



12/23/2020

Thomas Sigmund
2231 N Quincy Street
Green Bay, WI 54302

Subject: Green Bay Metropolitan Sewerage District - WPDES Permit WI-0065251
Adaptive Management Plan – CONDITIONAL APPROVAL

Dear Mr. Sigmund,

The Department of Natural Resources received the final draft of the Adaptive Management Plan (AM Plan) prepared by Jacobs Engineering Group Inc. on behalf of NEW Water, the brand of Green Bay Metropolitan Sewerage District. The final plan, dated October 2020, was received via electronic submittal on Thursday, October 29th.

Based on the department review, the AM Plan is in general conformance with the DNR Adaptive Management Guidance and requirements contained in s. NR 217.18, Wis. Adm. Code. and s. 283.13(7) Wis. Stats. The plan indicates that NEW Water will utilize adaptive management to comply with the water quality standards and TMDL wasteload allocations for total phosphorus and total suspended solids (TSS), respectively, as applied to discharges from the Quincy Street Combined Outfall. Actions outlined in section 3.2 of the AM plan involve nonpoint source phosphorus reductions throughout the Ashwaubenon and Dutchman Creek Watersheds, identified as the AM plan's action area.

The action area aligns with the DNR-approved Ashwaubenon and Dutchmen Creek Nine Key Element Watershed-based Plan, which also focuses on reducing nonpoint sources of pollution in the watershed and meeting the Lower Fox River TMDL phosphorus and TSS reduction goals. The AM Plan describes the Nine Key Element Plan as a technical resource that can be used to meet adaptive management requirements.

Provisions for adaptive management will be incorporated into the draft WPDES permit. For continued adaptive management eligibility, phosphorus reductions undertaken by NEW Water are expected to meet the phosphorus and TSS load reduction goals contained within the AM plan. The proposed project duration is twenty years and may be adjusted per the provisions of s. NR 217.18 and s. 283.13(7) Wis. Stats.

Based on the milestones found within the AM Plan, phosphorus and TSS reduction goals are as follows:

Permit Term	Phosphorus, lbs/year	TSS, lbs/year
1	4,727	985,935
2	13,238	2,760,618
3	17,965	3,746,553
4	18,911	3,943,740


The AM Plan is hereby approved subject to the following conditions:

1. While reductions may be modeled to demonstrate interim progress, the modeling effort must reflect the current condition of established BMPs, including any development that occurs and eliminates BMPs. Where development eliminates structural BMPs installed by NEW Water, future interim progress demonstrations may account for the lesser of the pollution reduction between the initially established BMPs and the developed condition. Annual agricultural BMPs installed on behalf of NEW Water (cover crops, nutrient management, etc.) may not be counted towards interim progress if the land use is no longer agricultural (i.e. commercial, residential or industrial development).
2. Final compliance (as demonstrated pursuant to s. NR 217.18(3)(e)4. Wis. Adm. Code.) will be based on monitoring data from the in-stream sampling point located at the I-43 Bridge Crossing (Lat: 44° 32' 0.34" N, Lon: 88° 0' 27.77" W) of the Lower Fox River. This sampling point will be included in the reissued WPDES permit as a semimonthly monitoring requirement.
3. The final AM plan will be included as part of the public notice package for permit reissuance, and final approval is subject to public comment and EPA review.

The AM Plan will be used as a basis for phosphorus and TSS compliance during the next WPDES permit term. The DNR has assigned the AM plan a tracking number of WQT-2020-0016 and will be referenced as such in the draft WPDES permit. The draft permit will contain an interim limit for phosphorus and TSS, as well as reporting requirements consistent with s. NR 217.18, Wis. Adm. Code.

If you have any questions or comments, please contact me at (608) 266-2666 or by email at Adrian.Stocks@wisconsin.gov

Thank You,



Adrian Stocks
Director, Bureau of Water Quality
Wisconsin Department of Natural Resources

e-CC:

Jeff Smudde, NEW Water
Brent Brown, Jacobs
Laura Gerold, WDNR
Phillip Spranger, WDNR