



June 10, 2019

The Honorable David Ament
Mayor's Office
3805 South Casper Drive
New Berlin WI 53151-0921

Subject: Approval of Water Supply Service Area Plan Revision

Dear Mayor Ament:

The Wisconsin Department of Natural Resources (department) reviewed the City of New Berlin's (City) request for a revision to the City's Water Supply Service Area (WSSA) Plan. The original WSSA Plan was approved on May 21, 2009, and previously revised on November 27, 2012. Approval by the department is required under §281.348, Wis. Stats., for WSSA plans, revisions and amendments. The department approves the revision to the WSSA (see attached Approval of Water Supply Service Plan). The area added to the WSSA Plan is located entirely within the Lake Michigan basin and does not affect New Berlin's diversion approval.

The department confirms the following for the approved revision to the WSSA Plan:

- 1) The terms and conditions of the May 21, 2009 Water Supply Service Area Plan and Diversion Approval and the November 27, 2012 Approval of Water Supply Service Area Revision and Diversion Area Expansion remain in full force and effect except as specifically modified by the attached *Approval of Water Supply Service Area*.
- 2) The revisions to the WSSA do not increase the total approved diversion amount. The maximum diversion amount remains at 2.142 million gallons per day (MGD) averaged over a calendar year as provided in the May 21, 2009 WSSA Plan & Diversion Approval.
- 3) The request for revision to the WSSA Plan included the following information concerning the Small Road expansion area, consistent with s. 281.348 (3) (c), Wis. Stat., for the period covered by the WSSA Plan:
 - An amended map clearly delineating the proposed expansion of the WSSA prepared by the Southeastern Wisconsin Regional Plan Commission (SEWRPC);
 - Forecasted water use demand for the Small Road expansion;
 - A description of the existing population and population density and forecast of the expected population for the Small Road expansion;
 - A description of the environmental and cultural conditions within the applicable comprehensive plan;
 - Demonstration that the proposed revision is consistent with the applicable comprehensive plans and applicable approved water quality management plans and amendments;
 - A copy of a map which showed that the Small Road expansion area is within the City of Milwaukee's "Approved Lake Water Service Area."; and

- A letter indicating that the Milwaukee Metropolitan Sewerage District (MMSD) is willing to accept the return flow from the proposed WSSA expansion.
- 4) The City held a public hearing on January 7, 2019 to give interested persons an opportunity to comment on the City's WSSA plan amendment for the Small Road expansion. In addition, the Plan Commission and the Utility Committee of the City of New Berlin reviewed and recommended initiation of the boundary amendment process of the Small Road WSSA amendment at their December 3, 2018 and December 4, 2018 meetings, respectively.
 - 5) Based on the City's submittal of the 2018 annual report, the department finds that the City remains in compliance with all "Tier 3" water conservation and efficiency requirements contained in ch. NR 852, pertaining to persons with a new or increased diversion.

Sincerely,

A handwritten signature in blue ink that reads "Darsi J. Foss". The signature is fluid and cursive, with a long horizontal stroke at the end.

Darsi J. Foss, Administrator
Division of Environmental Management Administrator

Enc.: Approval for City of New Berlin Water Supply Service Area Revision

Cc: Greg Kessler (by email only)
Steve Elmore (by email only)
Adam Freihoefer (by email only)