

**Notice of Filing of Joint Motion To Amend Order Approving the 2002  
Settlement Stipulation Between the State of Wisconsin and the Milwaukee  
Metropolitan Sewerage District**

Notice is hereby given that, on September 1, 2006, the plaintiff State of Wisconsin and the defendant Milwaukee Metropolitan Sewerage District (MMSD) filed a "Notice of Motion and Joint Motion To Amend Order Approving Settlement Stipulation" in case number 2002-CV-2701 in the Circuit Court for Milwaukee County, Wisconsin. The parties to that case both wish to amend the list of projects described in Exhibit I of the 2002 settlement stipulation by deleting the following projects:

- a. North 68<sup>th</sup> Street Relief Sewer;
- b. South 13<sup>th</sup> Street Relief Sewer;
- c. Providence Avenue Metropolitan Intercepting Sewer;
- d. Caddy Vista Pump Station;
- e. Combined Sewer Overflow Rehabilitation, Hawley Road;
- f. Jones Island Sitework Phase III, West Package;
- g. South Shore Digester Mixing;
- h. North Sherman Boulevard Relief Sewer; and
- i. CMIS – Basin B, South Sixth Street/Cleveland Avenue Siphon Rehabilitation Project.

These projects were originally included in the list because they were recommended in MMSD's 2010 Facilities Plan. After subsequently performing detailed engineering studies, however, the parties have determined that these particular projects are unnecessary and should be deleted from the list. More details of the reasons for the deletion of each of these projects are discussed in the materials filed with the court in support of the parties' joint motion. The parties believe these proposed changes, if approved by the Court, will have no impact on the ability of the MMSD to comply with the federal or state Clean Water Acts, including compliance with its WPDES permit; or on the frequency or volume of separate or combined sewer overflows or on treatment plant capacity.

The Department of Justice will receive for a period of thirty days from the date of this publication comments relating to the Joint Motion. Written comments regarding the Joint Motion should be mailed to:

Assistant Attorney General Thomas L. Dosch  
Wisconsin Department of Justice  
Post Office Box 7857  
Madison, WI 53707-7857

The Joint Motion and its attachments, Exhibits A and B, will be available for inspection at the offices of the Wisconsin Department of Justice, located at 17 West Main Street, Madison, Wisconsin, at the offices of the Wisconsin Department of Natural Resources located at 2300 North Martin Luther King Jr., Drive in Milwaukee, Wisconsin, or may be examined on the following Wisconsin Department of Justice Web site: <http://www.doj.state.wi.us/> A copy of the Joint Motion may also be obtained by mail by letter addressed to Assistant Attorney General Thomas L. Dosch at the address indicated above or by faxing or e-mailing a request to Ms. Kyle Rogers (rogerskm@doj.state.wi.us), fax no. 608-266-2250.