

**Wisconsin Department of Natural Resources
Natural Resources Board Agenda Item**

SUBJECT: Update on the City of Waukesha's application for a diversion of Great Lakes water

FOR: February 2016 Board meeting

TO BE PRESENTED BY: Eric Ebersberger, Deputy Division Administrator, Environmental Management Division

SUMMARY:

The department completed its review of the City of Waukesha's diversion application and forwarded the application to the other Great Lakes States and Provinces. The brief presentation will provide an update of the regional review process.

RECOMMENDATION: Information only

LIST OF ATTACHED MATERIALS (check all that are applicable):

- Background memo
 Review timeline
 One-page overview

Approved by	Signature	Date
Jill Jonas, Drinking Water & Groundwater Bureau Director	<i>by Eric K. Ebersberger</i>	<i>2/23/2016</i>
Pat Stevens, Environmental Management Division Administrator	<i>by Pat S</i>	<i>2/23/2016</i>
Cathy Stepp, Secretary	<i>[Signature]</i>	<i>2/23/2016</i>

cc: Board Liaison – AD/8



Wisconsin Department of Natural Resources

Waukesha, Wisconsin Diversion Application

December 2015

The city of Waukesha, located in southeast Wisconsin 17 miles west of Lake Michigan, seeks an exception from the prohibition of diversions under the Great Lakes–St. Lawrence River Basin Water Resources Compact and Great Lakes–St. Lawrence River Basin Sustainable Water Resources Agreement. The Compact and Agreement prohibit diversions of Great Lakes water, with limited exceptions. One exception allows a “community within a straddling county,” such as Waukesha, to apply for a diversion of Great Lakes water.

The Wisconsin Department of Natural Resources (DNR) intends to forward the application for regional review by the Great Lakes—St. Lawrence River Water Resources Regional Body and the Great Lakes—St. Lawrence River Basin Water Resources Compact Council. The DNR has extensively reviewed the city’s diversion application, first submitted to the department in May 2010 and updated and revised in October 2013. In summer 2015, the DNR held public hearings and received extensive comments that were carefully considered during the DNR’s final review.



compounded a problem of high radium concentration (a naturally occurring carcinogen) in the groundwater. The city’s current public water supply is supplemented by water from the shallow aquifer. In 2014, the city served a population of 70,850 people and used 6.6 million gallons of water per day. The city is under a 2009 Wisconsin court judgment to develop a permanent solution to the radium contamination problem by 2018.



In its application, the city proposes to divert an annual average of 10.1 million gallons per day and a maximum of 16.7 million gallons upon final water supply service area build-out for a population of 97,400 (approximately the year 2050). Under the proposed diversion, the city would receive treated water from the city of Oak Creek Water Utility, which is located in the Great Lakes basin and withdraws surface water from Lake Michigan. The water would be transported to Waukesha via a pipeline and distributed to customers. The city proposes that water will be treated at the city’s wastewater treatment plant before it is piped and discharged to the Root River located in the Lake Michigan basin. Water supply and wastewater return flow pipelines would be approximately 20 miles long and share much of the same route.

The city asserts that it needs a new source of water to address water quantity and quality concerns. The city has long relied on a deep aquifer groundwater supply, but depressed water levels in the deep aquifer have

The Wisconsin Department of Natural Resources maintains a website on the diversion application at <http://dnr.wi.gov/topic/WaterUse/WaukeshaDiversionApp.html>.

City of Waukesha Diversion Application – Review Timeline

Date	Step Description
12/8/2015	Wisconsin sends Notice of Intent to forward application to Regional Body and Compact Council Members.
	Regional Body and Compact Council to provide notice to public and Tribes and First Nations of January 7, 2016 public meeting to approve budget for Waukesha Diversion review process and to provide a briefing on the Waukesha proposal.
1/7/2016	Regional Body and Compact Council to hold public meeting by conference call to approve budget for Waukesha Diversion review process and to provide a briefing on the Waukesha proposal.
TBD (submission planned between 1/7/2016 – 2/5/2016)	Wisconsin submits to the Regional Body and Compact Council City of Waukesha Application for Diversion and Wisconsin review documents
2/17-18/2016	Regional Body and Compact Council: <ul style="list-style-type: none"> - Tour Waukesha area - Hold briefing and informational sessions for Regional Body and Compact Council members on Application (open to public) - Face-to-Face briefing with Tribes-First Nations. - Public information meeting (Q&A). - Public hearing
TBD	Regional Body meeting for final decision on Declaration of Findings. Forwards Declaration of Findings to Compact Council.
TBD	Compact Council meeting for final decision on Application. Forwards decision to Wisconsin for final action on Diversion application.