



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

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July 13, 2007

Mayor Jack Chiovatero
City of New Berlin
3805 S Casper Drive
New Berlin WI 53151

Dear Mayor Chiovatero:

The Department of Natural Resources, on behalf of Governor Jim Doyle, is authorizing the City of New Berlin to immediately begin discussions with potential water suppliers to determine the feasibility of securing Lake Michigan water for use by those residents of New Berlin in the west side of the city who are currently served by the Milwaukee Metropolitan Sewer District (MMSD). The Department is also instructing New Berlin to bring any agreement reached with a jurisdiction to provide water to New Berlin back to the Wisconsin DNR so that we can ensure that any such agreement complies with all aspects of New Berlin's application for Great Lakes water. The review step will be required before any water could flow from Lake Michigan to the west side of New Berlin. We have also informed other jurisdictions in the Great Lakes Basin that we will be happy to share that water provider agreement with them at that time prior to completing our review.

This authorization enables your community to move forward with technical discussions to determine if a Lake Michigan water source can be secured to address radium contamination, as you know, a serious public health concern with your water supply. This authorization is limited to the service area within the City of New Berlin.

We strongly believe that these discussions must move forward now. If a Lake Michigan source can be secured your application clearly demonstrates that there will be NO adverse impact whatsoever on the water quantity in Lake Michigan and the water quality of Lake Michigan water will be improved.

We also firmly believe that this application meets the standards of the Great Lakes Compact – even though those standards are not yet law. In fact, the application and process went well beyond what is envisioned for communities like New Berlin under the Compact. You are to be commended for your excellent effort.

Again, we wish to stress that a final decision can only be made once we are satisfied that any water supply agreement that you negotiate clearly complies with all aspects of New Berlin's application. The final review and how it will be conducted will be heavily influenced by the status of the state legislation here in Wisconsin to ratify the Great Lakes Compact.

In short, we need to pass the Compact in Wisconsin. If the Compact is law in Wisconsin by the time New Berlin reaches an agreement with a water provider, the path to the completion of the final review will be much easier to walk.

Thank you for your cooperation in this matter.

Sincerely,

Scott Hassett, Secretary

cc: Steven Schultz – Ruekert Mielke
Rick Johnson – New Berlin
Jill Jonas – DG/2
Todd Ambs – AD/5
Chuck Ledin
Rhonda Volz – SER