

Wisconsin Legislature: Effort to ease water supply planning requirements signed into law

Posted on Friday, Feb 4, 2022

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MADISON– Senator Robert Cowles (R-Green Bay) and Representative John Spiros (R-Marshfield) released the following statement after a bill they authored, 2021 Senate Bill 488, was signed into law today as 2021 Wisconsin Act 126:

“With the 2025 deadline for approval on water supply service area plans looming, some utility managers were beginning to get concerned with the burdensome requirements of the plans and the potential for the conflicting regulatory scheme between the PSC and DNR leaving projects in limbo,” said Senator Cowles. *“Act 126 will relax the red tape on local water utilities by limiting plan approvals, retaining consistency with existing regulatory oversight, and providing additional flexibilities in these plans. I want to thank MEG-Water and the other supporters of this effort for working with me and my co-author, Representative Spiros, on making these common-sense changes that will ease the workload on nearly 100 Wisconsin communities.”*

“I was happy to work with Senator Cowles on this legislation that will have a real impact on our district and many other communities around the state,” said Representative Spiros. *“It’s great that we were able to get the bi-partisan support needed to get this practical legislation signed into law.”*

Prior to Act 126, water utilities serving a population of 10,000 or more residents were required to prepare a water supply service area plan and have that plan approved by the Department of Natural Resources (DNR) no later than December 31st, 2025. Following approval of the plan, if a public water utility then seeks to perform construction activities that the DNR deems are not in conformance with the

applicable water supply service area plan, the DNR is required to disapprove of the water utility's construction plan.

[2021 Wisconsin Act 126](#) changes many of the requirements of water supply service area plans, including limiting the requirement to receive approval of these plans to only water utilities that are seeking a new or increased diversion or withdrawal of water from the Great Lakes basin. Other changes in Act 126 include eliminating requirements to work with regional water quality planning agencies or within the bounds of applicable area water quality management plans, providing simply for review instead of approval of these plans by impacted local units of government, and ensuring that a plan does not create an obligation to extend service.