State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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September 26, 2023

JASON PETERS (email)
VILLAGE OF SOMERS
P.O. BOX 197
SOMERS WI 53171

Dear Mr. Peters,

Thanks for submitting the *Village of Somers, Somers Water Utility 2022 Annual Water Diversion Report* (report) to the Department of Natural Resources (DNR) on March 1, 2023. The DNR's diversion approval issued to Village of Somers (Somers) on February 23, 2022, requires Somers to submit annual reporting information to the department by March 1st of the following year. The DNR's review is summarized after each of the following requirements (in italics) below.

1. *The total amount of water diverted monthly within the approved diversion area.*
   Somers is allowed to divert 1,200,000 million gallons per day. The DNR defines a diversion as "a transfer of water from the Great Lakes basin into a watershed outside the Great Lakes basin, by any means of transfer…". In the report, Table 1, page 3, column one, the DNR considers these the diversion volumes. According to this table, Somers transferred a total of **6,730,000 gallons**, or an average of **18,438 gallons per day**, to the Mississippi River basin within the approved diversion area. In the future, sewer flow should not be subtracted from water transferred to determine the volume of water diverted.

2. *The total amount of water sold quarterly or monthly to each category of customer within the approved diversion area.*
   Somers used meters to determine customer amounts of water used for different entities. According to Table 2, and DNR's calculations, the Total usage from customers = 1,201,122 million gallons. Note: The numbers for Table 2 in the March 1 report were incorrect, but updated numbers were confirmed in an email by Doug Snyder, Baxter & Woodman, to Nicole Clayton, DNR, on June 6, 2023.

3. *The total consumptive use as specified by the DNR.*
   The DNR's definition (s. 281.346 (1)(e), Stats.) of consumptive use is: a use of water that results in the loss of or failure to return some or all of the water to the basin from which the water is withdrawn due to evaporation, incorporation into products, or other processes.

   Other processes also include the flushing of mains, lawn water and irrigation since water is evaporated and/or returned to the Mississippi River Basin through runoff or infiltration to groundwater.

   Somers' report claims consumptive use is "negligible" however, according to Table 1, Water Transferred – Water Returned (from the sanitary lift station) = **1,608,400 gallons**, which means consumptive use of water diverted was **24%.** Our understanding the majority of this water was consumed for flushing and disinfecting of new mains. For future reporting, please contact us if you have questions regarding consumptive use calculations.

4. *The total monthly sewerage flow to the City of Kenosha Wastewater Plant from the diversion area.* Somers's reports **5,121,600 gallons returned** from the diversion area to the Kenosha wastewater treatment plant for treatment before discharge to the Great Lakes.

5. *A summary of the impact of the implemented Conservation and Efficiency Measures (CEMs) required under Wis. Admin. Code §§ NR 852.04 and NR 852.05, including quantifiable impacts to water use intensity, as defined in Wis. Admin. Code § NR 852.03(29).*

   The Report summarizes the Village's implementation of CEMs on page 4 and 5. In future reports provide the following quantifiable impacts to water use intensity for your CEMs: the per capita residential water use, the maximum day water demand to the average day water demand ratio and the residential equivalent units calculation. Attached is a spreadsheet to assist with these calculations (attachment 1). On an annual basis, you should be reporting on the previous year's conservation measures. For example, by March 1, 2024, you should report out on 2023 conservation and efficiency measures that were implemented and any changes to the schedule to implement measures in the upcoming year.

6. *A description of any additional CEMs implemented.*

   Somers approved 2021 Water Conservation and Efficiency plan identified that an update to the plan would be provided to DNR in 2023 indicating the schedule to implement all cost-effective or environmentally sound and economically feasible CEMs. The DNR received your Non-Revenue Water Control Plan which summarized 2021 efforts related to non-revenue water; however the Non-Revenue Water Control Plan does not provide a schedule for implementing the additional CEM's identified in your 2021 Water Conservation and Efficiency plan (e.g. WaterSense Showerhead Rebates, High-Efficiency Toilet Rebates, Voluntary Lawn Sprinkling Restrictions, CII valve-Type Ultra-low Flush Toilet Rebates). We ask you provide the schedule for implementing the cost effect conservation measures and the progress on implementing additional CEMs (please refer to page 17 of your approved 2021 conservation plan). Provide this to the DNR by December 31, 2023.

In closing, DNR concludes that Somers's report meets the reporting requirements, with the exception of the schedule to implement cost-effective CEMs. As noted above, please provide this schedule update by December 31, 2023.

Somers 2023 Annual Report is to be submitted to the DNR by March 1, 2024, and I have attached a template that you may use for future reports (attachment 2). We are happy to meet with you in the next few months to discuss your conservation plan updates and report requirements.

Please contact Nicki Clayton, nicole.clayton@wisconsin.gov or 608-206-2510 with any additional questions regarding your annual report requirements.

Sincerely,

Adam Freihoefer

Adam Freihoefer
Section Manager, Water Use Section
Bureau of Drinking Water and Groundwater

cc: Douglas, Snyder, Baxter and Woodman Wisconsin Manager (email only)
Nicole Clayton, DNR Water Supply Specialist (email only)