

## MEMO

TO: Chairperson Wetzel and Commission Members

FROM: Andrew Beyer, P.E.

DATE: September 22, 2022

RE: Public Works Commission Meeting of September 27, 2022

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### Agenda Item:

Review and take possible action: Development of Water Quality Trading Program to meet Total Maximum Daily Load (TMDL) Pollutant Reduction Requirements of MS4 Permit

### BACKGROUND:

Review and take possible action: Development of Water Quality Trading Program to meet Total Maximum Daily Load (TMDL) Pollutant Reduction Requirements of MS4 Permit

The Wisconsin Department of Natural Resources (WDNR) released the Rock River Basin Total Maximum Daily Load study in September 2011. In 2014, it was determined that it would be cost-prohibitive to meet the TMDL requirements as found in the MS4 Permit through traditional stormwater treatment Best Management Practices (BMPs). In the 2014 Water Quality Master Plan, it was estimated that spending \$13 million on traditional stormwater treatment BMPs would not get the City close to meeting MS4 permit TMDL reduction requirements. City staff, consultants and elected officials continued to evaluate alternatives to meet the TMDL requirements of the MS4 Permit over the next few years and determined that a water quality trading program was the best, most cost-effective option.

The City reported the choice of the water quality trading option to WDNR in 2017, per the MS4 Permit requirements. City staff have and will continue to maximize the stormwater pollutant reductions available through traditional BMPs and new technologies inside City limits. However, a portion of the pollution reductions that are required will need to occur through the long-term installation of nonpoint source practices in the surrounding watershed in order to meet the City's MS4 Permit requirements in a cost-effective manner.

City staff are working with Jefferson County Conservation Department and the Rock River Coalition to develop a water quality trading water quality trading project, including a formal partnership with these entities, funding and implementation structure.

The Engineering Division and Storm Water Utility are seeking approval to continue working with partners to develop a water quality trading program. Pending approval, an intergovernmental agreement will be brought before the Public Works Commission and the Common Council at a later date.