



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 03/04/2008 (Per: RCT)



Appendix A ... Part 08 of 18

- ☞ The 2007 drafting file for LRBa1436/1
- ☞ The 2007 drafting file for LRBa1452/1
- ☞ The 2007 drafting file for LRBa1474/1
- ☞ The 2007 drafting file for LRBa1475/1
- ☞ The 2007 drafting file for LRBa1478/P1
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- ☞ The 2007 drafting file for LRBa1510/P1
- ☞ The 2007 drafting file for LRBa1511/P1
- ☞ The 2007 drafting file for LRBa1512/P1
- ☞ The 2007 drafting file for LRBa1513/P1
- ☞ The 2007 drafting file for LRBa1514/P1

2007 LRBa1493 has been copied/added

to the drafting file for

2007 LRBa1529 (SA 1 to SB 523)

2007 DRAFTING REQUEST

Senate Amendment (SA-SB523)

Received: 02/29/2008

Received By: btradewe

Wanted: Soon

Identical to LRB:

For: Mark Miller (608) 266-9170

By/Representing:

This file may be shown to any legislator: NO

Drafter: btradewe

May Contact:

Addl. Drafters:

Subject: Environment - water quality

Extra Copies:

Submit via email: YES

Requester's email: Sen.Miller@legis.wisconsin.gov

Carbon copy (CC:) to: John.Stolzenberg@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Define "water supply system"

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	btradewe 03/03/2008	jdye 03/03/2008	rschluet 03/03/2008	_____	lparisi 03/03/2008		

FE Sent For:

<END>

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btradewe

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80
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FE Sent For:

<END>

Tradewell, Becky

From: Stolzenberg, John
Sent: Sunday, March 02, 2008 1:59 PM
To: Tradewell, Becky
Subject: RE: Other amendments [*8]

I thing it's okay to use "intake," as in the water supply context it has a generally accepted meaning.

Here're results of a quick FOLIO search. If you want to tie the beginning point to a physical object, then "intake structure" appears to be the accepted term. "Point of intake" is used once in DNR's rules in NR 106.06(6)(b). See below.

30.12(1g)(g)

(g) An **intake** structure and pipe that is placed on the bed of a navigable water for the purpose of constructing a dry fire hydrant to supply water for fire protection.

30.12(1g)(km)

(km) An **intake** or outfall structure that is less than 6 feet from the water side of the ordinary high-water mark and that is less than 25 percent of the width of the channel in which it is placed.

30.21(1)

(1) Water **intake** facilities. Upon compliance with such applicable regulations as may be imposed by the government of the United States and subject to chs. 196 and 197 and rules and orders of the public service commission issued pursuant thereto, any public utility may, pursuant to permit granted by resolution of the governing body of any city, village or town situated on any waters of Lake Michigan or Lake Superior or in the Great Lakes basin, construct, maintain and operate, upon and under the bed thereof adjoining such city, village or town, all cribs, intakes, basins, pipes and tunnels necessary or convenient for securing an adequate supply of water suitable for the purposes of such utility, provided only, that concurrently with the construction of facilities for the withdrawal of water from the lakes, the city, town or village must construct sewage treatment and disposal works adequate to treat completely all sewage of the municipality. Any city, village or town, the limits of which are within 50 miles of any such waters and any public utility serving the same shall be deemed to be situated on such waters within the meaning of this section and such municipality or public utility serving the same shall, subject to this section, have authority to acquire and own or lease sufficient real estate, not to exceed 50 miles beyond the corporate limits of such municipality, for the purpose of constructing, maintaining and operating thereon or thereunder, transmission facilities and structures, including cribs, intakes, basins, pipes and tunnels, necessary or convenient for securing an adequate supply of water suitable for the purposes of such municipality or utility. Such facilities shall be so constructed, maintained and operated as to avoid material obstruction to existing navigation or the use of private property not owned by such utility.

283.31(6)

(6) Any permit issued by the department under this chapter which by its terms limits the discharge of one or more pollutants into the waters of the state may require that the location, design, construction and capacity of water **intake** structures reflect the best technology available for minimizing adverse environmental impact.

NR 106.06(6)(b)

(b) The department may establish limitations greater than the applicable water quality standard or criterion or secondary value for the substance as required by par. (a) up to the representative background concentration of the substance in the receiving water, or an alternate limitation or requirement may be determined according to par. (d). The limitation, or alternate limitation or requirement determined according to par. (d), shall only be increased above the standard or criterion if it is demonstrated to the department that the concentration of the substance in the groundwater or public drinking water supply or other source water at the **point of intake** exceeds the applicable standard or criterion for that substance and that reasonable, practical or otherwise required methods are implemented to minimize the addition of the toxic or organoleptic substance to the wastewater. This subdivision shall not apply where groundwater is withdrawn from a location because of noncompliance with the standards contained in ch. NR 140.

From: Tradewell, Becky
Sent: Sunday, March 02, 2008 1:49 PM
To: Stolzenberg, John
Subject: RE: Other amendments [*8]

Yes, I think so.

Do you think it's OK to use the word "intake." I don't think it is used in the draft so far. Would "from the point of withdrawal" be better? Or "from the point at which the water is taken"? Or any other suggestions?

From: Stolzenberg, John
Sent: Sunday, March 02, 2008 1:45 PM
To: Tradewell, Becky
Subject: RE: Other amendments [*8]

Re #8, I understand this item to be addressing part of the concerns raised over how withdrawal amounts are to be established.

Item #8 deals with identifying the maximum hydraulic capacity of the most restrictive component of the water supply system, and in particular, what's the water supply system in this context for different types of entities. In the case of a facility, the system is, in Chuck's words, the equipment handling the water from the point of intake to the first point of use. For a water utility, the system should be, according to Lawrie, the equipment handling the water from the point of intake to the first point of distribution (that is, the intake and treatment equipment).

Do these comments reflect your understanding of #8?

I'll do a separate note on #10.

From: Tradewell, Becky
Sent: Sunday, March 02, 2008 11:53 AM
To: Stolzenberg, John
Subject: Other amendments

John,

In addition to #12, I haven't drafted #s 8 and 10. I'd appreciate your thoughts on those.

thanks,
Becky



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBa1493/P1
RCT:.....

Today (before noon, if possible)
NOW

Jld

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

**SENATE AMENDMENT ,
TO 2007 SENATE BILL 523**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 64, line 23: after that line insert:

3 “(wp)“Water supply system,” when not preceded by “public,” means one of the
4 following:

5 1. Except as provided in subd. 2., the equipment handling water from the point
6 of intake of the water to the first point at which the water is used.

7 2. For a system for providing a public water supply, the equipment from the
8 point of intake of the water to first point at which the water is distributed.”

9 **2.** Page 99, line 5: after that line insert:

10 “(wp) “Water supply system,” when not preceded by “public,” means one of the
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