



Waukesha Water Utility

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Waukesha following DNR, not Milwaukee, advice on water laws

Dan Warren, President

Waukesha Water Utility Commission

Often times you'll hear about elected officials who think that if you repeat the same misinformation enough times it will become the truth. Apparently, Milwaukee Mayor Tom Barrett believes that's true, given his repeated misinterpretations of the Great Lakes Compact. Once again he is alleging that Wisconsin's law creating water supply service areas violates the Great Lakes Compact even though the Wisconsin DNR – which negotiated the Compact and is responsible for its enforcement – has repeatedly told him that he is wrong. Could it be that his missed opportunity to gain millions of new revenue for Milwaukee is the real reason behind his criticism of Waukesha's application?

Wisconsin's version of the Great Lakes Compact, which Mayor Barrett supported, included a requirement requested by the DNR that requires water utilities to develop water supply service area plans by 2025. For a utility outside the Great Lakes basin which applies for Great Lakes water – such as Waukesha – the planning requirement applies immediately. The service area is set by the regional planning agency and is approved by the state. The boundaries must be consistent with the local wastewater service area, which Wisconsin has used for planning for more than 30 years.

For purposes of the Compact, the DNR considers the entire service area to be one community. In fact, the Compact's definition of community includes the phrase "or equivalent thereof" to allow regional planners to define service areas for water utilities, recognizing that utility service areas do not necessarily follow city, village or town boundaries.

Mayor Barrett refused to negotiate to sell water to Waukesha's entire service area, despite being told by the DNR that any supplier must be willing to supply water to the entire area under state law. In an attempt to compromise, Waukesha even offered to negotiate a two-tiered deal that would allow for different terms for the existing service area and the new area. He still refused, potentially costing Milwaukee millions of dollars per year in revenue. So Waukesha struck a deal with Oak Creek because that city saw the future potential for increased revenue and reduced water costs through regional cooperation. Mayor Barrett's repeated insistences that the requirements of the state law are illegal are contrary to sensible planning and appear to be motivated more by Milwaukee's lost opportunity, not by a credible interpretation of the law.

Waukesha's citizens need a new water supply. After examining all the alternatives, we concluded that a Lake Michigan water supply is our only reasonable alternative. Our aquifer has already declined 500 to 600 feet, and all the other alternatives are less protective of the environment and of public health. We will continue our leadership on water conservation and also recycle water back to the lake after use, ensuring that we have no negative impact on lake levels. Waukesha's proposal is a positive precedent that deserves support.