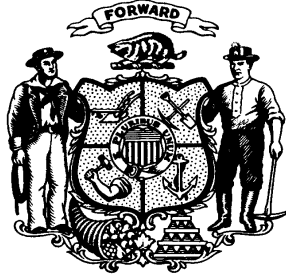


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TO: MEMBERS OF THE SUBCOMMITTEE ON WATER CONSERVATION AND BOTTLED WATER OF THE SPECIAL COMMITTEE ON GREAT LAKES WATER RESOURCES COMPACT

FROM: John Stolzenberg, Chief of Research Services, and Rachel Letzing, Senior Staff Attorney

RE: Proposed Approach to Tiered Water Conservation Measures

DATE: January 18, 2007

At its January 10, 2007 meeting, your subcommittee provided initial drafting instructions that call for the creation of tiers of water conservation measures. These tiers would then be used in the various water conservation programs and regulations required under the Great Lakes-St. Lawrence River Basin Water Resources Compact (the compact). These drafting instructions are listed in items II. A. and B. 1. c. and 2. in Memo No. 12, version 2, dated January 18, 2007.

Following the January 10 meeting, Jill Jonas, Department of Natural Resources (DNR) and Dave Sheard, Public Service Commission (PSC), provided to Legislative Council staff an outline of a possible tiered approach to specifying water conservation measures for municipal water utilities. The following outline is based on the substance of their outline.

Water Conservation Tiers

- I. All Water Users.
 - A. Applies statewide (not individually site specific).
 - B. Measures managed at the state level with uniform approach.
 1. Information and education utilizing state website.
 2. Plumbing codes.
 3. Piping standards, etc.
- II. Water users with usage greater than 100,000 gallons per day. (Applicable to individual sites, regardless whether municipal or others.)

A. Tier 1 measures - Applicable outside and inside the Great Lakes basin (i.e., statewide).

1. Metering or equivalent.
2. Costing and pricing (not applicable to self-supply).
3. Assessment/accounting of loss.
4. Information and education.

III. Water users with usage greater than 100,000 gallons per day and population greater than 10,000 (which equals about 1 million gallons per day (mgd) of usage).

A. Tier 2 measures - Applicable to existing users inside the Great Lakes basin

1. All Tier 1 measures.
2. Water-use audits.
3. Retrofits.
4. Pressure management.
5. Landscape efficiency.

B. Tier 3 measures - Applicable to water users inside the Great Lakes basin that are applying for new or increased withdrawals or diversions (thus includes straddling communities and communities in straddling counties).

1. All Tier 1 and 2 measures.
2. Replacements and promotions.
3. Reuse and recycling.
4. Water-use regulation.
5. Integrated resource management.

The measures in this outline are taken from the Water Conservation Plan Guidelines prepared by the U.S. Environmental Protection Agency (EPA). The Internet based summary of the three tiers in these guidelines was identified in the following reference in the covered note distributed to the subcommittee on January 17, 2007: Summary of tiers in the table on actual page 42 of "Part 2 Overview of the Guidelines" at <http://www.epa.gov/watersense/pubs/guide.htm>.

JES:REL:tlu