

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF INFORMATIONAL HEARING AND INTENT TO REISSUE A WISCONSIN
POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT No. WI-S067831-7

Permittee: The WPDES general permit proposed for reissuance will apply to a class of dischargers throughout Wisconsin.

Facility Where Discharge Occurs: The WPDES general permit proposed for reissuance applies to land disturbing construction activity affecting or anticipated to affect one acre or more of land throughout Wisconsin.

Receiving Water and Location: The WPDES general permit proposed for reissuance applies to storm water discharges to waters of the state throughout Wisconsin.

Brief Description of Proposed General Permit: Under s. 283.35, Wis. Stats., the department may issue WPDES general permits for groups of facilities with similar discharge characteristics when no special circumstances warrant individual, site-specific permits. These proposed general permits are intended to eliminate significant environmental impacts of storm water discharges. The general permit program minimizes paperwork for the permittee as well as the department. However, if the department determines it is necessary or appropriate to withhold or withdraw a facility from coverage under a general permit, it may do so.

Storm water discharges to waters of the state from land disturbing construction activities affecting or anticipated to affect one acre or more of land may be covered by the corresponding general permit. These proposed general permits contain requirements specified under ch. NR 216, Wis. Adm. Code, and ch. NR 151, Wis. Adm. Code. Chapter NR 216 states the applicability of the permit and defines how storm water from land disturbing activity may be discharged so that waters of the state will be protected through the implementation of performance standards and antidegradation measures in chs. NR 216 and NR 151, Wis. Adm. Code. These proposed general permits will apply to discharges to waters of the state throughout the state, except discharges within Indian County.

The general permit proposed for reissuance is the Storm Water Associated With Land Disturbing Construction Activity, WPDES Permit No. WI-S067831-7. The permit requires that permittees or landowners that will engage in land disturbing construction activity affecting or anticipated to affect one acre or more of land install erosion and sediment control practices and implement an erosion control plan to reduce the discharge of pollutants during the land disturbing construction activity. Where applicable, it also requires the implementation of a storm water management plan to reduce pollution caused by storm water discharges from the construction site after construction is completed, including rooftops, parking lots, roadways, and the maintenance of grassed areas.

Permittees must implement, monitor, and inspect erosion controls and sediment control best management practices weekly and within 24 hours after a precipitation event of 0.5 inches or greater, and repair or replace erosion and sediment control best management practices as necessary. Permittees must maintain, at the construction site or made available via an Internet website, weekly written reports of all inspections conducted.

The storm water management plans used to reduce pollution caused by storm water discharges from the construction site after construction is completed shall be implemented during the period of construction, and shall include a description of the management practices that will be installed during the construction process to control total suspended solids and peak flow, enhance infiltration, maintain or restore protective areas, and to reduce petroleum in runoff that will occur after construction operations have been completed. For any permanent structures, provisions shall be made for long-term maintenance with the municipality or other responsible party. A copy of the long-term maintenance agreement shall be submitted to the department with the notice of intent unless the department agrees that it may be submitted by an alternative date prior to termination of permit coverage. Once a construction has undergone final stabilization, temporary erosion control best management practices have been removed and all storm water discharges associated with the construction site activities that were required to have WPDES permit coverage under subch. III of ch. NR 216, Wis. Adm. Code, have ceased, the permittee shall submit a signed notice of termination to the department.

Permit Drafter's Name, Address, Phone and Email: Melissa Yarrington – Wisconsin DNR, 225051 Rib Mountain Drive, Wausau WI 54401. Phone: (715) 401-1794, Melissa.Yarrington@Wisconsin.gov.

The Department has tentatively decided that the above specified WPDES permit should be reissued.

Virtual Hearing Date and Time: November 3, 2026, 9:00 a.m.

Hearing Location (Virtual): The Department of Natural Resources will be hosting the listed public hearing via a remote, virtual connection made available to the public via the options below. Virtual hearings will be recorded.

Remote Connection for public participation:

Zoom Virtual Participation: https://us02web.zoom.us/meeting/register/iU0zvOjbS86c_7VwnPEcNQ

Meeting ID: 811-4455-8909

The Department of Natural Resources, pursuant to s. 283.49, Wis. Stats., has scheduled for the time and place listed above, a public hearing for the purpose of giving all interested persons an opportunity to make a statement with respect to the above announced permit action for this existing discharge.

A hearing officer will conduct the hearing in an orderly and speedy way and will use procedures specified in subch. II of ch. NR 203, Wis. Adm. Code, necessary to ensure broad public participation in the hearing.

The hearing officer will open the hearing and make a concise statement of the scope and purpose of the hearing and shall state what procedures will be used during the course of the hearing. The hearing officer shall explain the method of notification of the final decision to grant or deny the permit and the methods by which the decision may be reviewed in a public adjudicatory hearing.

The hearing officer may put limits on individual oral statements to ensure an opportunity for all persons present to make statements in a reasonable period of time and to prevent undue repetition. The hearing officer may also limit the number of representatives making oral statements on behalf of any person or group.

Informational and clarifying questions and oral statements shall be directed through the hearing officer. Cross-examination shall not be allowed.

Persons wishing to comment on or object to the proposed permit action are invited to do so by attending the public hearing or by submitting any comments or objections in writing to the Department of Natural Resources, via US mail or email addressed to the above-named permit drafter or DNRSWPermits@wisconsin.gov. 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 and testimony presented at the hearing, in making a final determination. This hearing is being held during the public notice period to align the comment periods of both participation processes. Where designated as a reviewable surface water discharge permit, the U.S. Environmental Protection Agency is allowed up to 90 days to submit comments or objections regarding this permit determination.

Information on file for this permit action, including the draft permit, fact sheet and permit application, is accessible via e-mail by contacting the above named permit drafter's e-mail address or the above named basin engineer's e-mail during normal business hours Monday through Friday (except holidays). Permit information 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.