



November 9, 2023

The Honorable Shawn Reilly
 201 Delafield Street
 Waukesha WI 53188

Subject: 2023 Documentation of Reporting Requirements for City of Waukesha Diversion Approval

Dear Mayor Reilly:

On April 14, 2023, the Department of Natural Resources (DNR) received the City of Waukesha’s (City) annual report (Report) related to the City’s approval for a diversion of Great Lakes water.

The DNR’s June 2021 diversion approval requires the City to submit annual reporting information to the DNR by March 1st of the following year. The following is a summary table of the information provided in the diversion report (or calculated by the DNR) for reporting year 2022.

Water Withdrawal	1,881,926,000 gallons
Water Sold	1,684,066,715 gallons
Population served	71,256 people
Lake Michigan Diversion	0 gallons
Total Wastewater	3,131,911,000 gallons
Wastewater Discharge to Fox River	3,131,911,000 gallons
Wastewater Discharge to Root River	0 gallons
Total per capita water use per day	65 gallons per person per day
Residential per capita water use per day	45 gallons per person per day
Ratio of maximum day water demand to average day water demand	1.53
Average day water use per residential equivalent unit	165 gallons per residential equivalent unit
Total Consumptive Use	18%

Below, the DNR highlights the reporting requirements in italics, followed with a summary of our review of the City’s annual report.

1. *The City shall summarize that the diversion was implemented consistent with the requirements of the Council Decision. The total amount of water purchased daily, monthly, and annually from the City of Milwaukee, including the location(s) of the water meter used to determine the amount of water purchased.*
 The City has not started to divert Great Lakes water as of December 31, 2022. It is planned to begin in September 2023.
2. *The total amount of water sold monthly to each category of customer within the approved diversion area. The City sold a total of 1,684,066,715 gallons of water in 2022 (4.68 million gallons per day). All water sold by the City was withdrawn from the City’s groundwater wells (see table “water sold” on page two of the Report).*

3. *The daily, monthly, and annual volume of treated wastewater discharge returned to the Root River and the daily, monthly, and annual volume of treated wastewater discharge returned to the Fox River.* The City will not discharge treated wastewater to the Root River until the diversion begins. The City sent 3,131,911,000 gallons of water to the wastewater treatment plant that was then discharged to the Fox River (see table “2022 Discharge”, page two of the Report).
4. *The total consumptive use as defined in Wis. Stat. §281.346(1)(e).*
In 2022, Waukesha Water Utility’s consumptive use was 337,247,525 gallons or 18%, using the Winter Base-Rate Method, plus system water loss and reported consumptive use from industry.

Lake Michigan Consumptive use

Lake Michigan consumptive use for 2022 was zero gallons.

5. *Water use intensity metrics.*
For quantifiable impacts of conservation and efficiency measures, the Report includes residential per capita water use. The department calculated total per capita water use, the ratio of maximum day to average day water use, and the average day water use per residential equivalent unit using information in the Report and the City’s report to the Public Service Commission of Wisconsin.
6. *A summary of the impacts of the implementation of conservation and efficiency measures.* The City provided a summary of the impact of water conservation and efficiency measures on page four of the Report.
7. *A description of any additional conservation and efficiency measures implemented.* See table on page four of above. The City’s Report include its updated water conservation and efficiency plan. The plan documents that the City has exceeded its 2030 and 2050 water savings goals and includes updated program goals.
8. *A statement verifying that no customers outside of the diversion area were sold Lake Michigan water.*
The City did not divert water in 2022, therefore this requirement is not applicable.
9. *A spatially explicit description of the properties served by the City’s water utility, in the manner prescribed by the DNR.* The City provided a map of the properties served by the City’s water utility, in 2021.
10. *A report of any City wells filled and sealed or changed to emergency use status in the past year. A description of deep aquifer groundwater wells maintained for emergency use, as allowed under Wis. Admin. Code § NR 810.22, and use of these wells in the previous year.*
The City did not divert water in 2022, therefore this requirement is not applicable.
11. *A summary of the implementation of the pharmaceutical and personal care products recycling and reduction program in the past year.*
The City provided a summary of implementation of the plan submitted to the department May 2021 on page 6 of the report.
12. *For at least 10 years after the date the diversion begins, the City shall annually report the results of Root River monitoring to DNR. The report shall include a summary of the monitoring results and a summary of any impacts to the Root River from the City’s wastewater discharge.*
The City did not divert water in 2022, therefore this requirement is not applicable.
13. *A statement of compliance with all applicable federal and state permits and approvals.*
The City provided a statement that it has complied with all applicable federal and state approvals.

The DNR requests you provide the GIS layer for all the properties served by the City's water utility in 2022.

For future reports, we ask you to provide the following:

1. For item 5, in addition to providing the residential per capita per day water use, also provide the maximum day to average day ratio and average day water use per residential equivalent units. A spreadsheet is attached to assist with these calculations.
2. For all tables, please number the tables for ease of reference in the DNR review letter.

Thank you for submitting the required diversion reporting in compliance with your diversion approval. In addition to the reporting requirements above, the City has also submitted documentation demonstrating compliance with Tier 3 water conservation as required by section 6 of the Approval and ch. NR 852, Wis. Admin. Code. The information provided in the Report appears to meet the annual reporting requirements. The City's 2022 Annual Report is to be submitted to the DNR by March 1, 2024.

Please contact Shaili Pfeiffer, Shaili.pfeiffer@wisconsin.gov, (608) 219-2216, with any questions regarding your annual reporting.

Sincerely,



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

cc.

- Dan Duchniak, General Manager, Waukesha Water Utility, (email only)
- Laura Fay, PSC (email only)
- Shaili Pfeiffer, Natural Resources Specialist, DNR (email only)
- Steve Elmore, Drinking Water and Groundwater Bureau Director, DNR (email only)
- Jim Zellmer, Deputy Division Administrator, DNR (email only)