

April 1st, 2026

NOTICE OF SURFACE WATER DISCHARGE
APPLICATION AND RECOMMENDATION

The South Dakota Department of Agriculture and Natural Resources (DANR) has received an application for the reissuance of a Surface Water Discharge (SWD) permit from the following applicant:

APPLICANT NAME: City of Custer

PERMIT NUMBER: SD0023281

FACILITY LOCATION: Located in Sections 18 and 19 of Township 3 South, Range 5 East and Section 27 of Township 3 South, Range 4 East, all in Custer County, South Dakota (Latitude 43.773306°, Longitude -103.567528°).

MAILING ADDRESS: 622 Crook Street
Custer, SD 57730

The renewal of the SWD permit will allow the discharge of pollutants from the city of Custer's wastewater treatment facility. This facility's North American Industry Classification System (NAICS) code is 221320 for sewage treatment facilities. Any discharge from this facility will enter French Creek or Flynn Creek. French Creek has been assigned the following beneficial uses:

- (3) Coldwater marginal fish life propagation waters;
- (8) Limited contact recreation waters;
- (9) Fish and wildlife propagation, recreation, and stock watering waters; and
- (10) Irrigation waters.

SDDANR has determined that the beneficial use of immersion recreation in the downstream receiving waters of French Creek. Therefore, immersion recreation bacteria effluent limits were included in the draft permit to protect the existing beneficial uses in the receiving waters, in accordance with ARSD Section 74:51:01:25.01.

Flynn Creek has been assigned the following beneficial uses:

- (9) Fish and wildlife propagation, recreation, and stock watering waters; and
- (10) Irrigation waters.

Approximately 5 miles downstream of the discharge location, Flynn Creek's classification changes and is assigned the following beneficial uses:

- (3) Coldwater marginal fish life propagation waters;
- (8) Limited contact recreation waters;
- (9) Fish and wildlife propagation, recreation, and stock watering waters; and
- (10) Irrigation waters.

An antidegradation review was conducted in accordance with the Administrative Rules of South Dakota (ARSD) Chapter 74:51:01. Results show an insignificant change in water quality and no further review is required.

Water quality-based effluent limits for ammonia were developed for this discharge to ensure the protection of the beneficial uses of French Creek and Flynn Creek.

Tentative determinations regarding the water quality limits for any discharge and other conditions have been made by DANR. The SWD permit specifies the quality of water that can be discharged and still protect the uses of the receiving water. The draft discharge permit and supporting documents are available from DANR at the address listed below.

In accordance with the ARSD, Chapter 74:52:05, any person desiring to comment on the Department's recommendation for the conditional issuance of this permit must submit written comments to the below address within the specified thirty (30) day comment period. Comments may be directed to the following address:

South Dakota Department of Agriculture and Natural Resources
Water Quality Program
Joe Foss Building
523 East Capitol
Pierre, SD 57501

Comments may also be provided within the specified thirty (30) day comment period using the online comment form, accessible via the "Comment Deadline" links provided at <http://danr.sd.gov/public>. Any person desiring a public hearing must file a petition which complies with the ARSD Chapter 74:52:05. If no objections are received within the specified 30-day period, the Secretary will issue final determinations within sixty days of the date of this notice.

Additional information may be obtained by calling Kyle Doerr, with DANR, at (605) 773-3351, or by writing to the address listed above.

Hunter Roberts
Secretary

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