

Waukesha Update – May 11, 2016

The Great Lakes and St. Lawrence Resources Regional Body met in Chicago on May 10 and 11, ending around 11am on May 11. The goal of this meeting was to achieve consensus within the group on a Declaration of Findings on the Waukesha Diversion Application and to make a recommendation to the Compact Council for a final decision. At the end of the May 11 meeting, an extension of one week was granted to the 10 jurisdictions to study the changes made to the Declaration of Findings and the conditions for approval of the Diversion Application.

Service Area

- The 10 jurisdictions agreed on a service area composed of the City of Waukesha and what is referred to as Town Islands. These Town Islands are currently not served by the Waukesha Water Utility; residents of these islands use private wells. These Town Islands have not demonstrated their need for water.
- Town Islands are small parcels of the Town of Waukesha mostly contained within the boundaries of the City of Waukesha.
- This newly proposed service area does not comply with the Compact because only the City of Waukesha applied for the diversion, not the Town of Waukesha. The Regional Body concluded that these islands represented so little water consumption and population and that since they are surrounded by City of Waukesha territory, it would be acceptable to have them in the service area.

Root River/Return Flow

- The return flow to the Root River and its impacts on the already impaired river (designated by Wisconsin DNR) have not been discussed much during any parts of the meetings, dating back to the April 21-22 meetings. We maintain that Waukesha does not comply with the Compact because of the impacts.
- The State of Minnesota stated that this issue was one of the reasons for which it asked for a one-week extension to review the Declaration of Finding. The extension was granted.

Reasonable Alternative

- We have always maintained that Waukesha has a reasonable alternative to treat the radium, and recent evidence confirms that this is true. The Regional Body has not addressed this.

Enforcement/Accountability

- Many discussions over the last two days touched on how the conditions that would govern the application would be enforced. This remains an issue for a few parties.

Process

- The State of Minnesota asked for a one-week extension to review the Declaration of Findings at the request of Governor Mark Dayton.
- The States of Michigan and New York would have sought extra time, but Minnesota was the first to request it formally.

New Next Steps

- May 18, 8:30am CDT / 9:30am EDT, Webinar meeting of the Regional Body. Recommendation to the Compact Council expected by the end of the meeting. Click here to register: <https://attendee.gotowebinar.com/register/7933010853787961859>
- June 21 or 22, time and exact location TBD (meeting will be in Chicago), Start of the special meeting of the Compact Council to consider the Waukesha Diversion Application.