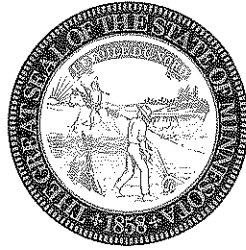


Rick Hansen
State Representative

District 52A
Dakota County



Minnesota House of Representatives

August 27th, 2015

Cathy Stepp
Secretary, Wisconsin Department of Natural Resources
101 S. Webster Street
PO Box 7921
Madison, WI 53707-7921

Dear Secretary Stepp,

As legislators from the Minnesota House of Representatives, and the first state to approve the Great Lakes Compact, we are writing to express concerns about the proposed Waukesha diversion. Our concerns with the proposed Waukesha diversion stem from our desire to see the integrity of the Great Lakes Compact (Compact) standards for diversions be met. Additionally, Waukesha will be the first community to apply for an exemption from the ban on diversions under the Compact. Waukesha's proposal could set a precedent for how future applications are viewed; it is important that we get this right if we are to maintain the strength of the Compact.

We understand that the Wisconsin Department of Natural Resources (DNR) is currently accepting public comment on an Environmental Impact Statement and technical review regarding its recommendation that Waukesha's application for Great Lakes water be approved under the Compact. The Compact allows for a community within a straddling county to receive an exemption from the ban on diversions outside the basin if certain strict criteria are met.

To be clear, if the applying community meets the standards for an exemption, we are not opposed to communities within straddling counties of the basin receiving one. We acknowledge that Waukesha is within its rights to apply for an exemption for the ban on diversions as a community within a straddling county and that it has a radium issue in its drinking water it needs to address.

We have concerns about the Waukesha diversion as it is currently proposed. Our hope is that you will take these concerns into consideration and make adjustments to improve the application before it is sent out for consideration by the Governors and Premiers.

Specifically we have the following concerns we would like the DNR to address regarding the Waukesha proposal and the standards set forth in the Compact.

No reasonable alternative. The Compact calls for an applicant to have no reasonable alternative for drinking water to receive an exemption from the ban on diversions. Why is it not reasonable for Waukesha to address its radium water problems through other treatment methods as dozens of other communities have?



Expanded service area. The Compact allows for communities within straddling counties to apply for an exemption. The Waukesha application currently calls for water not only for its community but for surrounding communities as well. The current service area is approximately 20 square miles and uses 6.5 million gallons a day. The expanded service area Waukesha seeks serves Waukesha and surrounding communities of approximately 37 square miles and an average 10.1 million gallons a day with a peak of 16.7 million gallons a day. It may be allowable under Wisconsin State Law to have expanded service areas, but we share the concern raised by many that this approach could violate that standards of the Compact and its definition of what types of communities are eligible to apply. The expanded service area gives the appearance to some that the Waukesha application is primarily designed to address the water utility's desire for growth and less about addressing a drinking water problem. How do you view the expanded service area complying with the Compact standards?

Degradation of the Root River. The Waukesha application calls for its treated sewage or return flow to be returned to the Great Lakes through one of its tributaries, the Root River. Concerns have been raised that the data needed to determine if degradation will occur have not been collected and would not be available for years. The proposal calls for 80%-90% of the Root River's flow to be made up of treated sewage or return flow in dry months. The Compact calls for receiving waters to not be degraded from return flow. The Root River is classified as an impaired river. Can the DNR give better assurances that the Root River will not be degraded? If the proposal called for building a pipeline to receive Great Lakes water, then why did the proposal not call for a pipeline to return the water instead of potentially further jeopardizing an already impaired river?

Conservation of water. The Compact calls for communities that apply for the exemption from the ban on diversions to show conservation methods in order to reduce the amount of Great Lakes water needed or eliminate the need altogether. Why are there no conservation standards set in place for the areas in the expanded service areas outside the City of Waukesha? Why are the conservation measures called for not stronger?

It is our sincere hope that the DNR will substantially address the issues we raise here before forwarding it to the region for review. These are not standards that are optional, but rather required under the Compact. It would be unfortunate if the first application for an exemption from the ban on diversions raised so many questions that seem to raise doubts about compliance with the Compact.

Sincerely, *Jaurie Halverson 51B*

Sean Wagenino 63B

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Jakubtz 7A

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David By 20B

Yvonne Seeger 48A

Paul Rothel 49B

Jerry Newton 31A

Carolyn Laine 41B

Jim Davnie 63A

Jim Ott 52B

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Diane Loeffler 60A

Jim M... 67A

Ann Lenczewski 50B

Leon H. Lillie 43B