

## Fw: Badger Mill Creek Effluent Return

Tanya Sime <tanyas@capitalarearpc.org>

Wed 7/10/2024 4:55 PM

To: Nick Bower <nickb@capitalarearpc.org>

Tanya Sime  
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**From:** William Lane <wlane1317@gmail.com>

**Sent:** Wednesday, July 10, 2024 4:48 PM

**To:** Tanya Sime <tanyas@capitalarearpc.org>

**Subject:** Re: Badger Mill Creek Effluent Return

I am aware that you are presently constrained to consider only "water quality" in your decisions on behalf of DNR. I would argue that any reduction in the base flow of a stream limits the ability to support aquatic life and is therefore a legitimate concern for the Water Quality Plan. DNR has always wanted a limited interpretation to avoid controversy. Section 208 of the Federal Water Pollution Control Act of 1972, which is the law that provides the framework for the official Water Quality Plan, clearly directs the plan to be based on existing land use plans and to consider any adverse impacts on water use and aquatic life. DNR did not want to consider either of those policies.

Bill Lane

> On Jul 9, 2024, at 2:25 PM, William Lane <wlane1317@gmail.com> wrote:

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> I am not advocating for or against the proposal, just providing background on the reasons why this effluent return was originally implemented. At that time I was the Director of Environmental Resource Planning for the Dane County Regional Planning Commission and in charge of the Dane County Water Quality Plan. I had been working closely with the Madison Metropolitan Sewerage District even before the Water Quality Plan because of a statutory consistency requirement between plans of MMSD and the RPC. During our studies of the hydrology and groundwater in the County, it was discovered that there were problems associated with the diversion of wastewater out of the Yahara Lakes Watershed. The main problem was a significant decrease in stream base flow and shallow groundwater levels in the part of the basin affected. Mainly a reduction in groundwater levels, primarily affecting wetlands but also stream base flow. We agreed that further diversion should be avoided. When it was time to consider alternatives regarding the Verona wastewater treatment plant, we felt it necessary to include the hydrologic impact of inter basin transfer of water. The easy and cheapest option was to transfer the wastewater from Verona to MMSD, and abandon the Verona treatment plant, which discharged to the Sugar River watershed. This would have resulted in a significant reduction in stream base flow in the upper Sugar River and negatively affected the fishery. So, MMSD decided that the only way they would accept and treat the wastewater from Verona is if the treated wastewater was returned to the Sugar River basin. The RPC, as the designated Water Quality Planning Agency endorsed this decision. Hence, the decision to return the treated waste water to the Sugar River watershed and maintain the hydrologic balance in that watershed.

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> I have been retired for over twenty years and am not in a position to recommend the decision in this matter. I am simply providing history on the considerations that resulted in this effluent return. I do

urgently recommend that you consider the hydrologic implications of this decision.

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> Bill Lane