

September 21, 2021

**Great Lakes St. Lawrence Governors and Premiers
Areas of Concern**

WHEREAS, in the 1980s the United States and Canada identified 43 areas along the Great Lakes that have experienced environmental degradation, including 26 in the U.S. and 17 in Canada, with five locations shared between the two countries; and,

WHEREAS, the US-Canada Great Lakes Water Quality Agreement (Annex 1 of the 2012 Protocol) defines these locations as Areas of Concern (AOCs) as, “geographic areas designated by the Parties where significant impairment of beneficial uses has occurred as a result of human activities at the local level;” and,

WHEREAS, these AOCs are the focus of comprehensive cleanup and restoration efforts involving federal agencies, States and Provinces, Tribes, First Nations, Métis, municipalities and other partners; and,

WHEREAS, in the Great Lakes Water Quality Agreement, the United States and Canada defined 14 potential Beneficial Use Impairments (BUIs) for Areas of Concern that could result from changes in the chemical, physical or biological integrity of the Great Lakes system; and,

WHEREAS, in order for the United States or Canada to delist an AOC, it must first document the restoration of each of the BUIs. AOCs strive to achieve environmental conditions comparable to non-AOC waterbodies in the Great Lakes; and,

WHEREAS, in the U.S., the Great Lakes Restoration Initiative (GLRI) and the Great Lakes Legacy Act (GLLA) are two programs that have removed contaminated sediment and fast-track efforts to protect and restore the Great Lakes. Accelerating the cleanup of AOCs is a priority under the GLRI. Under the GLRI, the U.S. Environmental Protection Agency works with other federal agencies, States, Tribes and local communities to develop and implement projects to remove BUIs and delist AOCs. The GLLA uses a unique, cost-sharing strategy to fund and perform sediment cleanups and associated habitat restoration; and,

WHEREAS, six U.S.-based AOCs (Ashtabula River, Lower Menominee, White Lake, Deer Lake, Presque Isle Bay and Oswego River) have been delisted. Several other AOCs have completed all management actions necessary for delisting (Waukegan Harbor, Sheboygan River, River Raisin, U.S. side of St. Clair River, U.S. side of St. Marys River, Rochester Embayment, Eighteenmile Creek (NY), Black River and Manistique River), and the 102nd BUI was restored in the U.S. in 2021; and,

WHEREAS, in Canada, since 1987, the federal government has supported local action to clean up AOCs; and,

WHEREAS, three Canadian AOCs have been remediated and delisted (Colingwood Harbour, Severn Sound and Wheatley Harbor); two AOCs have been designated as Areas of Concern in Recovery (Spanish Harbour and Jackfish Bay); and,

WHEREAS, in Canada, to protect the Great Lakes the governments of Canada and Ontario have collaborated since 1971 through consecutive Canada-Ontario Agreement on the Great Lakes. The 9th Agreement came into force on June 1, 2021 (through May 31, 2026). The 2021 COA commits Canada and Ontario to complete all actions in six Canadian AOCs (Nipigon Bay, Niagara River, Bay of Quinte, St. Lawrence River (Cornwall), Peninsula Harbour and Port Hope); and,

WHEREAS, there still are 16 U.S. sites, seven Canadian and an additional five shared sites that need additional clean up and restoration work. These remaining AOCs pose some of the largest and most complex cleanup and restoration challenges yet encountered in the region; and,

WHEREAS, in the Great Lakes Water Quality Agreement, the U.S. and Canada committed to developing Lakewide Action and Management Plans (LAMPs) to develop and coordinate actions that address lakewide stressors. The LAMPs provide a means for cross-jurisdictional coordination to accomplish the longer-term vision for ecosystem restoration after the AOCs are delisted.

NOW THEREFORE BE IT RESOLVED that the Great Lakes St. Lawrence Governors & Premiers applaud efforts to date and encourage the federal governments of the United States and Canada to continue to cooperate and coordinate between the two countries and also to continue to engage States, Provinces, Tribes, First Nations, Métis and local communities as equal partners in AOC decision-making, including in funding support.

BE IT FURTHER RESOLVED that the Great Lakes St. Lawrence Governors support continued funding for the Great Lakes Restoration Initiative to undertake the necessary cleanup and restoration actions at the remaining AOCs in the U.S. and the sites shared with Canada, and specifically call upon the U.S. Government to fully fund the GLRI to the authorized amount. The Great Lakes St. Lawrence Premiers support continued funding necessary for cleanup and restoration actions at the remaining AOCs in Canada and the sites shared with the U.S.

BE IT FURTHER RESOLVED that the Great Lakes St. Lawrence Governors recognize the importance of the Great Lakes Legacy Act in accomplishing sediment cleanups in the U.S., and also recognizes the value in leveraging funding from local, State and federal sources; however, the Great Lakes St. Lawrence Governors call upon the U.S. Government to provide greater flexibility in GLLA cost-sharing to remove barriers for disadvantaged communities to addressing contaminated sites.

BE IT FURTHER RESOLVED that the Great Lakes St. Lawrence Governors & Premiers recognize that increased attention to engagement of diverse communities and consideration of non-Western knowledge systems (if offered) in AOC decision-making will improve the outcomes in

AOC communities, and urges the federal governments to incorporate justice, equity, and diversity considerations into project plans, funding decisions and AOC measures of progress.

BE IT FURTHER RESOLVED that the Great Lakes St. Lawrence Governors & Premiers urge the U.S. EPA and Environment and Climate Change Canada to develop a process to conduct monitoring after completion of management action work to ensure success.

BE IT FINALLY RESOLVED that the Great Lakes St. Lawrence Governors & Premiers call on the federal governments to center the Lakewide Action and Management Plans in policy and funding decisions and ensure they are employed to the maximum extent possible in supporting Great Lakes communities, including AOC communities following BUI removals and AOC delisting, in achieving their ecosystem restoration goals.

Adopted by the Great Lakes and St. Lawrence Governors and Premiers on this 21st day of September, 2021.