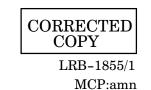


State of Misconsin 2017 - 2018 LEGISLATURE



2017 ASSEMBLY BILL 281

April 24, 2017 - Introduced by Representatives Allen and Neylon, cosponsored by Senator Kapenga. Referred to Committee on Energy and Utilities.

AN ACT to amend 281.348 (3) (c) 1., 281.348 (3) (cm), 281.348 (3) (d) 4. and 281.348 (3) (e); and to create 281.348 (1) (cm) and 281.348 (3) (cr) of the statutes; relating to: designation of a water supply service area by the Great Lakes Council.

Analysis by the Legislative Reference Bureau

Under current law, a person operating a public water supply system must prepare a water supply plan, approved by the Department of Natural Resources, that shows the proposed water supply service area and an assessment of the environmental and economic impacts of carrying out the water supply plan, along with other information. Current law also provides that, if a public water supply system within a county that lies only partly within the Great Lakes Basin proposes to divert water from the Great Lakes Basin, the public water supply system's proposal for diverting the water must be approved by the Great Lakes – St. Lawrence River Basin Water Resources Council. This bill provides that if the council approves a diversion area for such a public water supply system, that diversion area serves as the water supply service area in the water supply plan that the public water supply system submits to DNR. Under the bill, diversion areas designated by the council

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do not need to be consistent with an approved areawide water quality management plan for the planning area.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Section 1. 281.348 (1) (cm) of the statutes is created to read:

281.348 (1) (cm) "Great Lakes council" means the Great Lakes – St. Lawrence River Basin Water Resources Council, created under s. 281.343 (2) (a).

SECTION 2. 281.348 (3) (c) 1. of the statutes is amended to read:

281.348 (3) (c) 1. Delineation of the area for which the plan is being prepared and proposed water supply service areas for each public water supply system making a withdrawal covered by the plan, except as provided in par. (cm) or (cr).

Section 3. 281.348 (3) (cm) of the statutes is amended to read:

281.348 (3) (cm) For the purposes of plans under par. (a), and except as provided in par. (cr), 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). 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).

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SECTION 4. 2	81.348	(3)	(cr)	of the	statutes	is cre	eated t	o read:
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281.348 (3) (cr) For the purposes of plans under par. (a), if the Great Lakes council approves a diversion area for a public water supply system proposing to make a diversion from the Great Lakes basin under s. 281.346 (4) (e), that diversion area shall be the water supply service area for purposes of this section and does not need to be consistent with the approved areawide water quality management plan under s. 283.83 for the planning area.

SECTION 5. 281.348 (3) (d) 4. of the statutes is amended to read:

281.348 (3) (d) 4. The Except as provided in par. (cr), the plan is consistent with any applicable approved areawide water quality management plans under s. 283.83.

SECTION 6. 281.348 (3) (e) of the statutes is amended to read:

281.348 (3) (e) The department shall specify in a plan under this section a water supply service area for each public water supply system making a withdrawal covered by the plan. The department may not limit water supply service areas based on jurisdictional boundaries, except as necessary to prevent waters of the Great Lakes basin from being transferred from a county that lies completely or partly within the Great Lakes basin into a county that lies entirely outside the Great Lakes basin, or except where the water supply service area is delineated by a diversion area approved by the Great Lakes council under par. (cr).

20 (END)