

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF INTENT TO APPROVE A WATER QUALITY TRADING PLAN

**Permittee:** City of Fort Atkinson, 101 N Main St, Fort Atkinson, WI, 53538

**Facility Where Discharge Occurs:** Storm water discharges to waters of the state from the municipal separate storm sewer system (MS4) that is owned, operated and maintained by the City of Fort Atkinson.

**Receiving Water:** Rock River

**Summary of the Proposed Water Quality Trading Plan:** The City of Fort Atkinson (Fort Atkinson) owns and operates a municipal separate storm sewer system (MS4) that discharges to the Rock River watershed. In 2011, the Wisconsin Department of Natural Resources (DNR) and the United States Environmental Protection Agency (US-EPA) approved a Total Maximum Daily Load (TMDL) for the Rock River Basin. In developing the TMDL, DNR evaluated the amount of Total Suspended Solids (TSS) and Total Phosphorus (TP) that would need to be prevented from entering the Rock River basin each year to return the watershed to a healthy, fishable, swimmable condition. The MS4 permit covering Fort Atkinson requires that permittees discharging to US EPA-approved TMDLs reduce their discharges of pollutants causing impairments to improve water quality and achieve water quality standards. The City of Fort Atkinson proposed a trade to buy credits from the Fort Atkinson's Municipal Wastewater Treatment Facility (WWTF).

Fort Atkinson is proposing to implement their Water Quality Trading plan which has the WWTF discharging at level below the TMDL Waste Load Allocation (WLA) assigned to the WWTF for TSS and TP and trading the resulting credits to the MS4 for compliance in TMDL Reach 60. The Water Quality Trading plan, referenced as **WQT-2024-0030**, currently includes the details on how the WWTF will comply with the lower limit and how the MS4 will utilize the resulting credits. For more details regarding the plan, it is posted on the DNR's WPDES Public Notice page: <http://dnr.wi.gov/topic/wastewater/PublicNotices.html>.

The DNR has conditionally approved this plan. Monitoring requirements for the Fort Atkinson Water Quality Trade will be specified in the reissuance of the MS4 General Permit which will be public noticed separately.

**Storm Water Specialist:** Sean Spencer, DNR, 3911 Fish Hatchery Road, Fitchburg, WI, 53711, (608) 445-3078, [sean.spencer@wisconsin.gov](mailto:sean.spencer@wisconsin.gov).

**Proposed Action:** Approval of Fort Atkinson's Water Quality Trade with the Fort Atkinson Wastewater Treatment Facility to use the excess credits the WWTF generated towards Fort Atkinson's MS4 Wasteload Allocations for Total Suspended Solids and Total Phosphorus in the Rock River TMDL.

The DNR has tentatively decided that the MS4 General Permit will be modified at reissuance to include Fort Atkinson's Water Quality Trade.

Persons wishing to comment on or object to the proposed approval, or to request a public hearing, may write to the Department of Natural Resources at the above-named storm water specialist's address. All comments or suggestions received no later than 30 days after the publication date of this public notice will be considered along with other information on file in making a final decision regarding the approval decision. Anyone providing comments in response to this public notice will receive a notification of the DNR's final decision when the decision is finalized.

The DNR may schedule a public informational hearing if requested by any person and shall schedule a public informational hearing if a petition requesting a hearing is received from 5 or

more persons or if response to this notice indicates significant public interest pursuant to s. 283.49, Stats. Requests for a public informational hearing shall state the following: the name and address of the person(s) requesting the hearing; the interest in the proposed permit of the person(s) requesting the hearing; the reasons for the request; and the issues proposed to be considered at the hearing.

Information on file for this decision, including the water quality trading plan, may be inspected and copied at either the above-named storm water specialist's office, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call the storm water specialist for directions to their office location, if necessary. Information on this decision may also be obtained by calling the storm water specialist at (608) 445-3078 or by writing to the DNR. Reasonable costs (15 cents per page for copies and 7 cents per page for scanning) will be charged for information in the file other than the water quality trading plan or approval letter. Information on Fort Atkinson's Water Quality Trade is also available on the internet at:

<http://dnr.wi.gov/topic/wastewater/PublicNotices.html>. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.

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