



January 23, 2019

Don Mataczynski, President  
Village of Conrath  
P.O. Box 265  
Conrath, WI 54731

SUBJECT: Phosphorus Year 3 and Year 4 Compliance Alternative Reports

Dear Mr. Mataczynski,

This letter is in response to previous discussion with your consultant Bob Parmley and the subsequent Village of Conrath submittal of the Notice of Intent to Conduct Water Quality Trading form I received October 12, 2018. As the Village of Conrath has concluded trading is their chosen phosphorus compliance alternative, this letter is to document my concurrence with this decision and to provide formal department approval of the Village's decision.

With this Village decision the need for submittal of the 3<sup>rd</sup> Year Preliminary Report and the Final 4<sup>th</sup> Year Report per the permit schedule are determined not necessary.

However, additional Water Quality Trading (WQT) information will be required by the 4<sup>th</sup> year Report due date of September 30, 2019 to ensure the WPDES permit can be drafted and re-issued on time in September 2020.

1. Please have your consultant provide a brief narrative of credit generation and trade concept to include a table which summarize the phosphorus credits to be generated by the Village of Hawkins through the year 2023, a conservative estimate of credits necessary for Hawkins to maintain compliance, an estimate of credits necessary be used by the Village of Conrath, and any estimated remaining unused credits. The following table is taken from Hawkins current WPDES permit – expiration date September 30, 2023.

**Table 2. Available Phosphorus Credits per WQT-2018-0001**

Year	Available TP Credits (lbs/yr)
2018	602
2019	838
2020	879
2021	889
2022*	905

\*In the event that this permit is not reissued prior to the expiration date, 905 lbs/yr of credits will be available in subsequent year(s).

It is recognized the Village of Hawkins WPDES permit and the Village of Conrath WPDES permit do not have concurring expiration dates. To avoid a requiring a Hawkins WQT plan modification and to simplify future plan preparation for both Villages, the Village of Conrath permit will be re-issued with a three-year expiration period to coincide with the Hawkins permit expiration of September 20, 2023.

In addition, it is likely the Hawkins WPDES permit will need a simple modification by the Department to reflect these credits to be used by Conrath.

2. Please submit a Water Quality Trading Agreement signed between the Credit Generator (the Village of Hawkins) and the Village of Conrath as the credit user. I have attached an example trade agreement from the Department's 9/9/2013 Water Quality Trading How To Manual. Please provide an agreement as soon as practical, but no later than this coming fall, September 30, 2019.
3. To help facilitate a timely permit re-issuance for Conrath, you will be receiving a Permit application letter from Permit Drafter Sheri Snowbank within the next several days. Please begin the electronic application process and complete the additional sampling (Nitrogen series) as soon possible to help ensure all necessary Department actions can be completed on time. Extra time will likely be needed by Sheri as this will be the first trade of this kind to be defined by permit.

If you have any questions, please feel free to contact me. Thank you for your attention to this complicated compliance action.

Sincerely,



Lonni Franson  
Environmental Engineer

eCC: Louis Konieczny, W 7055 Main St, Conrath, WI 54731  
Michelle Balk, DNR Spooner  
Robert Parmley, Consultant  
Larry Gotham, Consultant  
Carl Hartman, Village of Hawkins PWD

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<https://www.surveymonkey.com/s/WDNRW>

## Appendix F. Example Trade Agreement for Point to Nonpoint Source Trades

### Notice

This is an example agreement and should be amended to meet the needs and conditions of the specific agreement. The Department does not require final trade agreements to be submitted with the trading plan. However, these documents must be presented upon request by the Department.

### Permittee Information

Credit User Name (Permittee)	Permit Number
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Credit User Address

Permittee/Broker/Exchange Name (if applicable)	Trade Agreement Number
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Permittee/Broker/Exchange Address (if applicable)

Street Address	City	State	ZIP Code
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Project Name

Name of Credit Generator (Landowner/Operator) (Last, First, M.I.)

Street Address	City	State	ZIP Code
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### Property Information

Name of Landowner(s) (if not Operator) (Last, First, M.I.)

Street Address	City	State	ZIP Code
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Legal Description of Property - Contiguous sites under the same ownership: (add additional sheets if necessary)

Parcel ID(s):

### Site Locator for Construction Projects

County	Township	Range	E / W	Section	Quarter/Quarter (e.g., NW ¼ of the NE ¼)
	N				
	N				
	N				
	N				

### Agreement

The property described above is enrolled in a Water Quality Trade Agreement. Funds are provided to the landowner/ operator in return for the installation, operation and maintenance of best management practices (BMPs) designed to enhance water quality. This agreement commits the landowner/operator, their heirs, successors and assigns to fulfill the trade agreement until a satisfaction or release is filed by the grantee.

**Addenda which describe the BMPs, costs, installation schedule, and conditions are hereby incorporated into this agreement and are on file with the grantee and may be given to Wisconsin DNR upon request by the Department.**

Landowner/Operator

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Signature of Landowner/Operator

Signature of Landowner/Operator

Typed Name of Landowner/Operator

Typed Name of Landowner/Operator

STATE OF WISCONSIN ) Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.
\_\_\_\_\_ County ) ss. The above named \_\_\_\_\_ to me known to be
) the person(s) who executed the foregoing instrument and acknowledge the same.
)

Signature of Notary Public Typed Name of Notary Public
Notary Public \_\_\_\_\_ County, Wisconsin
My commission (is permanent) ( expires \_\_\_\_\_ ).

Landowners (if not operator)

If the landowner section is not completed, check (X) one or both of the following that apply

- [ ] Landowner is also operator
[ ] Trade agreement contains only high residue management, nutrient management, pesticide management, cropland protection cover (green manure)

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Signature of Landowner (if not operator)

Signature of Landowner (if not operator)

Typed Name of Landowner (if not operator)

Typed Name of Landowner (if not operator)

STATE OF WISCONSIN ) Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.
\_\_\_\_\_ County ) ss. The above named \_\_\_\_\_ to me known to be
) the person(s) who executed the foregoing instrument and acknowledge the same.
)

Signature of Notary Public Typed Name of Notary Public
Notary Public \_\_\_\_\_ County, Wisconsin
My commission (is permanent) ( expires \_\_\_\_\_ ).

Credit user/broker/exchange

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Signature of credit user/broker/exchange

Typed Name of credit user/broker/exchange

STATE OF WISCONSIN ) Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.
\_\_\_\_\_ County ) ss. The above named \_\_\_\_\_ to me known to be
) the person(s) who executed the foregoing instrument and acknowledge the same.
)

Signature of Notary Public
Notary Public \_\_\_\_\_ County, Wisconsin
My commission (is permanent) ( expires \_\_\_\_\_ ).