanisms, must be avoided. Rather, the full potential of existing arrangements needs to be fully tapped and exploited. There is no need to wait for an extended period to initiate restoration activities; priorities can and should be established in the immediate future and provide interim guidance for appropriations activity while more detailed planning takes place. Consistent with the previous recommendations, immediate action should be taken to adequately support many federal programs that have already been authorized yet inadequately funded.
4. **Science-based decisionmaking should be strengthened by enacting S. 1116, the Great Lakes Water Quality Monitoring Implementation Act.** Recently introduced in response to GAO report recommendations, this legislation can help establish the scientific foundation for restoration plan implementation. It's focus on a consistent and coordinated binational approach is applauded by our membership, which unanimously adopted a resolution at its recent Semiannual Meeting calling for data exchange partnerships and standardization of decision support tools.
5. **The U.S. and Canadian federal governments should be urged to undertake a comprehensive review of the U.S. - Canada *Great Lakes Water Quality Agreement* and revise, if needed, to reflect current restoration priorities.** The GAO report clearly regards the Agreement as a focal point for binational restoration efforts, and also notes that a binational review in 1999 "found that certain provisions were out of date and concluded that certain changes should be considered . . ." Indeed, the current Agreement is now 16 years old. An updated Agreement is fundamental to the success of any prospective restoration plan. The Great Lakes Commission has long been on record in support of Agreement review, and reiterates this need as an important complement to the preceding recommendations.

6. **Plan formulation activity must be prefaced by agreement on a clear and concise definition of “restoration.”** Such definitions could conceivably range from a desire to return to pre-settlement ecosystem conditions to justification for exclusively economic objectives. The Great Lakes Commission believes that the term should relate to the restoration of beneficial uses of Basin resources, accommodating ecological and socio-economic needs in an integrated, sustainable manner.

Concluding Remarks

The Great Lakes Commission appreciates the opportunity to submit the above statement and urges subcommittee members to consider our perspectives and recommendations as ecosystem restoration efforts move forward. Questions and comments are welcome and should be directed to Dr. Michael J. Donahue, President/Chief Executive Officer, at Eisenhower Corporate Park, 2805 S. Industrial Hwy, Suite 100, Ann Arbor, Michigan, 48104. Phone 734-971-9135; Fax - 734-971-9150; Email - mdonahue@glc.org.

Attachment

The Great Lakes Program to Ensure Environmental and Economic Prosperity (2003 edition)