

**MINUTES OF THE SECOND MEETING
SEWRPC REGIONAL WATER SUPPLY PLANNING ADVISORY COMMITTEE**

DATE: November 30, 2005

TIME: 9:00 a.m.

PLACE: Lower Level Conference Room
Regional Planning Commission Offices
W239 N1812 Rockwood Drive
Waukesha, Wisconsin

MEMBERS PRESENT

Kurt W. Bauer, Chairman	Executive Director Emeritus, SEWRPC
Robert P. Biebel, Secretary	Special Projects Environmental Engineer, SEWRPC
Julie A. Anderson	Director, Racine County Division of Planning and Development
Thomas J. Bunker	General Manager, Water and Wastewater Utility, City of Racine
Douglas S. Cherkauer	Professor of Geology, University of Wisconsin-Milwaukee
Lisa Conley	Representative, Town and Country Resource Conservation and Development, Inc.
Michael P. Cotter	Director, Walworth County Land Use and Resource Management Department
Charles A. Czarkowski	Regional Water Program Expert, Wisconsin Department of Natural Resources, Southeast Region
Daniel S. Duchniak	General Manager, Waukesha Water Utility, City of Waukesha
Charles P. Dunning	Hydrologist, U.S. Geological Survey
Franklyn A. Ericson	Manager, Environmental Operations & Central Services, S. C. Johnson & Son, Inc.
Thomas M. Grisa	Director of Public Works, City of Brookfield
Raymond Grzys	Director of Utilities, City of New Berlin
Roger C. Johnson	Manager, North Shore Water Commission
Terrence H. Kiekhaefer	Director of Public Works, City of West Bend
Carrie M. Lewis	Superintendent, Milwaukee Water Works, City of Milwaukee
Mark Lurvey	Agricultural Business Operator
Patrick T. Marchese	Member, Water Policy Advisory Panel, Public Policy Forum
George E. Melcher	Director, Kenosha County Department of Planning and Development
Matthew Moroney	Executive Director, Metropolitan Builders Association of Greater Milwaukee
Paul E. Mueller	Administrator, Washington County Planning and Parks Department
Michael P. Rau	General Manager, We Energies-Water Services
Edward St. Peter	General Manager, Water Utility, City of Kenosha
Nancy Senn	Transportation & Public Works, Milwaukee County
(for George A. Torres)	Department of Parks and Public Infrastructure
Dale R. Shaver	Director, Waukesha County Department of Parks and Land Use
James Surfus	Environmental and Energy Engineering, Miller Brewing Company
(for Daniel A. Barthold)	
Steven N. Yttri	General Manager, Water and Sewer Utility, City of Oak Creek

MEMBERS ABSENT

Kenneth R. Bradbury	Hydrogeologist/Professor, Wisconsin Geological and Natural History Survey
David Ewig	Water Superintendent, City of Port Washington
Jeffrey A. Helmuth	Hydrogeologist Program Coordinator, Wisconsin Department of Natural Resources, Madison
Andrew A. Holschbach	Director, Ozaukee County Planning, Resources, and Land Management Department
Thomas J. Krueger	Water and Wastewater Utility Director, Village of Grafton
Jeffrey Musche	Administrator/Clerk, Town of Lisbon
Daniel S. Winkler	Director of Public Works and Utilities, City of Lake Geneva

GUESTS

John Jansen	Senior Geoscientist, Aquifer Science & Technology
James Rowen	Concerned Citizen
Steven H. Schultz	Department Head, Water Supply and Wastewater Treatment Ruekert & Mielke, Inc.

STAFF

Catherine D. West	Planner, Southeastern Wisconsin Regional Planning Commission
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CALL TO ORDER AND ROLL CALL

Chairman Bauer called the meeting to order at 9:03 a.m. Roll call was taken by circulating an attendance signature sheet, and a quorum was declared present.

CONSIDERATION OF MINUTES OF THE MEETING OF SEPTEMBER 21, 2005

Chairman Bauer noted that copies of the minutes of the first meeting of the Regional Water Supply Planning Advisory Committee held on September 21, 2005, had been provided, to all members of the Committee for review prior to the meeting, and asked that the Committee consider approval of those minutes. He reminded the Committee members that all of the revisions which were requested by the Committee to be made in the materials reviewed at that meeting were intended to be documented in the minutes. He noted that in the case of the study design, documentation summary, and water supply facility inventory forms, the changes were shown with red-line strike-out and inserts in revised copies of these documents attached to the minutes. He further noted that changes to the two planning chapters were shown by means of the secretary's notes in the minutes and attachments, as needed. He further reminded the Committee that approval of the minutes would constitute final Committee action on the materials concerned.

Ms. Conley referred to the third full paragraph on page 12 of the minutes and noted that her question about the inventory of wastewater discharges was intended to mean both the "quantity and destination of the discharges." Accordingly, the first sentence of the third full paragraph on page 12 of the minutes should have the words "quantity and destination of" added ahead of the word "wastewater."

Dr. Cherkauer referred to the last paragraph on page 7 and extending to page 8 of the minutes and noted that his question about the term "water supply capacities" was intended to highlight the importance of considering the capacity of the aquifer to supply water, as well as the capacity of the well pumping

system to deliver water. Accordingly, the following sentence should be added after the first partial sentence ending on the first line on page 8: “Mr. Cherkauer’s question highlights the importance of considering the capacity of an aquifer to sustain a water supply, as well as the capacity of the well and pumping systems to deliver groundwater, assuming it is available.”

Mr. Biebel noted, however, that the section of the study design concerned entitled “Technical Analysis of Existing Water Supply Facility Data,” is intended to be an evaluation of the capacity of water supply facilities, such as surface water treatment plants, wells, pumps, and storage facilities which could be compared to the projected future water supply needs. No new evaluation of the hydrogeologic features, including the capacity of the aquifer serving each well, is intended under the water supply facility inventories or analyses. The exception to this would be where local facility plans or groundwater analyses have been done to demonstrate aquifer capacity issues. Such information has been requested from each utility. The issue of aquifer capacity will be addressed, he said, under the alternative plan groundwater and hydrogeologic analyses and the alternative plan evaluations described elsewhere in the study design.

There being no further corrections or additions, the minutes of the meeting of September 21, 2005, were approved as corrected, on a motion by Ms. Anderson, seconded by Mr. Duchniak, and carried unanimously.

[Secretary’s Note: In a telephone conversation held by Mr. Jeffrey A. Helmuth, Hydrogeologist Program Coordinator, Wisconsin Department of Natural Resources, with Commission staff on the afternoon of November 30, 2005, Mr. Helmuth indicated that he would not be able to attend the meeting, but offered recommendations for minor revisions to the study design and to the documentation summary, both of which were the subject of review at the previous meeting. The changes recommended related to the inclusion of inventory and recommended plan components which specifically include the Department source and water and wellhead protection requirements. The changes suggested by Mr. Helmuth were:

1. The last paragraph on page 8 of the study design under the heading “Water Supply and Related Facilities” should be changed to add the phrase “source water and wellhead protection areas” following the words “well locations;”
2. The plan outline under Chapter IV, “Legal Structures,” should be revised to substitute the term “Source Water and Wellhead Protection Requirements” for the term “Source Water Assessment Requirements;” and,
3. Page 4 of the plan outline under Chapter VIII, “Future Conditions and Alternative Water Supply System Plan Descriptions and Evaluation,” should be revised to add the term “Source Water and Wellhead Protection” in the listing following the term “Water Conservation.”

These changes are subject to Committee approval through consideration and approval of these minutes by the Committee.]

CONSIDERATION OF CHAPTER V, “PLANNING OBJECTIVES, PRINCIPLES, AND STANDARDS,” OF SEWRPC PLANNING REPORT NO. 52

Chairman Bauer then asked the Committee to consider Agenda Item 3. He noted that all Committee members had received a copy of the preliminary draft of Chapter V, “Planning Objectives, Principles, and Standards,” for review prior to the meeting. He noted that this chapter was a particularly important chapter, as it set forth the objectives and standards which would guide the development and evaluation of the alternative plans. He then asked Mr. Biebel to review the chapter with the Committee on a page-by-page basis.

Mr. Rau referred to the listing of objectives on page 5-2; he noted that the objectives were numbered and expressed concern that such numbering could be construed as a measure of importance. Mr. Biebel indicated that a ranking was not intended and should not be implied.

Mr. Marchese referred to the term “support” in the short form of Objective No. 1 on page 5-2. He noted that the following longer statement of the objective indicated that the water supply plan may identify constraints to development which could guide, as well as support, future development. Upon brief discussion, the Committee agreed by consensus to revise the short form description of Objective No. 1 to reflect the concept of potentially guiding development.

[Secretary’s Note: The short form statement for Objective No. 1 is revised to read “Support of Existing Land Use Patterns and Support and Direction of Planned Land Use Patterns.”]

Ms. Lewis recommended, and the Committee agreed by consensus, to add the word “, safety,” after the word “health” to the short and long forms of Objective No. 3.

Mr. Moroney noted that none of the objectives dealt with the protection of private property rights. He expressed concern that some of the standards implied the possible exclusion of certain lands from development to the possible detriment of the private property rights involved. Mr. Bauer indicated the imposition of development regulations would be very site-specific and, therefore, that the place to address concern would be in the plan recommendations and implementation actions. Mr. Biebel indicated that the issue had been raised in other regional planning programs which recommended preservation in essentially open natural uses of certain definitively identified lands and that, as Mr. Bauer indicated, the plan recommendation and implementation descriptions would be the best place to specifically address this concern. He noted, however, that the concern was addressed in the other regional plan elements by footnoting the standards which related to the preservation of lands in essentially natural, open uses.

[Secretary’s Note: The footnotes in Table V-1 have been expanded to indicate the options for preservation and that such options should be dealt with in the plan recommendation and implementation chapters.]

Ms. Conley noted that there were synergistic relationships between stormwater runoff and groundwater supply and asked if that issue was adequately covered in the objectives, principles, and standards. Mr. Biebel responded indicating that there was a standard under Objective No. 2 relating to the relationship of stormwater and groundwater quantity; and a standard under Objective No. 3 relating to the relationships of stormwater and groundwater quality.

Ms. Conley referred to Objective No. 4 on page 5-2 and asked what was meant by cost. She indicated a concern that the lowest-cost alternative plan would be selected for adoption. Mr. Biebel referred to the term “meeting all other objectives” and indicated that that term precludes considering only cost in

selecting a recommended plan. Dr. Cherkauer indicated that the costs of alternatives should include legal costs, because of the potential for such costs to be considerable if a Lake Michigan diversions were recommended. Mr. Biebel indicated that in engineering economic analyses legal costs are indeed a component of capital costs, and that such capital costs are typically developed by adding an allowance for legal, administrative, and engineering costs to the estimated construction costs. Mr. Biebel also commented that other water supply alternatives involving groundwater supplies may also have considerable legal costs associated with them. He indicated, further, that the issue of legal costs—over and above typical allowance values—would be considered as the costs of the alternatives are developed.

Dr. Cherkauer referred to Objective No. 5 on page 5-2 and questioned the word “robust” as being appropriate. He suggested considering the word “rigorous” be substituted for “robust.” There were no objections to this change.

[Secretary’s Note: Upon review of the meaning of the term “rigorous,” it was found that the term can mean inflexible or rigid. Thus, it is recommended to drop the term “robust” in the objective statement, as suggested, leaving the objective with the phrase “flexible and adaptive in response to changing conditions.”]

Mr. Grisa referred to the Objective No. 4 statement and questioned the term “meeting all other objectives,” since it had previously been stated that all of the objectives would likely not be fully met. Upon discussion, the Committee agreed by consensus to add the word “best” ahead of the word “meeting” in the Objective No. 4 statement.

Mr. Marchese suggested that the term “costs” in the Objective No. 4 statement be expanded to include nonmonetary costs, and suggested that the phrase “all costs, including environmental, as well as long-term capital and operation and maintenance costs” be added after the word “considering.” Mr. Grisa objected to the suggested addition, noting that Objective No. 4 was intended to address monetary costs. Mr. Moroney agreed with Mr. Grisa that the suggested change was not appropriate.

A lengthy discussion ensued in which Mr. Biebel noted that all Commission plan reports included an environmental assessment, which assessment was the proper place to consider the environmental monetary and nonmonetary costs, as well as the benefits.

After some further discussion, it was moved by Mr. Melcher, seconded by Mr. Yttri, to leave the Objective No. 4 statement as drafted, except for the approved addition of the word “best” ahead of the word “meeting.” The motion carried, with Dr. Cherkauer, Mr. Marchese, and Ms. Senn voting “no.”

Mr. Lurvey referred to the first principle on page 5-4 relating to the preservation of productive agricultural lands. He noted that compatible agricultural operations which remain in the vicinity of large urbanized areas often required more intense farming practices and potentially more water supply than conventional farming operations, the often higher-value crops requiring more water. He suggested, and the Committee agreed by consensus, that a standard be included under Objective No. 1 addressing this need for adequate agricultural water supplies.

[Secretaries Note: The following standard is proposed to be added on page 5-3 as Standard No. 4 under Objective No. 1:

“4. Sources of water supply should be specifically allocated adequately to serve lands planned to be maintained in agricultural uses.”]

Mr. Marchese referred to Standard No. 1 under Objective No. 1 and asked the basis for identifying the lands planned for urban uses. Mr. Grisa suggested, and the Committee agreed by consensus, to add the words “in accordance with the adopted regional land use plan” after the word “uses” in the first line of Standard No. 1 on page 5-3.

Mr. Ericson noted that Objective No. 1, the first principle, and the standards could be an issue in cases where local community development plans were not consistent with the regional land use plan. Mr. Bauer agreed, noting that county and municipal comprehensive plans are not—with but one exception: transportation—required by State *Statutes* to be consistent with regional plans. He indicated that, in his opinion, this was a fatal flaw in the State’s “smart growth law”—Section 66.1001 of the *Wisconsin Statutes*. Mr. Bauer indicated that many of the environmental problems now facing the Region would have been avoided if the Commission’s regional land use plan adopted in 1966 had been followed, and if environmental groups had supported that plan, rather than ignored it as has been the case.

Ms. Conley questioned the meaning of the term “isolated highway-oriented” urban uses in Standard No. 1 on page 5-3. Mr. Bauer indicated that these uses included such uses as major highway truck stops or service centers, truck weigh stations, and recreational-related uses. He indicated that the addition of the term “in accordance with the regional land use plan” would serve to limit the uses which would fit that category. He suggested, and the Committee agreed by consensus, to strike the term “with the exception of committed outlying subdivisions and certain isolated highway-oriented or recreational urban uses.”

Ms. Conley referred to Standard No. 2 on page 5-3 and suggested that some nonurban uses could result in groundwater contamination and should also be excluded from areas of high potential for groundwater contamination. The Committee agreed by consensus.

[Secretary’s Note: Standard No. 2 on page 5-3 is proposed to be revised to read as follows:

“Areas of high potential for groundwater contamination should be excluded from the siting of potentially contaminating land uses or facilities.”]

Mr. Shaver referred to Standard No. 3 on page 5-3 and recommended that the words “to the extent practicable” be deleted. The Committee agreed by consensus. Dr. Cherkauer referred to the same standard and recommended that the words “and discharge” be added after the word “recharge.” He explained the importance of considering both recharge and discharge in decision-making regarding an area being considered for aquifer protection. The Committee agreed by consensus.

Ms. Conley referred to the second principle on page 5-3 and noted that the environmentally sensitive area preservation provided benefits in maintaining surface and groundwater “quantity,” as well as “quality.” Dr. Cherkauer referred to the same principle and point out that the maintenance of base flow conditions should be applied more broadly than to just streams.

[Secretary’s Note: Based upon Ms. Conley’s and Dr. Cherkauer’s comments, the second principle on page 5-3 was revised by adding the words “and quantity” after the word “quality” and by replacing the words “base flows in streams” with the words “base flows in and to surface waters.”]

Mr. Shaver noted that the word “areas” should be added after the words “isolated natural resource” in the second principle on page 5-3 in order to make the term more conventional. The Committee agreed to the addition by consensus.

Mr. Shaver referred to the first Standard No. 1 on page 5-4 and recommended that the concept of sewage transmission be added to the uses considered compatible with environmental corridors. The Committee agreed to the change by consensus.

Mr. Marchese referred to Standard No. 3 on page 5-4 and asked for clarification of the term “minimizes impacts.” He asked if it was related to a concept of “no net loss.” Upon discussion, it was agreed that the staff should review the wording of this standard and suggest possible changes.

[Secretary’s Note: Upon review, it is recommended that Standard No. 3 relating to minimizing impact to water resources be left as written, except to insert the word “adverse” between the words “minimizes” and “impacts.” The potential impacts involved are too varied and broad to further quantify the meaning of this term. The standard is meant to be one used to compare alternatives qualitatively rather than quantitatively.]

Mr. Mueller noted that the importance of aquifer recharge and discharge areas had been discussed in conjunction with several of the principles and standards. He referred to the principle relating to environmental corridors on page 5-3 and suggested that the staff consider incorporating important aquifer recharge and discharge areas into the fundamental resource base features which make up the environmental corridors by definition. Mr. Biebel briefly explained the concept of the corridor definition which uses a point system for quantifying the natural resource features.

[Secretary’s Note: For information, a fact sheet further explaining the environmental corridor concept is attached hereto.]

Mr. Biebel indicated to address Mr. Mueller’s suggestion would require its referral to, and action by, the Commission Advisory Committee on Regional Land Use Planning. Such referral, he suggested, should await completion of the water supply plan. Mr. Dunning agreed, indicating that it would be important to know on a county-by-county basis the amount of area involved which would be beyond the current environmental corridor boundaries. Messrs. Mueller and Melcher indicated the importance of bringing about a public awareness of the importance of the groundwater recharge and discharge areas as soon as possible. Mr. Bauer suggested, and it was generally agreed, that the text relating to environmental corridors in Chapter II of the current planning effort be reviewed to see if the concept Mr. Mueller suggested could be dealt with there, at least in part.

[Secretary’s Note: The following paragraph is proposed to be added to the text of the end of the report section entitled “Environmental Corridors” ahead of the subtitle “Primary Environmental Corridors” on page 88 of Chapter II:

“Under the present Commission definition of environmental corridors, important groundwater recharge and discharge areas are not specifically included *per se* as one of the 12 natural resource and natural resource-related elements noted above which are mapped and evaluated in order to delineate environmental corridors. However, in many instances, the delineation of the environmental corridors using the current system will include important groundwater recharge and discharge areas because of their interrelationship with the 12 elements currently used to define the environmental corridors. For example, the Kettle Moraine State Forest and environs, which is included within the primary environmental corridors, has been shown to be important for groundwater aquifer recharge. As part of this water supply planning program, the important groundwater recharge and discharge areas will be

delineated. Once delineated, these areas will be overlain with the environmental corridors to determine commonality. At that time, consideration can be given by the Commission of the merits of adding important aquifer recharge and discharge areas as an element of the environmental corridors, as well as to other means of protection.”]

Ms. Conley referred to the principle and standards relating to the preservation of agricultural land on page 5-4 and noted that some agricultural land uses may not be sustainable nor desirable. She cited the example of large animal operations which could have negative environmental impacts. Mr. Lurvey indicated that there was a regulatory framework in place to deal with such issues. Mr. Moroney noted that management practices were available to deal with potential rural, as well as urban, environmental impacts. After further discussion, the Committee agreed by consensus, to expand the second Standard No. 2 on page 5-4 to indicate that the preservation of agricultural land should be accomplished in a manner consistent with the adopted regional water quality management plan.

Ms. Lewis and Mr. Bunker recommended that the wording of the second Standard No. 4 on page 5-5 be revised to delete the 8 percent goal for unaccounted for water. After further discussion, the Committee agreed by consensus to revise Standard No. 4 on page 5-5 has been revised to read as follows:

“4. Unaccounted-for water in utility systems should be minimized.”

Mr. Moroney referred to Standard No. 1 on page 5-5 and indicated that a standard for maintaining the existing level in the sandstone aquifer was problematic, since that level is impacted by use in areas beyond the Southeastern Wisconsin Region. Since outside forces were involved, the standard as worded, may not be achievable, except at high cost to the Region. Mr. Dunning indicated that the modeling which will be done would be able to ascertain the impacts on the aquifer attributable to use within the Region. Mr. Bunker indicated that the level in the deep aquifer was related to costs, in that it directly impacted pumping levels and this should be addressed in the alternative to some degree. Mr. Schultz referred the Committee to footnote 4 on page 5-4 which defined sustainability, and suggested that it may be possible to refine that definition to address the issue. Mr. Ericson indicated that the intent of the standard should be preserved. Mr. Bauer recommended, and the Committee agreed by consensus, to have the Commission staff review the standard and recommend revised language.

[Secretary’s Note: The first Standard No. 1 on page 5-5 is proposed to be revised to read as follows:

“1. The use of the deep sandstone aquifer should be managed so that the potentiometric surface in that aquifer is sustained at the year 2007 levels or higher as determined by the use and recharge within the Southeastern Wisconsin Region. Declines in the potentiometric surface of the aquifer within the Region due to uses in areas beyond the Region should be identified for purposes of considering interregional planning and action.”]

Dr. Cherkauer referred to the footnote defining sustainability on page 5-4 and asked the term “unacceptably damaged” should be more specifically defined. Mr. Marchese noted that it would be desirable to have a specific measure of the term. Mr. Grisa noted that many of the standards were not quantitatively defined, but were a basis for comparison between actions. Following further discussion, it was agreed that the staff would review the definition and suggest revisions.

[Secretary’s Note: The following revised definition of sustainability is proposed:

“⁵Sustainability may be defined as the condition of beneficially using water supply resources in such a way that it supports the current and probable future needed uses, while simultaneously ensuring that the resource is not unacceptably damaged by such beneficial use. For purposes of this water supply planning program, unacceptable damage is defined as a change in an important physical property of the groundwater or surface water system—such as water level, water quality, water temperature, recharge rate, or discharge rate—that approaches a significant percentage of the normal range of variability of that parameter. Impacts that are 10 percent or less of the annual or historic range for any property will be considered acceptable, unless it can be shown that the cumulative effect of the change will cause a permanent change in an aquatic ecosystem by virtue of increasing the extremes of that property to levels known to be harmful.”]

Ms. Conley asked if the importance of water to the economic well being of the study area should be stated. Mr. Biebel suggested that thought could be incorporated in a principle.

[Secretary’s Note: The first principle under Objective No. 1 on page 5-3 is proposed to be revised to read as follows:

“An adequate water supply is essential for the well being of the residents and for the economic prosperity of the Region. A sound regional water supply plan should support all of the necessary land use activities within the Region. The regional water supply plan should be designed to serve the needs of both urban and rural land uses, including agriculture and rural-density residential development.”]

Ms. Lewis referred to the second Standard No. 2 on page 5-5 and suggested that, in some cases, water uses may already be well managed and conserved. She recommended that the word “reduced” should be replaced by the word “optimized.” The Committee agreed to the change by consensus. Mr. Bunker referred to the same standard and cited an example of where restricted water use had resulted in wastewater flows inadequate to convey sewage properly. He recommended, and the Committee agreed by consensus, to add the words “which do not adversely affect the public health” at the end of that standard.

Ms. Conley referred to the second principle on page 5-5 and noted that rural lands could also have potential impacts on groundwater recharge. The Committee agreed by consensus to add the words “and rural” after the word “urban” in this principle.

Mr. Conley referred to Standard No. 1 under the second principle on page 5-5 and recommended that surface water, as well as groundwater protection should be included in the last line. The Committee agreed to this change by consensus.

Mr. Bunker referred to the first principle under Objective No. 3 on page 5-5 and indicated that fire protection was an important water supply concern relating to public safety. Ms. Lewis agreed and noted that adequate water supply system quantities and pressures were essential for good fire protection. Upon further discussion, it was agreed to request the staff to revise this principle.

[Secretary’s Note: The first principle under Objective No. 3 on page 5-5 is proposed to be revised by adding the following phrase at the end of the second sentence

“in sufficient quantities and pressures to meet demands, including fire protection requirements.”]

Ms. Lewis referred to the references to Tables V-2 and V-3 in Standard No. 1 at the bottom of page 5-5. She suggested that the standards for drinking water and groundwater be placed in an appendix or simply referenced to the applicable code. Upon discussion, the Committee agreed by consensus to place the drinking water, groundwater, and surface water standards in appendices. Mr. Schultz noted that the text should also reference U.S. Environmental Protection Agency standards, as they are the primary source for many of the State standards.

Mr. Shaver referred to Standard No. 3 under the second principle of Objective No. 3 on page 5-6. He recommended, and the Committee agreed by consensus, to add the phrase “State and local regulations” to be added after the word “by” in the first sentence. The Committee agreed to the change by consensus.

Ms. Conley referred to Standard No. 3 under the first principle of Objective No. 3 on page 5-6 regarding wastewater reuse. She noted that the wording implied a negative connotation on use. Mr. Rau and Ms. Lewis agreed, and suggested revisions to the wording of Standard No. 3 on the top of page 5-6. Upon discussion, the Committee agreed by consensus to change the phrase “limited to” to “evaluated for.”

[Secretary’s Note: In the aforereferenced telephone conversation held between Mr. Jeffrey A. Helmuth, Hydrogeologist Program Coordinator, Wisconsin Department of Natural Resources and Commission staff, Mr. Helmuth recommended that a standard be added related to the wellhead protection areas concept. In response to this recommendation, the following standard is proposed to be added following Standard No. 5 on the top of page 5-6:

“7. Groundwater and surface water sources of water supply should be protected from sources of contamination by appropriate siting, design, and land use regulation.”]

Mr. Bunker indicated the need to have water supply systems which are technically sound, and that the required good design standards in order to protect the public safety and welfare. Mr. Bauer, suggested and the Committee agreed by consensus, that the staff that a standard be developed to address this concern.

[Secretary’s Note: The following standard is proposed to be added as Standard No. 2 under the first principle of Objective No. 3 on page 5-5. The subsequent standards would then be renumbered.

“2. Water supply systems should be designed, constructed, and operated consistent with technically sound water supply industry standards directed toward the protection of the public health, safety, and welfare.”]

Ms. Lewis referred to the first principle under Objective No. 4 on page 5-6. She recommended that the principle be broadened to include more clearly indicate the relationship of water supply costs to limited public resources. Ms. Lewis agreed to provide a specific wording for consideration.

[Secretary’s Note: Ms. Lewis provided the following changes in the first principle under Objective No. 4 for consideration:

“The total financial resources in the Region are limited and investment in construction and operation of water supply facilities must recognize that

resources applied in this area will not be available for investment in other areas. Total water supply costs, therefore, should be minimized while meeting and achieving other water supply objectives.”

Ms. Lewis’ e-mail is transmitting this recommended wording is attached hereto as Exhibit A, as it contains additional valuable information and advice for the ongoing planning effort.]

Ms. Conley raised the issue of conflicts with the broader public interest when privately owned water supply facilities are owned and operated based primarily on economic considerations. A discussion followed on the history, and the pros and cons, of public versus private ownership and operation of water supply utilities in this respect. Mr. Rau indicated that for privately owned and operated systems, it was important that the governmental entities involved establish a proper framework for the system operations in order to ensure protection of the public interest. Ms. Lewis noted, in this respect, the importance of considering water supply as a service, not a product.

[Secretary’s Note: See Exhibit A for further important observations on this distribution.]

Mr. Bunker referred to Standard No. 1 under Objective No. 4 on page 5-6 and noted that the legal costs could be added to that standard as previously discussed.

[Secretary’s Note: Standard No. 1 under Objective No. 1 is proposed to be revised by adding the words “and legal costs” after the word “maintenance.”]

Mr. Marchese raised a question regarding Standard No. 2 under Objective No. 4 on page 5-6 suggesting that there may be a concern with the concept of maximizing the use of existing facilities. He implied this could mean that current excess capacity which may be needed for future or back-up uses could potentially be allocated to another use without the facility owner’s concurrence on the availability of the capacity. Mr. St. Peter asked about the process to be used in determining excess capacity. Mr. Biebel responded that the Commission procedure would, indeed, involve the facility owner and seek agreement on the availability of existing facility capacity for use in the planning effort. Following discussion, the Committee agreed by consensus that a footnote would be added to Standard No. 2 of Objective No. 1 to address this concern. Mr. Biebel further stated that the standard would typically be related to a utility’s need for it own uses, as opposed to development of new facilities and abandonment of existing facilities.

[Secretary’s Note: The following footnote is proposed to be added to Standard No. 2 under Objective No. 4:

“For purposes of regional water supply planning, the determination of excess, or available, capacity in existing and committed water supply facilities, as well as the reliability of that capacity, must be accomplished in close cooperation with the facility owners concerned.”]

Ms. Conley suggested that monitoring be made a component of the principle under Objective No. 5. The Committee agreed by consensus to add the term “and monitoring capacity” after the word “flexibility” in the last sentence of the principle statement under Objective No. 5.

Mr. Moroney referred to Objective No. 5 on page 5-7 and suggested that consideration of changes in economic conditions be specifically addressed. Mr. Bunker added that emergency operations and security issues should also be specifically addressed. Mr. Czarkowski recommended that standard should

reference groundwater law, rather than the Wisconsin Groundwater Advisory Committee, since the Committee was only part of the components of the law.

[Secretary's Note: In response to the concerns expressed, the following changes are proposed to be made to the standards under Objective No. 5:

1. The term "and emergency operation requirements" was added after the word "features" in Standard No. 2.
2. The term "Wisconsin Groundwater Advisory Committee" was replaced with the term "Wisconsin 2003 Act 310.
3. A new Standard No. 6 was added as follows:

"6. The regional water supply plan should consider the possibility of changes in economic conditions, security issues, and regulations that can affect the demand for water supply and need for and types of water supply facilities."]

Ms. Conley referred to the first partial paragraph on page 5-23 and noted the reference to "acute toxicity." She asked if chronic toxicity was also an issue. Mr. Biebel replied that it was. However, he noted the text being referenced was a direct citation from the *Wisconsin Administrative Code*.

Mr. Bauer noted that the time was approaching 12:00 noon, and that the review of the remaining sections of the chapter—pages 5-23 through 5-28—would have to await another meeting. He indicated that the staff would provide a revised draft of the chapter incorporating the changes made by the Committee in the part of the chapter that had been reviewed. The review of the chapter could then—hopefully—be completed at the next Committee meeting.

[Secretary's Note: A copy of Chapter V as revised in accordance with the Committee's actions is attached with the changes as proposed noted.]

OTHER BUSINESS

Mr. Biebel indicated that the Commission staff was in the process of developing the first issue of a series of fact sheets on water supply. These fact sheets are intended to provide information on work progress under the study to interest members of the public. The fact sheets will be posted on the Commission web site and will be mailed to the Commission *Newsletter* mailing list which includes elected and appointed State, county, and local officials and interested citizens. The first fact sheet would be focused on water use in the Region. He indicated that it was proposed to provide a preliminary draft of that fact sheet to the Committee for review and comment prior to broader distribution.

DATE AND TIME OF NEXT MEETING

After a brief discussion, the next meeting of the Advisory Committee was tentatively scheduled for January 18, 2006, at 9:30 a.m. at the same location.

ADJOURNMENT

Chairman Bauer then extended best wishes for the holiday season. The November 30, 2005, meeting of the Regional Water Supply Planning Advisory Committee was then adjourned at 12:05 p.m. on a motion by Mr. Marchese, seconded by Ms. Lewis, and carried unanimously by the Committee.

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