



Water Conservation and Efficiency Program Review Illinois' Eleventh Report to the Compact Council and Regional Body

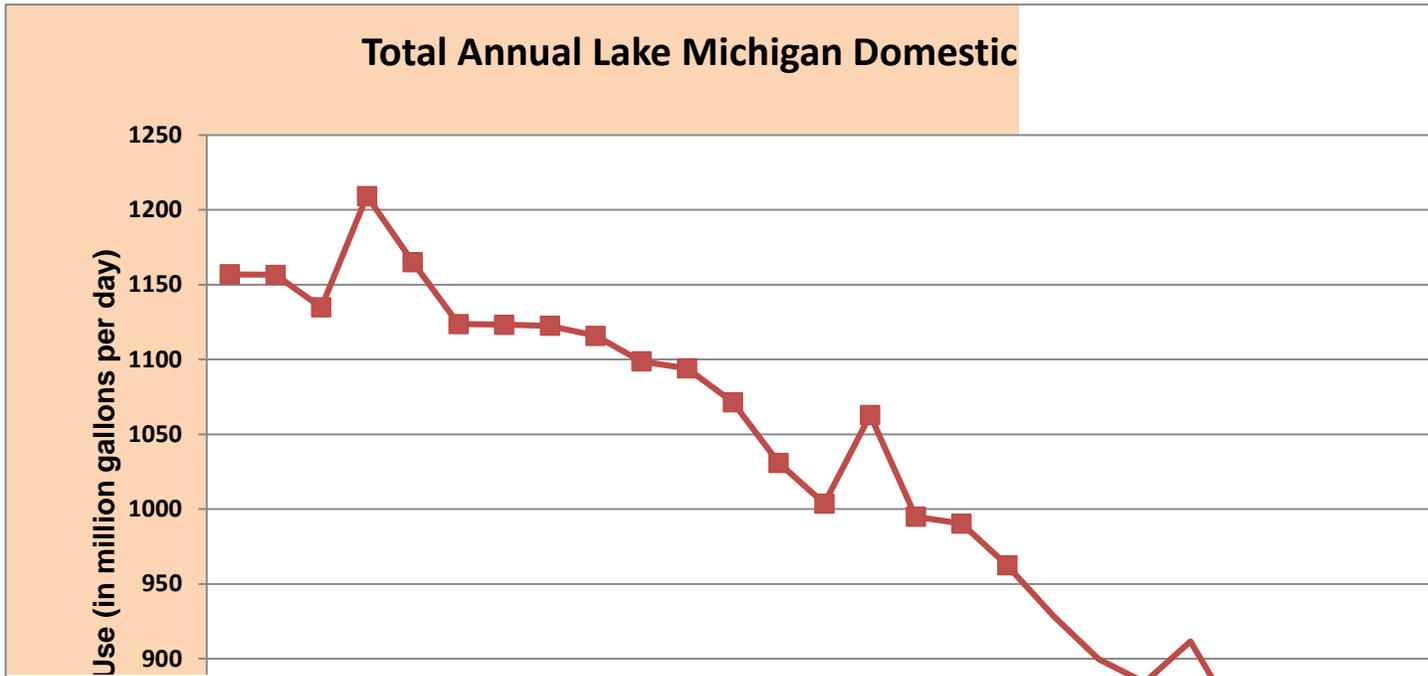
November 2, 2020

Lead agency and contact person

John Rogner Assistant Director Illinois Department of Natural Resources One Natural Resources Way Springfield, IL 62702

Illinois' water conservation and efficiency program

A. Status of Illinois' Domestic Water Use from Lake Michigan



In Water Year 2019 total domestic Lake Michigan water use was 789 million gallons per day (mgd), a decrease of approximately 26 mgd from Water Year 2018's pumpage. Overall, this table shows the long-term decline in total domestic use of Lake Michigan water. The drought years of 1994, 2005 and 2012 are clearly visible, but the overall downward trend in water use that has occurred over the last 20 years is significant, approximately a 330 mgd reduction since

the early 1990's. In Water Year 2019 the annual precipitation was 47.16 inches, 2.72 inches greater than 2018's 44.44 inches.

Water use summaries for the 2010 through 2017 Water Years are on our website: <http://www.dnr.illinois.gov/WaterResources/Pages/LakeMichiganWaterAllocation.aspx>. This information was obtained from the Annual Water Use Audit Reports (LMO-2). The Department's monthly pumpage reports (LMO-3), submitted by direct diverters are used for reporting to the Great Lakes Regional Water Use Database.

## **B. Program Legal Basis**

The U.S. Supreme Court Decree [Wisconsin v. Illinois, 449 U.S. 48 (1980)] that limits Illinois' diversion of Lake Michigan water also contains language directing Illinois to implement a water conservation program. The Level of Lake Michigan Act [615 ILCS 50] incorporates the Decree language which states that:

“...all feasible means reasonably available to the State and its municipalities, political subdivisions, agencies and instrumentalities shall be employed to conserve and manage the water resources of the region and the use of water therein in accordance with the best modern scientific knowledge and engineering practice.” [615 ILCS 50/5]

This is the operative judicial and statutory language that directs the Illinois Department of Natural Resources (Department) to develop and implement a water management and conservation program covering all permittees of Lake Michigan water.

## **C. Program Objectives**

In 2010, the Department developed and posted on our website Illinois' Lake Michigan Water Conservation Goals and Objectives, as required by the Compact and the Regional Agreement. <http://www.dnr.illinois.gov/WaterResources/Pages/LakeMichiganWaterAllocation.aspx>

The Department's water conservation and efficiency program objectives are:

- Enforce the adoption of standards that require the efficient use and conservation of Lake Michigan water by the end user (homeowner, business/industry).
- Establish standards for good water system management and leakage control by the owner/operator of a water supply system.
- Ensure that Lake Michigan water diverted directly into the Chicago Waterway system for various purposes is kept to a minimum.
- Collect water use data annually; monitor changes in water use patterns. Encourage public water supply systems to evaluate the effectiveness of their conservation efforts.
- Prepare and maintain long-term water demand forecasts.
- Promote the adoption of water rate structures that encourage conservation and water efficiency.
- Encourage water suppliers to invest in water infrastructure and the use of innovative technology to improve water systems management.
- Encourage research, development and implementation of water efficient technologies. Develop linkages with organizations such as USEPA's WaterSense Program, the

Alliance for Water Efficiency and others, to keep abreast of the latest conservation technologies.

- Inform, educate and increase awareness regarding water use, conservation and efficiency via newsletters and other such means of communication.
- Work with our Lake Michigan water allocation permittees and our Great Lakes basin partners to enhance information sharing.

#### **D. Program Activity – Implementing Revised Administrative Rules**

The Department revised its Rules and Regulations for the Allocation of Water from Lake Michigan (IL Admin. Code, Title 17, Part 3730) in November 2014. Water Year 2019 (October 2018 – September 2019) was the fifth year implementing these revisions. Here is a summary of actions taken in the past year.

- Beginning in water year 2015, Lake Michigan water allocation permittees were required to use the American Water Works Association’s Free Water Audit Software (AWWA FWAS) to assist with the completion of the annual LMO-2 data submittal to the Department. The AWWA FWAS is based upon the methodology described in the American Water Works Association’s (AWWA) M36 manual “Water Audits and Loss Control Programs” (2016).
- Water Year 2019 was the fifth year the Department implemented its Non-Revenue Water standard. Water Year 2019 is the year the Department’s standard limits for non-revenue water decreased to 10% from 12% of net annual pumpage. Water systems not in compliance with the non-revenue standard have been required to prepare and submit a water system improvement plan. Communities that have submitted a water system improvement plan are required to submit progress reports each year with the LMO-2 form.
- The transition to using the M36 methodology and AWWA FWAS has been challenging and permittees continue to struggle to complete their LMO-2 submittals. The specific issues range from simple math errors to a lack of familiarity with the fundamentals of the M36 methodology. Community comments submitted as part of outreach efforts related to the Illinois State Water Plan update continue to reflect frustrations with the reporting process. According the state of Illinois has begun to evaluate the need for changes to the data collection process.

#### **E. Program Activity – Develop Linkages with other Conservation Organizations**

During this past year, the Department’s has continued partnerships with other groups/organizations to further our water conservation program efforts. These include:

- Maintaining our membership in USEPA’s ‘WaterSense Partner’ program and updating our rules to require the use of ‘Water Sense’ labeled plumbing fixtures as our standard for water efficient plumbing fixtures.
- Member of the American Water Works Association (AWWA) M36 Working Group.
- On the Illinois Section of the AWWA’s Water Efficiency Committee.
- On the GSGP Conservation and Efficiency Team.
- On the Great Lakes Commission’s Green Infrastructure Champions.
- On the Great Lakes Commission’s Blue Accounting Group.
- Working with regional organizations such as the Chicago Metropolitan Agency for Planning, the Northwest Water Planning Alliance, the Northeastern Illinois Regional

Water Supply Planning Group, and the Center for Neighborhood Technology, and the Metropolitan Planning Council to further our outreach to communities in the areas of water supply planning, drought management, water loss control and sustainable water resource management.

- Forwarding notifications of upcoming water conservation classes presented by the Illinois Chapter of the American Water Works Association to our Lake Michigan Water Allocation Permittees.

#### **F. Program Activity – Water Use and Water Loss Monitoring**

Water loss information was again collected in 2019; this is the fifth year using the revised LMO-2 form which utilizes the AWWA Water Loss Audit methodology. The average percent non-revenue water for submitted LMO-2 forms in Water Year 2019 is 13%. Permittees not meeting this standard are required to submit Water System Improvement Plans that they feel will reduce their non-revenue water to below the Department’s regulatory standard.

#### **G. Program Activity – Control of Direct Diversion into Chicago Waterway System**

The total amount of Lake Michigan water diverted into the Chicago Waterway System for discretionary diversion and navigation makeup flow was 217.61 cubic feet per second (cfs) in Water Year 2019. At the end of the 2019 Water Year, the five-year running average of these two components of direct diversion stands at 193.80 cfs or 61.27 cfs below the combined allocation (255 cfs) for these two components of direct diversion. The Metropolitan Water Reclamation District of Greater Chicago holds the Lake Michigan water allocation for both discretionary diversion and navigation makeup. This total allocation was reduced from 305 cfs to 255 cfs in Water Year 2017.

The other primary use of Lake Michigan water diverted directly into the Chicago Waterway System is to operate the navigation locks at the mouth of the Chicago River and on the Calumet River. Both lock facilities are operated and maintained by the U.S. Army Corps of Engineers. Illinois does not have any control over the amount of water diverted for lockage or for leakage through these structures, although this water is included in the accounting for Illinois’ diversion under the U.S. Supreme Court Decree. Lake Michigan water levels have a significant impact on the amount of water diverted for the operation of the navigation locks.

#### **H. Project Activity – Status of Water Demand Forecasts and Water Use**

In 2008, the Department completed a comprehensive water reallocation for all our water supply permittees. As part of this reallocation, water demand forecasts for each year out to 2030 were developed and ultimately included in the Department’s updated Lake Michigan water reallocations. A primary reason for this long timeframe is to ensure that the Department’s water allocation program is sustainable over the foreseeable future and will continue to keep Illinois’ total diversion below the authorized U.S. Supreme Court Decree limit of 3200 cfs. The Department has begun another comprehensive water reallocation in early 2020 which will extend allocations out to the year 2050.

## **I. Project Activity – Status of New Petitions**

The Department has received a petition for a new Lake Michigan water allocation from the City of Joliet in 2020. Joliet continues to rely on a deep aquifer well water supply that groundwater modeling efforts indicate will not be able to meet the City's daily demands by 2030. The Illinois DNR Office of Water Resources has initiated review of the application in accordance with Illinois' specific provisions in Section 4.14 of the Great Lakes Compact, Paragraphs 10, 11, 12, and 13 of Article 207 in the Great Lakes—St. Lawrence River Basin Sustainable Water Resources Agreement, the 1967 Supreme Court Decree, amended in 1980, and Illinois Part 3730 Administrative Rules.

## **J. Project Activity - Water Infrastructure**

During Water Year 2019, the City of Chicago continued to pursue several initiatives to upgrade their water, wastewater and stormwater infrastructure. In 2019 the City of Chicago reported the installation of approximately 2,751 new water meters for a total of 326,624. This is a great accomplishment and shows Chicago's commitment to conserving Lake Michigan water. Since 2009 Chicago has terminated 12,537 unused water services and replaced 707 miles of old water main (57 miles in 2019).

Several other Lake Michigan communities have also developed or are working on conservation/sustainability initiatives. The northeastern Illinois region has several organizations who work with local government to help them become more sustainable. These initiatives are also moving outside the Lake Michigan water service region.

## **Conclusion**

Illinois has had a Lake Michigan water conservation and efficiency program for over 35 years. Our program is consistent with and fully supports the Great Lakes-St. Lawrence River Basin Water Conservation and Efficiency Objectives. The unique nature of Illinois' Lake Michigan water use and diversion as allowed under a U.S. Supreme Court Decree has resulted in a water conservation and efficiency program that is implemented primarily as a regulatory program, with additional measures, such as conservation pricing, conservation education and information sharing, implemented through a non-regulatory effort.