

Clearinghouse Rule 10-132

Report to
Legislative Council Rules Clearinghouse
NR 854, Wis. Adm. Code
Natural Resources Board Order No DG-39-10

Wisconsin Statutory Authority

Sections 227.11(2)(a) and 281.348, Stats.

Federal Authority

N/A

Court Decisions Directly Relevant

None

Analysis of the Rule - Rule Effect - Reason for the Rule

The proposed rule supports 2007 Wisconsin Act 227 and the statutory requirements of s. 281.348, Stats. The rule establishes a continuing water supply service area planning process for persons operating public water supply systems serving populations of 10,000 or more and any person that operates a consecutive water system that receives water from a public water supply system required to prepare a plan under this chapter. The rule also applies to any person proposing a new or increased diversion from the Great Lakes basin—regardless of the size of the population served. Section 281.348(3)(a) directs the Department to specify that persons operating a public water supply system that serve a population of 10,000 or more shall have an approved water supply service area plan by December 31, 2025. The purpose of water supply service area planning is to systematically evaluate alternative means of supplying water to a delineated water supply service area and to identify a cost-effective water supply alternative for a 20-year planning period. The rule requires that persons preparing a water supply service area plan: include the identification of water supply options that are based on a cost-effectiveness analysis of regional and individual water supply and water conservation alternatives; delineate a water supply service area; forecast populations and water demands; establish population densities and population forecasts; assess environmental impacts of implementing water supply alternatives; analyze how the plan is consistent with comprehensive and other planning processes; and conduct a public participation process, including review and comment, for a proposed water supply service area plan. The rule is estimated to affect approximately 77 public water supply systems serving populations of 10,000 or more throughout the state. The rule will affect public water supply systems owned or operated primarily by a city, village, town, utility district or municipal water district.

Agency Procedures for Promulgation

Public hearings, Natural Resources Board final adoption, followed by legislative review.

Description of any Forms (attach copies if available)

None

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