

Midwest Environmental ADVOCATES

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New Berlin's Application for Lake Michigan Water Diversion Incomplete, Confusing

Environmental and Conservation Groups Urge Clarity, More information

New Berlin is the first community to seek a diversion of water under the Great Lakes Compact signed into federal law last year, but a coalition of environmental and conservation groups said in comments to the Wisconsin Department of Natural Resources that the precedent-setting application has deficiencies, including:

- Though prepared by a consultant, the application does not appear to have formal New Berlin city approval.
- It is not clear to which area of New Berlin the Lake Michigan water would be delivered.
- The application's reliance on recommendations not yet approved by the Southeastern Wisconsin Regional Water Supply Advisory Committee is premature.
- Coordination is lacking between the Milwaukee Metropolitan Sewerage District and New Berlin regarding long term treatment capacity issues.
- The application includes an inadequate water conservation program, requiring further development.

"In view of the City of New Berlin's unique circumstances and historical link to the Milwaukee Metropolitan Sewerage District (MMSD), we have long assumed that New Berlin could make a strong case for a diversion under Wisconsin's Compact law. Unfortunately, the haphazard and confusing way in which the New Berlin application was submitted to the state's Department of Natural Resources gave us cause for concern," explains Jodi Habush Sinykin, Of Counsel, Midwest Environmental Advocates.

"The application, in the condition it is, will make it far more difficult for state decision-makers to determine if the City's proposal complies with the law and makes it all but impossible for the public to evaluate the City's request in any meaningful way," Habush Sinykin adds.

"We think the ability to make a fair determination as to the merits of New Berlin's request for a diversion and whether the Great Lakes would be adequately protected would benefit enormously if the City provided some much needed clarity to its application," states Peter McAvoy from the Sixteenth Street Community Health Center.

“Above all, we want the Great Lakes Compact to be successful at the state and regional level,” adds attorney Habush Sinykin. “To best accomplish that goal, Wisconsin must develop rules that provide clear guidance to communities as they develop water conservation plans and diversion requests in keeping with the state’s Compact law.”

Towards, that end, the environmental and conservation organizations are also asking the DNR to proceed with Compact rulemaking before reviewing any additional applications for diversions of Great Lakes water on the part of Wisconsin.

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