

SR-107, As Adopted by Senate, May 25, 2016

Senators Warren, Jones, Hopgood, Bieda, Smith, Schuitmaker and Booher offered the following resolution:

Senate Resolution No. 107.

A resolution to urge the Governor to reject the request by the city of Waukesha, Wisconsin, to divert water from the Great Lakes.

Whereas, Ten years ago, the eight states and two Canadian provinces that call the Great Lakes home came to a historic agreement to protect Great Lakes water. The Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement, signed by the governors and premiers in 2005, and the Great Lakes-St. Lawrence River Basin Water Resources Compact, fully ratified by the eight states and the U.S. Congress in 2008, prohibit new or increased water diversions out of the Great Lakes basin; and

Whereas, The compact and agreement provide a narrow exception to the prohibition on diversions for communities outside the Great Lakes basin, but within counties that lie partially within the basin. Communities within these straddling counties may request a diversion. The request must meet strict standards and criteria, undergo regional review by the Great Lakes-St. Lawrence River Water Resources Regional Body, and for diversions originating in the United States, be unanimously approved by the Great Lakes-St. Lawrence River Basin Water Resources Council, comprised of the eight Great Lakes governors; and

Whereas, The city of Waukesha, Wisconsin, is the first community to apply for an exception since the compact was adopted. Currently, the Wisconsin Department of Natural Resources is finalizing its technical review and environmental impact statement, which recommended that Waukesha be granted an exception. The state of Wisconsin is expected to forward Waukesha's application for review and approval by the regional body and the council by the end of 2015; and

Whereas, It is the responsibility of the eight Great Lakes states and two Great Lakes provinces to ensure that any new or increased diversion from the Great Lakes meets the high standards set forth in the agreement and compact. While the city of Waukesha is within its rights to request an exception to the prohibition on diversions and the city clearly has a radium issue in its drinking water that needs to be addressed, it has not met these high standards; and

Whereas, The city of Waukesha has failed to demonstrate that there is no reasonable water supply alternative within the basin in which it is located, as required by the agreement and compact. The city has not strived to address its radium water problems through other treatment methods as dozens of other communities have; and

Whereas, The city of Waukesha has not limited its request to quantities considered reasonable for the purposes for which it is proposed, as required by the agreement and compact. The city of Waukesha's application currently calls for water not only for its community, but for surrounding communities as well that are not experiencing widespread radium problems. The city is requesting a diversion to provide water to an expanded service area of approximately 37 square miles, about 17 square miles larger than the current service area. The city's request for an average of 10.1 million gallons per day (mgd) is about 40 percent more water than is currently used (6.5 mgd) and about 25 percent more water than the projected needs of the current service area (8.2 mgd). The expanded service area gives the appearance that the Waukesha request is more about addressing the water utility's desire for growth and less about addressing a drinking water problem; and

Whereas, The city of Waukesha has not fully incorporated environmentally sound and economically feasible water conservation measures to minimize the water needed, as required by the agreement and compact. There are no conservation standards in place for the areas in the expanded

service area outside the city of Waukesha, and the conservation methods proposed are inadequate; now, therefore, be it

Resolved by the Senate, That we urge the Governor to reject the request by the city of Waukesha, Wisconsin, to divert water from the Great Lakes; and be it further

Resolved, That copies of this resolution be transmitted to the Governor of Michigan; the governors of Illinois, Indiana, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin; and the premiers of Ontario and Québec.