



MEG MUNICIPAL DRINKING WATER
A Division of the Municipal Environmental Group

P.O. Box 927
Madison, WI 53701-0927
Telephone (608) 283-1788
Facsimile (608) 283-1709

MEMORANDUM

To: Interested Parties

From: Lawrie Kobza

Date: July 18, 2007

Re: Proposed Changes to Conservation Language in WLC:0141/P1 dated 7/3/2007

* * *

(4) DIVERSIONS. u. .

(f) Exception standard. A proposal meets the exception standard if all of the following apply: . . .

6. The applicant commits to ~~implementing the~~implement water conservation measures ~~in tier 3 under sub. (8)(c)~~ that are environmentally sound and economically feasible for the applicant.

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(g) Conservation and efficient use of existing water supplies. An applicant for an approval subject to par. (f) shall demonstrate the efficient use and conservation of existing water supplies under pars. (d)2.b. and 3.b., (e)~~4.~~1.d., and (f)1. by doing all of the following prior to submitting the application:

1. Engaging in water conservation planning that ~~included~~includes all of the following:
 - a. Evaluation of the applicant's present and future water uses.
 - b. ~~Setting of a baseline amount of the applicant's water use.~~ ~~c.~~ Determination of the water conservation and efficiency measures ~~in tier 2 and measures 2 and 3 in tier 3 under sub. (8)(c)~~ that are environmentally sound and economically feasible for the applicant. ~~2.~~ ~~Implementing the environmentally sound and economically feasible water conservation measures identified under subd. 1.c.~~

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(6) DECISION-MAKING STANDARD. A proposal under sub. (5) meets the decision-making standard if all of the following apply: . . .

(c) For a proposal for a new or increased withdrawal, the applicant commits to implementing the following water conservation measures that are environmentally sound and economically feasible for the applicant:

~~1. If the applicant is a water utility, water conservation measures in tier 1 under sub. (8)(c), as determined in a water conservation planning process that includes the elements in sub. (4)(g)1. a. and b.~~

1. Metering or comparable measure of water use and related testing, calibration, maintenance, and replacement of water meters.

2. If the applicant is ~~not~~ a water utility, ~~water conservation measures in tier 1 under sub. (8)(c)~~costing and pricing of water, including related accounting and cost analysis.

3. Accounting and assessment of water flows and losses in a water supply system.

4. Information and education on water consumption and conservation, and, as appropriate, on water utility bills.

(cm) Subject to par. (cr), for a proposal for a new or increased consumptive use that is more than 1 million gallons per day and exceeds a percentage of the applicant's annual withdrawal specified by the department by rule, the applicant commits to implementing the following water conservation measures that are environmentally sound and economically feasible for the applicant:

~~1. If the applicant is a water utility, water conservation measures in tier 1 under sub. (8)(c), as determined in a water conservation planning process that includes the elements in sub. (4)(g)1. a. and b.~~

1. Metering or comparable measure of water use and related testing, calibration, maintenance, and replacement of water meters.

2. If the applicant is ~~not~~ a water utility, ~~water conservation measures in tier 1 under sub. (8)(c)~~ costing and pricing of water, including related accounting and cost analysis.

3. Accounting and assessment of water flows and losses in a water supply system.

4. Information and education on water consumption and conservation, and, as appropriate, on water utility bills.

(cr) Paragraph (cm) applies only if the department determines all of the following:

1. There is a need for additional water conservation under the basin water conservation and efficiency program to meet the basin water conservation and efficiency goals and objectives specified by the department under sub. (8)(a).

2. There is an available methodology for determining the consumptive use of water

by the applicant.

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(8) WATER CONSERVATION AND EFFICIENCY.

(a) Goals and program. 1. The department shall specify water conservation and efficiency goals and objectives for the waters of the basin that are consistent with the goals under s. 281.343(4b)(a) and the objectives identified by the council under s. 281.343(4b) (a) and (c). In specifying these goals and objectives, the department shall consult with the department of commerce and public service commission ~~and consider the water conservation and efficiency goals and objectives developed in the pilot program conducted by the department in cooperation with the regional body.~~

2. In cooperation with the department of commerce and public service commission, the department shall develop and, no later than the first day of the 24th month after the compact's effective date, implement a basin water conservation and efficiency program for all users of waters of the basin ~~that is designed to achieve~~ consistent with the goals and objective specified under subd. ~~1. The basin water conservation and efficiency program shall include all of the following: 1.~~

~~a. Promotion of environmentally sound and economically feasible water conservation measures under par. (b) in the basin by the department.~~

~~b. Application of the water conservation and efficiency tiers specified in par. (c) under subs. (4) (g) and (6) (c) by the department.~~

~~c. Water conservation and efficiency measures that the public service commission requires or authorizes a public utility furnishing water to implement in the basin under ch. 196.~~

~~d. Water conservation measures that the department of commerce requires or authorizes to be implemented in the basin under chs. 101 and 145.~~

(b) Promotion. Beginning no later than the first day of the 24th month after the compact's effective date, the department shall provide education programs and technical assistance statewide on environmentally sound and economically feasible water conservation measures.

~~(c) Water conservation and efficiency tiers.~~

~~1. Tier 1 water conservation and efficiency measures shall consist of all of the following:~~

~~a. Metering or comparable measure of water use and related testing, calibration, maintenance, and replacement of water meters.~~

~~b. Costing and pricing of water, including related accounting and cost analysis. This measure applies only to water utilities.~~

~~c. Accounting and assessment of water flows and losses in a water supply system.~~

~~d. Information and education on water consumption and conservation, and, as appropriate, water utility bills.~~

~~2. Tier 2 water conservation and efficiency measures shall consist of all of the following:~~

~~a. All tier 1 measures.~~

~~b. Audits of water use by large-volume and other classes of users.~~

~~c. Retrofitting existing fixtures, appliances, and equipment to increase the efficiency of their water use.~~

- ~~d. Management of the pressure in a water supply distribution system.~~
- ~~e. Efficient use of water for landscaping, irrigation, and other outdoor water usage.~~
- ~~3. Tier 3 water conservation and efficiency measures shall consist of all of the following:~~
 - ~~a. All tier 1 and 2 measures.~~
 - ~~b. Replacement of inefficient fixtures, appliances, and equipment and promotion of new water conserving fixtures, appliances, and equipment.~~
 - ~~c. Reuse and recycling of wastewater.~~
 - ~~d. Regulations and standards to manage water use during droughts or other water-supply emergencies and at new developments.~~
 - ~~e. Water conservation and efficiency measures planned and implemented jointly with the conservation or efficient use of other resources, considering the interrelationships between the water and other resources.~~

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SECTION 4. Nonstatutory provisions.

(1) WATER CONSERVATION ADVISORY COMMITTEE.

(a) There is created a water conservation advisory committee consisting of the following members:

1. Five persons appointed by the governor.
2. Four persons appointed by the speaker of the assembly.
3. Four persons appointed by the majority leader of the senate.
4. One member appointed by the minority leader of the assembly.

5. One member appointed by the minority leader of the senate.
6. The secretary of natural resources or the secretary's designee.
7. The secretary of the department of commerce or the secretary's designee.
8. The chair of the public service commission or the chair's designee.

(b) Each appointing authority under paragraph (a) 2. and 3. shall appoint one member representing each of the following interests:

1. Industrial.
2. Agricultural.
3. Environmental.
4. Municipal.

(c) The governor shall appoint one member of the water conservation advisory committee representing well drillers. The governor shall appoint two members of the water conservation advisory committee from names submitted by the federally recognized American Indian tribes or bands in this state. The governor, the minority leader of the assembly, and the minority leader of the senate shall consult regarding the other appointees under paragraph (a) 1., 4., and 5. to ensure that one represents each of the interests under paragraph (b) 1. to 4.

(d) The speaker of the assembly and the majority leader of the senate shall each designate one appointee as cochairperson of the water conservation advisory committee.

(e) The water conservation advisory committee shall advise the department of natural resources on the development of the initial set of water conservation and efficiency goals and objectives under section ~~281.343~~281.344(8) (a) 1. of the statutes, as created by this act and the

initial rule-making implementing the basin water conservation and efficiency program under section ~~281.343~~281.344(8) (a) 2. of the statutes, as created by this act.

(f) The department of natural resources shall staff and provide funding for the water conservation advisory committee.

(g) No later than December 31, 2010, the water conservation advisory committee shall report to the standing committees of the legislature with jurisdiction over environmental matters, in the manner provided in section 13.172(3) of the statutes, recommendations for legislation for water conservation, and administrative rules to implement the legislation.

(h) The water conservation advisory committee terminates on [INSERT DATE].

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