



State of Wisconsin


LEGISLATIVE REFERENCE BUREAU

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

Date Transfer Requested: 05/09/2008 (Per: RCT)




 Appendix B ... Part 14 of 18

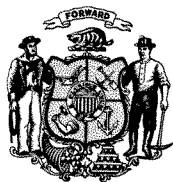
 The 2007 drafting file for LRBA1729

has been copied/added to the drafting file for

2007 LRB-4367

(Ap8 SB-1)

 The attached 2007 draft was incorporated into the new 2007 draft listed above. For research purposes, this cover sheet and the attached drafting file were copied, and added, as a appendix, to the new 2007 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

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

Date Transfer Requested: 05/09/2008 (Per: RCT)

☞ Compile Draft – Appendix M

- A ☞ The 2007 drafting file for LRBa1595
- B ☞ The 2007 drafting file for LRBa1694
- C ☞ The 2007 drafting file for LRBa1696
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- O ☞ The 2007 drafting file for LRBa1708
- P ☞ The 2007 drafting file for LRBa1709
- Q ☞ The 2007 drafting file for LRBa1727

2007 LRBa1706 has been copied/added to the drafting file for

LRB a1729 Superamendment used to create

LRB-4360 () & LRB-4367 (Ap8 SB-1)

2007 DRAFTING REQUEST

Assembly Amendment (AA-SB523)

Received: 04/08/2008

Received By: btradewe

Wanted: Soon

Identical to LRB:

For: Scott Gunderson (608) 266-3363

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: Rep.Gunderson@legis.wisconsin.gov

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

Pre Topic:

No specific pre topic given

Topic:

Water supply planning changes

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 04/10/2008	kfollett 04/10/2008	nmatzke 04/10/2008	_____	cduerst 04/10/2008		
/P2	btradewe 04/17/2008	kfollett 04/17/2008	pgreensl 04/17/2008	_____	lparisi 04/17/2008		

FE Sent For:

<END>

2007 DRAFTING REQUEST

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/P1	btradewe 04/10/2008	kfollett 04/10/2008	nmatzke 04/10/2008	4/11 4/11	cduerst 04/10/2008		

FE Sent For:

1P21GF
4/11
4/11
PY
<END>

2007 DRAFTING REQUEST

Assembly Amendment (AA-SB523)

Received: 04/08/2008

Received By: **btradewe**

Wanted: **Soon**

Identical to LRB:

For: **Scott Gunderson (608) 266-3363**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **btradewe**

May Contact:

Addl. Drafters:

Subject: **Environment - water quality**

Extra Copies:

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/P1	btradewe	JP/KGF 4/10	nwn 4/10	nwn 4/10			

FE Sent For:

<END>

13. Application for New or Increased Interbasin Transfers

Service area boundary development

Insert in s. 281.348: In developing a water service planning area, the applicant shall review various public and private water supply options in order to identify sources, distribution systems and a delineated area which together represent the cost-effective and environmentally sound manner for meeting the public water supply water needs. For these areas, an applicant shall make a reasonable projection for water service needed over a 20 year period. A 20 year service population will be developed based on growth projections for the area and municipality developed planned density standards. ~~The most cost-effective regional w~~Water supply systems shall be identified for all urban areas and shall not be limited solely by jurisdictional boundaries except for those areas which may be limited by straddling county boundaries. Whenever possible, existing regional water needs assessments or other regional water service planning efforts shall be utilized in developing new or revised municipal water service area plans for a given area.

16. Water Supply Service Area Plans for Public Water Supply Systems

Amend s. 281.356 (2) (a) 1. [page 134, lines 10-14] as follows:

(3) REQUIREMENTS. (a) 1. The department shall establish and administer a continuing water supply planning process for the preparation of water supply plans for persons operating public water supply systems. The period covered by a plan under this subsection may not exceed 20 years. ~~A regional planning commissions~~ may prepare plans for persons operating public water supply systems. A regional water supply planning program conducted for groundwater management areas identified in s. 281.34 (9) stats. may be a water supply planning process for purposes of this subsection. In those metropolitan areas of the State where there exist designated water quality management areas and planning agencies pursuant to Chapter NR 121 Wis. Admin. Code, regional water service area plans shall be prepared by those agencies in a coordinated manner with sewer service area plans and shall pertain to all municipalities and utilities that provide public water supply service. If an areawide water quality planning agency is designated by a community to develop the water supply plan for the community, water service area plans shall be prepared in a coordinated manner with sewer service area plans and shall pertain to all municipalities and utilities where the areawide water quality planning agency has been designated to prepare the water supply plan. If a community is preparing its own water supply plan, the community shall consider any existing water supply plan that has been prepared by an areawide water quality planning agency.

Amend s. 281.348 (3) (c) 5. [page 136, line 1] as follows:

5. An assessment of the environmental, ~~social,~~ and economic impacts of carrying out specific significant recommendations of the plan.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBa1706/P1
RCT:...

Fri. a.m.

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO 2007 SENATE BILL 523

DNK

1 At the locations indicated, amend the bill, as shown by senate substitute
2 amendment 1, as follows:

3 **1.** Page 134, line 14: after "systems." insert "A regional water supply planning
4 program conducted for a groundwater management area designated under s. 281.34
5 (9) may be used as the water supply planning process under this subsection."

6 **2.** Page 135, line 12: before "service" insert "supply".

7 **3.** Page 135, line 13: after "plan" insert ", except as provided in par. (cm)".

8 **4.** Page 135, line 19: delete lines 19 and 20 and substitute "for which the plan
9 is prepared and forecasts of the expected population of the area during the period
10 covered by the plan based on growth projections for the area and municipally
11 planned population densities."

12 **5.** Page 135, line 8: after that line insert:

move

*move
 to
 p.
 1*

1 “(bm) A person preparing a plan under par. (a) shall consider existing regional
 2 water needs assessments and regional water supply planning information.”

3 **6.** Page 136, line 11: after that line insert:

4 “(cm) For the purposes of plans under par. (a), an areawide water quality
 5 planning agency designated by the governor under ch. NR 121, Wis. Adm. Code, shall
 6 delineate the proposed water supply service areas for all of the public water supply
 7 systems in the planning area for which the agency is designated. An areawide water
 8 quality planning agency shall delineate proposed water supply service areas that are
 9 consistent with the approved areawide water quality management plan under s.
 10 283.83 for the planning area and that permit the development of plans that are
 11 approvable under par. (d).”

12 **7.** Page 136, line 1: delete “, social,”

move

13 **8.** Page 137, line 6: after “plan.” insert “The department may not limit water
 14 supply service areas based on jurisdictional boundaries, except as necessary to
 15 prevent waters of the Great Lakes basin from being transferred from a county that
 16 lies completely or partly within the Great Lakes basin into a county that lies entirely
 17 outside the Great Lakes basin.”

Note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1706/P1dn
RCT.: kjf

Date

Mike Bruhn:

This draft corresponds to items 13 and 16 on the list of amendments.

I have restructured the proposed language to mesh the two items together and fit them into the planning provisions in the substitute amendment.

Please note, with regard to item 13, that the substitute amendment (page 135, lines 21 to 24) requires a person preparing a plan to identify options for supplying water in the planning area that are cost-effective based on a cost-effectiveness analysis. The substitute amendment also requires a forecast of the demand for water in the planning area over the planning period (see page 135, lines 16 and 17). This amendment modifies the language at page 135, lines 18 to 20, to incorporate item 13 as it relates to population projections.

With regard to item 16, please note that the substitute amendment requires water supply plans to be consistent with areawide water quality management plans, no matter who prepares the plans (see page 136, lines 22 to 23). Sewer service area plans are contained in areawide water quality management plans. This amendment creates proposed s. 281.348 (3) (cm) [inserted after page 136, line 11, of the substitute amendment], which requires that where there is a designated water quality planning agency, that agency delineates the water service areas for all of the public water supply systems in the designated management area, no matter who prepares the water supply plans.

Please contact me with any questions or redraft instructions.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1706/P1dn
RCT:kjf:nwn

April 10, 2008

Mike Bruhn:

This draft corresponds to items 13 and 16 on the list of amendments.

I have restructured the proposed language to mesh the two items together and fit them into the planning provisions in the substitute amendment.

Please note, with regard to item 13, that the substitute amendment (page 135, lines 21 to 24) requires a person preparing a plan to identify options for supplying water in the planning area that are cost-effective based on a cost-effectiveness analysis. The substitute amendment also requires a forecast of the demand for water in the planning area over the planning period (see page 135, lines 16 and 17). This amendment modifies the language at page 135, lines 18 to 20, to incorporate item 13 as it relates to population projections.

With regard to item 16, please note that the substitute amendment requires water supply plans to be consistent with areawide water quality management plans, no matter who prepares the plans (see page 136, lines 22 to 23). Sewer service area plans are contained in areawide water quality management plans. This amendment creates proposed s. 281.348 (3) (cm) [inserted after page 136, line 11, of the substitute amendment], which requires that where there is a designated water quality planning agency, that agency delineates the water service areas for all of the public water supply systems in the designated management area, no matter who prepares the water supply plans.

Please contact me with any questions or redraft instructions.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.wisconsin.gov

Tradewell, Becky

From: Bruhn, Mike
Sent: Tuesday, April 15, 2008 11:51 AM
To: Tradewell, Becky
Subject: FW: Draft review: LRB 07a1706/P1 Topic: Water supply planning changes

Becky,

We have a few issues with this amendment. First:

1. Page 134, line 14: after "systems." insert "A regional water supply planning program conducted for a groundwater management area designated under s. 281.34 (9) may be used as the water supply planning process under this subsection."

Inserting this text in this area seems to relate groundwater management area planning, which is really done at a regional planning level, in a section that seems to apply to water supply plans that are prepared by individual municipalities. I think the text should go with the regional planning text we submitted that was proposed as (cm) on page 136, line 11.

Second, (bm) needs to be changed:

“(bm) A person preparing a plan under par. (a) shall consider existing regional water needs assessments ~~and~~ or other regional water supply service planning information.”.

Finally, relates to proposed (cm) on page 136, line 11.

“(cm) For the purposes of plans under par. (a), an areawide water quality planning agency designated by the governor under ch. NR 121, Wis. Adm. Code, shall delineate the proposed water supply service areas for all of the public water supply systems in the planning area for which the agency is designated. An areawide water quality planning agency shall delineate proposed water supply service areas that are consistent with the approved areawide water quality management plan under s. 283.83 for the planning area and that permit the development of plans that are approvable under par. (d).”

The text as proposed seems to change our intent. We wanted to state if a water quality management planning agency prepares regional water supply plans, the plans shall be coordinated with sewer service plans. When a municipality prepares the required water supply plan as part of their interbasin transfer application, we want that plan to consider an available regional plan. Therefore, I suggest (cm) be changed to the language we suggested, such as:

“(cm) For the purposes of regional water supply plans, a regional water supply planning program conducted for groundwater management areas identified in s. 281.34 (9) stats. may be a water supply planning process for purposes of this subsection. In those metropolitan areas of the State where there exist designated water quality management areas and planning agencies pursuant to Chapter NR 121 Wis. Admin. Code, regional water service area plans shall be prepared by those agencies in a coordinated manner with sewer service area plans and shall pertain to all municipalities and utilities that provide public water supply service. If an areawide water quality planning agency is designated by a community to develop the water supply plan for the community, water service area plans shall be

04/16/2008

prepared in a coordinated manner with sewer service area plans and shall pertain to all municipalities and utilities where the areawide water quality planning agency has been designated to prepare the water supply plan. If a community is preparing its own water supply plan, the community shall consider any existing water supply plan that has been prepared by an areawide water quality planning agency.”

The rest of the edits were fine.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBa1706/Pg 2
RCT:kjf:nwn

This morning

YMW

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO 2007 SENATE BILL 523

Date

1 At the locations indicated, amend the bill, as shown by senate substitute
2 amendment 1, as follows:

3 **1.** Page 134, line 14: after "systems." insert "A regional water supply planning
4 program conducted for a groundwater management area designated under s. 281.34
5 (9) may be used as the water supply planning process under this subsection."

6 **2.** Page 135, line 8: after that line insert:

7 "(bm) A person preparing a plan under par. (a) shall consider existing regional
8 water needs assessments and ^{other} regional water supply planning information."

9 **3.** Page 135, line 12: before "service" insert "supply".

10 **4.** Page 135, line 13: after "plan" insert ", except as provided in par. (cm)".

11 **5.** Page 135, line 19: delete lines 19 and 20 and substitute "for which the plan
12 is prepared and forecasts of the expected population of the area during the period

1 covered by the plan based on growth projections for the area and municipally
2 planned population densities.”

3 **6.** Page 136, line 1: delete “, social,”.

4 **7.** Page 136, line 11: after that line insert:

5 “(cm) For the purposes of plans under par. (a), an areawide water quality
6 planning agency designated by the governor under ch. NR 121, Wis. Adm. Code, shall
7 delineate the proposed water supply service areas for all of the public water supply
8 systems in the planning area for which the agency is designated. An areawide water
9 quality planning agency shall delineate proposed water supply service areas that are
10 consistent with the approved areawide water quality management plan under s.
11 283.83 for the planning area and that permit the development of plans that are
12 approvable under par. (d).” *Insert*

13 **8.** Page 137, line 6: after “plan.” insert “The department may not limit water
14 supply service areas based on jurisdictional boundaries, except as necessary to
15 prevent waters of the Great Lakes basin from being transferred from a county that
16 lies completely or partly within the Great Lakes basin into a county that lies entirely
17 outside the Great Lakes basin.”.

18

(END)

WNote

**2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1706/P2ins
RCT:.....

not Insert

An areawide water quality planning agency may also provide regional water needs assessments and other regional water supply planning information. The process for conducting regional activities under this subsection may be the same as the process for regional water supply planning for a groundwater management area designated under s. 281.34 (9).

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1706/P2dn
RCT...*kgf*

Date

Mike Bruhn:

This is a redraft of the planning amendment. I have tried to word it to tie together the new language describing what an areawide water management agency is authorized to do (see the second last two sentences of the material inserted after page 136, line 11) with the regional information a person preparing a local plan is required to consider (see the language inserted after page 135, line 8, which is essentially unchanged from the /P1 version). It also seemed that if the amendment explicitly referred to a regional plan prepared by the areawide agency, it would introduce ambiguity and there would have to be additions to this amendment to clarify which plan was being referred to in a number of places in proposed s. 281.348 (3).

Please let me know if there are questions about this redraft.

Rebecca C. Tradewell
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**DRAFTER'S NOTE
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LRBa1706/P2dn
RCT:kjf:pg

April 17, 2008

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2007 - 2008 LEGISLATURE

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RCT:kjf:pg

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