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THE CHATTAHOOCHEE RIVER begins as a small spring in North Georgia but gains momentum as it travels south, creating pebbled mountain streams and hidden waterfalls that delight southernmost hikers on the Appalachian Trail. The river winds down the entire length of Georgia, meandering through oak and pine forests set off with red maples and white dogwoods, rushing over rocks it has flattened smooth over thousands of years. The Creek Indians gave the Chattahoochee its name: “river of painted rocks.”¹ Georgians just call it “the Hooch.”

Considering its size and all that it has to do, the Hooch may be the hardest-working river in America. Every summer, the river carries thousands of tourists in tubes or rafts who “shoot the Hooch” through the faux-Bavarian town of Helen and other North Georgia mountain retreats. For fly fishermen, it serves up rainbow, brook, and brown trout stocked by the state.

The Chattahoochee supports sixteen power-generating plants and has fourteen dams.² Fifty miles above Atlanta, the Army Corps built Buford Dam in the 1950s and created a huge, brilliant-blue lake called Sidney Lanier. Along with Lake Powell, created by the Glen Canyon Dam, Lake

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Lanier is one of the most visited federal lakes in the country. The Chattahoochee keeps the 38,000-acre lake full and makes its 700 miles of shoreline some of the hottest real estate in Georgia.

From Helen in the north to a dam called West Point, 85 miles south of Atlanta, hundreds of municipalities and industries have permits to discharge pollution into the Chattahoochee. Metro Atlanta's sewage-treatment plants dump 500 million gallons of treated wastewater into the river every day. They regularly spill gobs of raw sewage illegally, as well; Atlanta is now under federal consent decree to complete a massive, \$2 billion overhaul of its sewer system to stop the spills.³

In southern Georgia and Alabama, the river basin helps irrigate nearly 10,000 acres of corn, cotton, peanut, and other crops each year.⁴

When it gets to the Florida line, the Chattahoochee joins another Georgia river, the Flint, to become the powerful Apalachicola. The Apalachicola weaves down Florida's panhandle, first through bluffs, then thick tupelo and cypress swamps. The journey that began at tiny Chattahoochee Spring ends at Florida's huge Apalachicola Bay. There, 16 billion gallons of freshwater a day mix it up with the Gulf of Mexico to create the last unspoiled bay in Florida.⁵

Apalachicola Bay teems with fish and shellfish that the bays of South and Central Florida have not seen in more than fifty years. Wade along its beaches on some afternoons, and you can feel shrimp thump your legs. The bay's shrimp harvest is 6 million pounds a year. It supplies 90 percent of the oysters slurped down in Florida, 10 percent of those consumed in the United States. This productivity requires just the right mix of salt and freshwater: high salinity in the bay brings in predators from the Gulf, enabling them to stalk young marine creatures in their seagrass nurseries.⁶

All of these responsibilities are grave ones for the Hooch. But it has another important job, too. The Chattahoochee is the smallest river in the country to provide water supply to a metropolitan area—in its case, Atlanta.

The city that General William Tecumseh Sherman burned to the ground during the Civil War reigns today as commercial and cultural center of the South. Atlanta hosts one of the busiest airports in the world and corporations such as Coca-Cola, Home Depot, and UPS. It has dozens of colleges and universities, a thriving black middle class, and the

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Oysterman Cletis Anderson deposits oysters onto his skiff in Apalachicola Bay in Florida's panhandle. The bay provides more than 90 percent of the oysters slurped down in Florida. The shellfish require the freshwater that flows into the bay from the Chattahoochee River to the north. But Atlanta wants the Chattahoochee, too. (Courtesy of the State Library and Archives of Florida.)

spiciest international flavors between Miami and New York—with warehouselike global groceries where you can buy anything from a daikon radish to a live eel.

But Atlanta may be best known for its sprawling development that has gobbled up thirteen counties in north-central Georgia. The metropolitan area has grown from nearly 1 million people in 1950 to nearly 5 million today. Over the next twenty years, it is expected to be home to another 2.3 million people. That is like the entire population of metropolitan Denver moving in.⁷

In the last decades of the twentieth century, middle-class residents who worked downtown moved farther and farther into Atlanta's burbs to afford bigger and bigger homes. The city's urban footprint doubled between 1990 and 1997, from 65 miles north-to-south to 110 miles.⁸ The bumper-to-bumper commuting, the asphalt and the lack of trees all

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hiked stress as well as smog. For the past 15 years, Atlanta has averaged 40 “code orange” days a year, when the EPA deems the city’s ozone levels unsafe.⁹

The new century brought Atlanta dynamic new leaders like Mayor Shirley Franklin, and new ideas about growth. These leaders wanted Atlanta to grow in, not out. Between 2000 and 2005, more than 5,000 people a year chose the city over the suburbs, and many more were expected to follow.¹⁰ Franklin and others were touting a new beltline around the city and other programs to kibosh the car culture. But the inward turn could not fend off the greatest threat to Atlanta. That was no longer SUVs and smog, suburbs and sprawl. It was disappearing water.

Most eastern cities sit atop massive aquifers that supply groundwater for their residents to drink. Or they are close to huge surface-water supplies, such as lakes, that provide drinking water. But Atlanta is not one of them. Groundwater provides only 2 percent of the region’s water.¹¹ For three-quarters of its 450 million gallon-a-day demand, Atlanta relies on the Hooch.¹²

Most of the time, this arrangement works fine. Just like Florida, Georgia is an extraordinarily wet state, with an average 50 inches of rainfall a year. Without complaint, the Chattahoochee usually manages to keep Lake Lanier full, power the energy plants, irrigate the peanut and the cotton farms, and keep just the right amount of freshwater in Apalachicola Bay, even while absorbing sewage spills and supplying all the water needs of 3 million people a day.

But in the late 1980s, the worst drought up to that time dramatically lowered Lake Lanier, making it clear that the Chattahoochee could not meet its ever-increasing demands in times of drought. In 1988, the federal government declared Apalachicola Bay a federal disaster area when reduced flow devastated the oyster harvest. But the Army Corps, which manages Lake Lanier, saw its responsibility to keep as much water as possible in the lake rather than let it flow down to Florida. In 1989, the Corps came up with a new dam and reservoir plan to hold back more of the Chattahoochee in order to supply metro Atlanta during dry times. A year later, the state of Alabama filed a lawsuit to stop the dam, worried that reduced flow would hamper its ability to grow and develop. Florida joined the suit, arguing the upstream withdrawals would harm Apalachicola Bay and the region’s signature seafood industry.

These were the first shots in a water war that has no end in sight. It

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was not unusual that American states were warring over water. But it was unusual that the battle was set in the water-rich East. “The idea that we’re having water wars in a region that gets so much rain is astonishing,” Aaron T. Wolf, a professor of geoscience at Oregon State University and an expert on water conflicts, told the *New York Times*. “But it is definitely the shape of things to come.”¹³

The last time an American state took up arms against another it was over slavery (states’ rights, if you insist) during the Civil War, right? Wrong. It was over water—in 1934. Arizona Governor Benjamin Moeur dispatched the National Guard to the Colorado River during construction of the Parker Dam to stop California’s “theft” of his state’s water. With machine guns mounted on their trucks, one hundred soldiers showed up and stopped the construction. The U.S. Supreme Court later ruled in favor of Moeur’s claim that California had acted illegally in diverting water without Arizona’s consent. But then, Congress passed a law that made the whole thing legal, anyway.¹⁴

Water wars are an old story in the American West, about which Mark Twain is oft quoted as saying, “whiskey’s for drinkin’ and water’s for fightin’.” (Numerous academics who have searched for the original source of this quote have never found it; thus, it remains in the dreaded “attributed” category, according to Twain scholar Barbara Schmidt.)¹⁵

When Major John Wesley Powell described, in 1876, the longitudinal line along the 100th meridian that divided an arid West from a moist East, he foresaw “extensive and comprehensive plans” for the West in which “all the waters of all the arid lands will eventually be taken from their natural channels.”¹⁶

The dramatic prediction has come true in some parts of the West, where diversions have completely dried up many rivers.¹⁷ Some years, the mighty Rio Grande, which historically sent powerful surges of freshwater into the Gulf of Mexico, dries to dust before it ever reaches the sea.

To the east of the 100th meridian lay the verdant half of the United States. Powell saw the region so blessed by rainfall and water resources that farmers would never have to irrigate their crops. It would have been unthinkable that inhabitants would ever have to fight over water.

Powell lived in a sparsely populated nation, before, moreover, invention of the electric water pump. He could not have imagined the United States at the turn of the twenty-first century, with nearly 300 million

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inhabitants pumping groundwater at a rate of 83 billion gallons a day. Even though Americans had built enough reservoirs to hold 450 million acre-feet of water, they had nearly fully appropriated the country's rivers, lakes, and streams.¹⁸

Water scarcity has now spread from west to east. And with it has come inevitable conflict. Eastern rivers being fought over in recent years included not only the Apalachicola-Chattahoochee-Flint basin but the Potomac, the Savannah, the Yadkin-Pee Dee, the Roanoke, and others.¹⁹ In the nation's heartland, seven states are fighting over the Missouri River in a battle that pits the economic interests of states upriver against those downstream.²⁰

"It has been said that 'water litigation is a weed that flowers in the arid West,'" said J. B. Ruhl, a law professor at Florida State University in Tallahassee. "Well, the seeds have blown east."²¹

Two fuels ignite these conflicts in the water-rich East: intense population growth and unclear rules about who is entitled to water resources.²² One of three solutions usually solves them: Congress, with its authority over interstate commerce, can approve a division of water. Or states can come up with their own water-sharing agreement and enter into a compact. Finally, states can put their fate in the hands of the U.S. Supreme Court, which has "original jurisdiction" in such disputes.²³ For major western rivers such as the Colorado, warring factions have used all these tools to divvy up water. The combination, which in the case of the Colorado comes from more than a dozen different agreements and court cases, becomes known as the Law of the River.²⁴

Ruhl believes his side of the country is lucky that it is only now beginning to engage in the conflicts and compacts that build up the Law of the River.²⁵ In the West, most of the interstate compacts, federal legislation, and Supreme Court cases that divvied up rivers predated modern environmental laws. The ecological impact has been devastating, without enough water left for the salmon or the steelhead in times of drought. News photos from California's last drought showed huge dead salmon piled and rotting on the banks of the spectacular Klamath River, where more than 20,000 salmon died after the Bureau of Reclamation diverted river water to irrigate fields in Oregon and California.²⁶

New agreements and allocations in the East, Ruhl says, could recognize ecological values as well as economic ones by setting minimum stream flows that ensure water for nature as well as for people.

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That was the core argument of Florida officials for the seven years they and their northern counterparts tried to negotiate an interstate water compact for the Apalachicola-Chattahoochee-Flint basin, known as the ACF Compact. Approved by Congress in 1997, the ACF Compact was the first interstate water compact in the nation since the major federal environmental laws passed in the 1970s, and the first ever in the southeastern United States. "It presented a major opportunity to manage the ACF basin as a system," said Steven Leitman, a consultant with three decades' experience in conservation and water management in the Apalachicola watershed.²⁷

But the opportunity was lost. Enormously complex negotiations over the compact's allocation formula stretched from 1997 to 2003. Congress extended the deadline for the formula fourteen times. On the eve of an expected agreement, Florida officials pulled out, insisting Georgia should make greater sacrifices in both reducing its per capita water use and ensuring minimum flows into Apalachicola Bay during times of drought. Florida was making big demands for a state that has only 3 percent of the population in the ACF basin. (Not to mention a state that uses and wastes copious amounts of water.) Georgia has 90 percent of the population in the basin. Robert Kerr, the retired director of the pollution prevention division in the Georgia Department of Natural Resources who represented Georgia in the negotiations, said the core reason the compact broke down was that Georgia "needed far more than the other two states needed."²⁸

But Georgia's demand, basically "that the Apalachicola River bear the full burden of any [water] shortage," also seemed unreasonable. Governor Bush put it this way: "Quit stealing our water."²⁹ The failure of the states to negotiate on their own may not bode well for the goal of securing water for ecosystems downstream. Now, the Law of the Hooch, and that of the Apalachicola and the Flint, will be decided in courtrooms, where, at this writing, Atlanta's lawyers were winning most of the battles. In the fall of 2005, the U.S. Court of Appeals for the Eleventh Circuit reversed earlier decisions by an Alabama federal district court that had stopped metro Atlanta from sucking more water from the Chattahoochee. If the ruling stands, Atlanta eventually will be able to take up to 537 million gallons of water each day out of the Chattahoochee and Lake Lanier. The case is expected to end up in front of the U.S. Supreme Court.

Florida lost another key ruling in the summer of 2006, when a federal

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judge denied the state's request for more water from drought-dwindled Lake Lanier and other Georgia reservoirs to save threatened and endangered mussels dying on the shores of the Apalachicola River. U.S. District Judge Karon Bowdre of the Northern District of Alabama agreed with the Corps that the mussels were dying from the drought—not Georgia's thirst. "The court cannot hold the Corps responsible for lack of rain," Bowdre wrote.³⁰

Water is intensely personal for most people—maybe because we all began life floating cozily in our amniotic sacs. It seems especially personal for people defined by water where they live: those Americans who make a life along the Suwannee and up and down the Mississippi, residents of the Great Lakes states, the watermen who tong their oysters from the Apalachicola and the Chesapeake bays.

Maryland shares parts of the Chesapeake Bay with five other states and the District of Columbia. But Marylanders, much like Floridians near the Suwannee or the Apalachicola, have an iconic connection to the bay and its rivers and streams, which dominate the state's vistas from the bustling Port of Baltimore to the state capital in Annapolis. They have come to see themselves as the rightful caretakers of the region's water and its environment, particularly as they look across the Potomac River at the sprawling, fast-paced growth in northern Virginia and Washington, D.C.

King Charles I gave them good reason to think so. In 1632, he granted Maryland the right to the Potomac River "from shore to shore." For nearly four centuries hence, Maryland and Virginia have battled over control of the river, with Maryland requiring permits for Virginia's use of the water. In 1996, Virginia's Fairfax County Water Authority, which supplies drinking water to more than a million customers, asked Maryland's Department of the Environment to approve a new intake system 725 feet from the Virginia shore. It would pump 300 million gallons of water a day. Under pressure from residents to reject the permit, Maryland elected officials, including then-governor Parris Glendening, did so, "accusing Virginia of an attempted water grab to solve a water-quality problem that was created by its own, pro-development policies."³¹

The response was precisely the same as that of Suwannee residents to the development community's suggestion the tannic river could help ease water-supply woes in South Florida. People in North Florida do not

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like what they see when they look to the paved-over southern half of the state. Why should they pay for South Florida's planning and development mistakes? "This is as close to North vs. South as you're going to get since the Civil War," the then state senate president Jim King, a Jacksonville Republican, said of the Suwannee salvo in 2003.³²

Just two weeks later, referring to the Potomac, Maryland house delegate Jean Cryor told the *Washington Post* that "Virginia does not understand what this river is."

"It sees it only through one prism," the Montgomery County Republican said. "It's driven by a philosophy which is, 'Development is everything, and preservation is an interesting theory but I'll get to it one of these days.'"

Cryor, with Glendening's support, tried to pass laws to block Virginia's new water withdrawal. Eventually, a Baltimore judge ruled that the Fairfax water authority could build its intake system.³³

But Virginia had had enough of being told how it should or should not develop. In 2000, the state filed suit against Maryland in the U.S. Supreme Court, going straight to the top to take advantage of the court's original jurisdiction in disputes between states. The basic question was this: who has rights to the Potomac River? In 2003, the Supreme Court ruled that both sides do. The court said Maryland's undisputed ownership of the riverbed did not give it authority to regulate Virginia's withdrawals, as long as they did not interfere with navigation. The decision was based on two historic documents, including a 1785 compact between the two states that gave citizens of both the right to use their shores.³⁴

It was fitting that a 220-year-old document could help resolve a dispute over the Potomac—a river flowing through the very heart of American history. The story proves the power and endurance of water compacts. The nation has more than thirty modern water compacts, involving every major western state, often more than once.³⁵ To date, only three cover the eastern part of the country. As water conflict flows east, hopefully, cooperation will follow. The Delaware River Basin Commission Compact doles out water to Delaware, New Jersey, New York, and Pennsylvania. The Susquehanna River Basin Compact manages withdrawals in Maryland, New York, and Pennsylvania. But the Great Lakes Basin Compact has the most difficult job. It covers not only the federal government and eight states but the Canadian government and the provinces of Ontario and Quebec. The states and provinces negoti-

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ated their compact in the 1940s, and Congress finally approved it in 1968.³⁶ But the document may never be strong enough to fend off Great Lakes residents' greatest fear: that of outsiders coming to haul their water away.

"The Great Lakes fuel our economy, color our character and literally define the shape of our state," Michigan Governor Jennifer Granholm told her state's legislature in 2004, during a years-long effort by the Great Lakes governors and premiers to strengthen their compact to prevent water exports or diversions. Without tougher laws, said Granholm, formerly the state's attorney general, "those who are already eyeing our treasured lakes as the solution to their water shortages will begin arriving with their pumps and hoses to take their bounty home."³⁷

If you were standing on the moon looking at the Earth, you could see the familiar outline of the five Great Lakes. Superior, Michigan, Huron, Erie, and Ontario and their connecting channels form the largest fresh surface-water system on the planet. Covering 94,000 square miles and draining more than twice that much land, the Great Lakes basin holds an estimated 6 quadrillion gallons of water. That is a fifth of the world's fresh surface-water supply, and nine-tenths that of the United States. Only the polar ice caps hold more freshwater.³⁸

As vast as they look, the lakes are replenished at an annual rate of only 1 percent. And, just like Florida and Georgia, Maryland and Virginia, and other water-blessed parts of the East, the eight Great Lakes states have begun to battle to protect their signature resource. In this case, the war is with the outside world. "The most water-rich part of the entire world is recognizing that it can't take the resource for granted, either," said Noah Hall, an attorney for the National Wildlife Federation in Ann Arbor.³⁹

The biggest of the lakes, Superior, has the largest surface area of any freshwater lake on earth. It stretches 350 miles east to west, 160 miles north to south, and it has a shoreline 2,800 miles long. Its basin drains 49,300 square miles, in parts of Michigan, Minnesota, Wisconsin, and the province of Ontario.⁴⁰ Twenty years ago, Minnesota flirted with the idea of piping water from Lake Superior to Wyoming coalfields, where a Texas company planned to mix coal in a slurry for transport south. Not long after, the Mississippi River suffered record low levels, making it impossible for barges to journey south. Speculation abounded that the Army Corps of Engineers would build pipes and transport water from Lake Michigan to the Mississippi in order to buoy the barges.⁴¹

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Fierce public outcry over those schemes led the Great Lakes congressional delegation to convince their peers to put strong new language in the Water Resources Development Act (WRDA). Every two years or so, Congress passes a new WRDA bill to fund the nation's federal water projects. To the 1986 WRDA bill, Congress added this line: "No water shall be diverted from any portion of the Great Lakes within the United States, from any tributary within the United States of any of the Great Lakes, for use outside the Great Lakes basin unless such diversion is approved by the Governor of each of the Great Lakes states."⁴² The idea was to buy time so that the U.S. and Canadian governments, the eight states, and the two provinces could work together to beef up their water compact—to build a stronger legal fortress around their precious lakes.

Of course, America's WRDA could not prevent a water grab from the north. And soon enough, a grab came. In 1998, news hit U.S. and Canadian media that a Sault Ste. Marie company called the Nova Group had obtained permits from Ontario to sell up to 160 million gallons of water a year from Lake Superior. The company's plan was to ship the freshwater through the St. Lawrence River and ultimately to undisclosed, water-scarce parts of Asia.⁴³

This time, the public response came close to hysteria. Canadians have long been sensitive about water. In 1988, the specter of a parched United States gaining unrestricted access to Canada's lakes and rivers almost defeated the Canada-U.S. free trade deal.⁴⁴ Canadian officials warned the permit would set a dangerous precedent under the North American Free Trade Agreement (NAFTA) and the General Agreement on Tariffs and Trade (GATT)—that once water became a commodity, it would be impossible to stop its trade. In the United States, members of Congress were infuriated that Ontario took unilateral action without talking to U.S. agencies. Environmentalists in both countries predicted wholesale draining of the lakes. "If it's open season for all the water in the Great Lakes," warned Sarah Miller of the Canadian Environmental Law Association, "wait and see what happens in the States, where there will be desperate water shortages."⁴⁵

The outcry seemed like overkill considering the amount of water Nova Group had proposed removing. And both NAFTA and GATT allow countries to limit trade in order to conserve "exhaustible natural resources."⁴⁶ But at issue was the precedent. Intense public pressure stopped the deal. Just days after Nova Group landed its permit, it agreed to

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give it up if the two federal governments came up with a joint plan to ban water exports from the lakes. Said a Nova Group company spokesman, "What started out to be a simple idea to help Third World Asian countries in need of fresh water and in turn possibly help the economic climate of Northern Ontario has turned into an international incident."⁴⁷

Affordable transport of freshwater across oceans has so far been the purview of dreamers. Plans to chip giant icebergs and float them to water-stressed areas such as California seem to have melted. Tankers and barges do deliver small amounts of freshwater to water-poor regions willing to pay premium prices, such as the Bahamas and Cyprus. Tankers also supply water during short-term droughts and disasters such as earthquakes. But steep costs prevent their regular use as a source of water supply.⁴⁸

Someday, though, it is plausible that freshwater could be transported across the sea as easily as pipes carry it across land. Since 1997, a British company called Aquarius Water Trading and Transportation has towed water from mainland Greece to nearby resort islands in polyurethane bags that can hold as much as 2,200 tons. A Norway company, Nordic Water Supply, has made similar deliveries from Turkey to northern Cyprus. The problem is the bags are so big they cannot be dragged more than sixty miles or so without puncturing. A California inventor named Terry Spragg thinks he's improved the technology with his patented zippers that link smaller water bags like railroad boxcars.⁴⁹

But after a decade of successful demonstrations, Spragg has yet to sell his "Spragg's bags" for commercial use. He hoped to land a new demonstration project in Florida, where he proposes transferring permitted gallons no longer used by pulp mills in the panhandle down to Tampa and Miami to ease water problems. In North Florida, that idea is sure to go over like a lead . . . water bag. "There are three keys to making it work—the technology, the economics and the politics," says Spragg. "The technology we've validated. The economics we've proven; we know this is cheaper than desalination. It's the politics that's killing us."⁵⁰

Indeed, the very thought makes the Americans and Canadians who share the Great Lakes shudder. A billboard that looms over Interstates 94 and 96 in Michigan sums up the sentiment. It shows a Texas cowboy, a Utah skier, a California surfer, and a sombrero-wearing New Mexican with giant straws sucking up the Great Lakes. "BACK OFF SUCKERS," warns the billboard, paid for by a group called Citizens for Michigan's Future.

But what if the suckers are some of the thousands of children under

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Courtesy of Mark Heckman Art.

the age of five who die every day because they lack access to freshwater? By sea or by pipe, Great Lakes residents do not want to see their water exported to fill a Las Vegas fountain or sprinkle an Arizona lawn. Those types of exports, to be sure, would be worth a tussle. But the global water crisis presents an entirely different specter. If any region of the United States is called upon someday for humanitarian aid in the form of water, it will be the Great Lakes.

Meanwhile, as global demands for freshwater hit the limits of finite supply, experts predict that some day the water wars will become literal. United Nations Secretary-General Kofi Annan has predicted that “fierce competition for fresh water may well become a source of conflict and war in the future.”⁵¹ Just since 2000, conflicts over water have led to violence in Ethiopia, Afghanistan, India, China, Israel-Palestine, Pakistan, Macedonia, the Philippines, Nepal, Colombia, Sudan, and Iraq—in some of those places repeatedly. But the Pacific Institute, which tracks these water conflicts, also found that water is far more often a source of international cooperation.⁵² Water conflict does not have to lead to war. In the words of Israeli leader Shimon Peres, “If roads lead to civilization, then water leads to peace.”⁵³

But peace begins at home, and it was not the path regions such as Florida-Georgia-Alabama or the Great Lakes states were choosing at the turn of the twenty-first century. Instead, warring factions were taking all-or-nothing stands. The small Wisconsin community of Waukesha was just one place in danger of ending up with nothing. A former resort dot-

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ted with more than seventy lakes, Waukesha was once so well-known for its mineral springs that it earned the nickname Saratoga of the West.⁵⁴ Today, it is running out of water. Groundwater pumping has caused Waukesha's aquifer to sink 600 feet. The water that deep is contaminated with cancer-causing radium. Waukesha County sits five miles west of the Great Lakes basin boundary. Some residents can actually see the shoreline of Lake Michigan from their streets. Yet Great Lakes neighbors are fighting Waukesha's proposed diversion of Lake Michigan water to solve its crisis. Under the federal ban on diversions, Waukesha needs approval from all eight Great Lakes governors. Environmentalists and other opponents argue that the problem, again, is the precedent. "If we say yes to Waukesha County, it's hypocritical to say 'no' to the West, or Asia," said Cameron Davis, executive director of the Lake Michigan Federation.⁵⁵

Clearly, the Great Lakes Basin Compact needed an update to allow some neighborliness while tightening restrictions against profiteering water exporters. In the wake of the Nova Group's proposal, the Great Lakes governors and the premiers of Ontario and Quebec met in Niagara Falls, New York, in 2001 to begin work on a new compact before the next water hauler comes knocking. The effort, known as Annex 2001, led to a historic accord on diversions that the leaders signed in December 2005. The agreement bans big water diversions outside the Great Lakes basin. But it opens the door slightly for local communities such as Waukesha that are suffering water shortages in plain sight of the greatest source of freshwater on the planet.⁵⁶

The updated compact now must be approved by all eight state legislatures as well as Congress. It is not at all clear how members of Congress from the West and the Sunbelt will view it.

There is a little matter of hypocrisy, since the city of Chicago and its suburbs divert nearly 2 billion gallons a day from Lake Michigan under a 1967 Supreme Court decree.⁵⁷ And then another type of exporter is pumping away, too. Despite the extraordinary, international effort to ensure profiteers can never take water out of the basin, one enterprising industry has a booming business exporting water from the Great Lakes. Its companies pump up Great Lakes water, transport it to other parts of the nation, and sell it for big profits. They do not haul the water in barges or float it in giant bags or send it through huge concrete pipes. They pack it into very small bottles, just right for tucking into your purse or balancing in your car cup holder.