



**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

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February 2, 2010

THE HONORABLE JACK F. CHIOVATERO  
MAYOR'S OFFICE  
3805 SOUTH CASPER DRIVE  
NEW BERLIN, WI 53151-0921

RE: City of New Berlin Compliance with Water Supply Service Area Plan and Diversion Approval

Dear Mayor Chiovatero:

Thank you for your letter dated 12 January 2010 with attachments submitted pursuant to Section V of the *Water Supply Service Area Plan and Diversion Approval* for the City of New Berlin.

Section V of the *Water Supply Service Area Plan and Diversion Approval* requires that:

Within 90 days from the date of this approval, the City shall calculate the average residential water use per capita on a gallons-per-day basis for the 2007 calendar year. Water users to be included in this calculation include those classified as residential and those classified as commercial – multi-dwelling residential. This average residential water use shall establish the baseline for future water conservation goals.

In addition, within 90 days from the date this approval is signed, the City shall submit additional details of its Water Conservation Program that includes: identifying specific steps the City will undertake to achieve the 10% goal; providing for monitoring water consumption to assess progress in meeting the goals; and providing for reporting progress to the DNR and the PSC.

Although your response was submitted beyond 90 days from the date the approval was signed, the substance of your response complies with the remainder of the above-quoted portions of Section V. That is, you have adequately calculated the average water use per capita on a gallons-per-day basis for the 2007 calendar year at 68.03 gallons; and you have included those customers classified as residential and those classified as commercial – multi-dwelling residential. The figure of 68.03 gallons-per-day will thus serve as the baseline for the City's goal of a 10% reduction in per capita residential water use by 2020.

In addition, your response identifies steps the City will take to achieve the 10% goal, including, but not limited to:

- Promoting the discontinuance of the use of water softeners for water utility customers receiving Lake Michigan water;
- Flagging significant changes in individual water meter readings with follow-up to determine a cause and take or suggest remedial action;
- Committing to further limiting lawn sprinkling during a significant portion of mid-day hours when evaporation rates are high; and
- A toilet and showerhead replacement rebate program.

For purposes of progress reporting by March 1, 2010, I would be interested in follow-up on the following:

- Copies of the educational materials, including billing inserts, related to encouraging customers to discontinue the use of water softeners;
- An update on compliance with the “ordinance limiting lawn sprinkling year-round to no more than every other day based on odd and even addresses” and an update on the consideration of an ordinance to add possible fines for violations of the lawn sprinkling ordinance; and
- The budget for the fixture replacement program, as well as the City’s goal for the number of fixtures to be replaced and the water savings projected for the program.

Finally, as you know the Department will be promulgating administrative rules in calendar year 2010 related to a statewide water conservation and efficiency program. The program developed may include additional mandatory water conservation and efficiency measures for the City of New Berlin. We are in the very beginning stages of drafting that rule, and I will keep you apprised of the progress on the rule.

Thank you again for your submittal.

Sincerely,

A handwritten signature in cursive script that reads "Eric K. Ebersberger".

Eric K. Ebersberger  
Chief, Water Use Section

Cc: Jill Jonas, DG/5  
Todd Ambs, AD/8  
Jeff Ripp, PSC