

# New Berlin water plan doubted

## Environmentalists want details on drawing from lake

*By Lisa Sink of the Journal Sentinel*

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**New Berlin** - Environmental groups are raising concerns about New Berlin's application to divert Lake Michigan water outside the Great Lakes basin, with some urging the state to hold off on approving any diversions until detailed rules are written.

Advocates representing more than a dozen environmental and conservation groups, including the Alliance for the Great Lakes and state and national wildlife federations, sent comments to the state Department of Natural Resources on Friday, the end of a 30-day public comment period on New Berlin's diversion request.

Groups said New Berlin did not detail adequate water conservation plans and had confusing, conflicting maps showing the area to be served by the diverted water.

But a larger complaint focused on how the DNR will handle diversion requests. Advocates said the state has not established rules on what should be included in applications and what criteria are required for approval.

Jodi Habush Sinykin, representing Midwest Environmental Advocates, said that while New Berlin arguably had a strong case to divert water, its application was "haphazard and confusing."

If the state does not require a more thorough application by New Berlin, a poor precedent may be set for future applicants with more controversial requests, such as Waukesha, which lies entirely outside the Great Lakes basin, Habush Sinykin said.

Part of New Berlin is in the basin, and the city already purchases lake water for that area. Its request seeks to expand that supply to the middle third outside the basin.

New Berlin is the first community to apply since the eight-state Great Lakes compact was approved last fall.

Marc Smith, state policy director for the National Wildlife Federation, said, "You would think the first application being submitted post the compact would be the gold standard, because everyone is watching this."

Smith said the DNR should not approve any diversions until the state sets criteria, including minimal water conservation measures that New Berlin must meet.

Eric Ebersberger, DNR water use section chief, said the agency was committed to submitting draft rules on water conservation and efficiency and water supply service area planning by December.

Ebersberger said the state was not inclined to put a hold on applications.

"We're fully capable of dealing with these issues on a case by case basis," he said.

New Berlin Mayor Jack Chiovatero said the city was committed to meeting or exceeding DNR rules for diversion. He defended the city's water conservation efforts and said the city was developing potential rebates to utility customers who buy new toilets, shower heads or other water-saving appliances.

New Berlin aldermen also are considering creating new water rates similar to Waukesha to encourage reduced water use.

