



October 7, 2013

MR ROBERT REDELINGS
CITY OF PORTAGE
WATER UTILITY - PORTAGE WATERWORKS
115 WEST PLEASANT STREET
PORTAGE WI 53901

Subject: Great Lakes Basin Diversion Approval Amount for the Portage Water Utility

Dear Mr. Redelings:

This letter represents formal Wisconsin Department of Natural Resources (Department) approval of the City of Portage's diversion of Great Lakes groundwater for water supply purposes and discharge to the Mississippi River Basin. The Department acknowledges that these sources of water withdrawal and diversion existed prior to December 8, 2008.

Background

The Great Lakes – St. Lawrence River Basin Water Resources Compact (Compact) took effect on December 8, 2008. The Compact, as codified in Chapter 281 of the Wisconsin Statutes, addresses water quantity management in Wisconsin's portion of the Great Lakes Basin. Under Chapter 281, a person operating a public water supply system may not divert water from Lake Michigan to the Mississippi River Basin unless the diversion existed prior to December 8, 2008 or if the person receives approval for a diversion under s. 281.346(4), Wis. Stats.

Calculations

To determine the diversion baseline amount, the Department used the maximum approved withdrawal amount, 9.58 MGD (millions of gallons per day), for Portage Waterworks as of December 2008. The high capacity wells that supply water to Portage Waterworks are all located in the Lake Michigan Basin. All water collected in the Portage sanitary sewer system is treated at the Portage Wastewater Treatment Facility and discharged to the Wisconsin River, which is located in the Mississippi River Basin. This wastewater discharge is considered a diversion. The approved diversion amount listed below is the maximum amount that you may divert:

Diversion Baseline: 9.58 Million Gallons per Day (MGD)

In addition to submitting annual monthly reporting data from your high capacity wells, the City of Portage is required to report the amount of water that was diverted. Because all of the City's wastewater is discharged to the Mississippi River Basin, the Department will assume the amount diverted equals the City's reported annual monthly withdrawal amount.

Your approval to divert water in the amount listed above remains in effect provided that your high capacity well and water supply system remain in compliance with Department rules and that you comply with the reporting requirements above.

**BEFORE THE DEPARTMENT OF NATURAL RESOURCES
DIVERSION APPROVAL FOR THE CITY OF PORTAGE, WI
Diversion ID: WI-10190**

FINDINGS OF FACT

1. Prior to December 8, 2008, the City of Portage operated a public water supply system that pumped groundwater from four wells (Portage Wells #3, #6, #8, and #9) located in the Great Lakes Basin.
2. The City of Portage wastewater is discharged to the Wisconsin River in the Mississippi River watershed outside of the Lake Michigan Basin.
3. The calculation of the initial diversion amount was based on the sum of the maximum approved capacity of the 4 high capacity wells listed above.

CONCLUSIONS OF LAW

1. The Department was directed by s. 281.344(3m)(a), Wis. Stats., to issue automatic approvals to certain persons operating a public water system, for diversions (interbasin transfers) that began before December 8, 2008. The approval is to specify a diversion baseline amount (interbasin transfer).
2. Section 281.344(3e) Wis. Stats., sets forth the method for determining an initial diversion (interbasin transfer) amount

DECISION AND APPROVAL CONDITIONS

1. The City of Portage's diversion (interbasin transfer) is approved with the conditions listed below. Non-compliance with the conditions constitutes a violation of this approval.
2. The City of Portage's baseline diversion (interbasin transfer) amount, calculated under s. 281.344(3e), Wis. Stats., is **9.58 million gallons per day average per year**. The average diversion amount is based upon the calendar year. The City shall not exceed this average amount for a calendar year without receiving an approval for a new or increased diversion.
3. The Village is required to register the diversion and measure and document the volume of the diversion (interbasin transfer) on a monthly basis and report that information annually to the Department in the form required by the Department. The annual reporting information shall include a calculation of the volume of the average day diversion in gallons per day based on the previous calendar year.