Meeting:	Village Board
Meeting Date:	02/13/2012
Agenda Item:	7f-7g

Mission Statement
Delivering quality services in a courteous, cost-effective and efficient manner.

VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: Burt R. McIntyre, President
Village Board of Trustees

REPORT FROM: Geoffrey S. Farr, PE, Director of Public Works

AGENDA ITEM: 7f – Receive public comments on the Village's storm water management permit requirements, planning, actions and annual report

7g – Review and take action on the Village's Annual MS4 storm water management report.

POLICY ISSUE

Should the Village Board approve the 2011 MS4 annual report?

BACKGROUND INFORMATION

The Village is required to comply with its Municipal Separate Storm Sewer System (MS4) permit # WI-S050075-1. The permit requires the Village Board to take public comments, review and approve an annual report. The report must be submitted to the DNR by March 31, 2012. The report details past activities and actions to determine compliance with permit conditions and requirements over the past year. The Village currently meets all MS4 permit requirements except the following:

- Minor exceptions to activities in the public education and involvement plan.

Yearly storm water activities include:

- Implementation of Public Outreach, Education and Involvement activities:
  - Maintain the storm water web page on the Village website
  - Educational mailings, newsletter articles, a storm water permitting guide
  - Staff training and public presentations on storm water issues
  - Village-sponsored inlet painting activities
- Enforcement of erosion control ordinances
- Enforcement of illicit discharge ordinances and screening of all major storm water outfalls for illicit discharges. Eliminate all detected illicit discharges.
- Enforcement and management of storm water from new and redevelopment post construction sites.
- Municipal pollution prevention planning:
  - Routine inspection of municipal and private BMP's
  - Street sweeping management plan
  - Deicing management plan
  - Reduce storm water contamination of municipal source water protection areas
  - Fertilizer management plan
  - Leaf and Grass Clipping management plan

- Municipal storm water pollution prevention plans for Public Works the Village Green Golf Course

- Maintenance of the Village's Developed Urban Area Storm Water Quality Management Plan. Current SMP TSS removal results are:
  - Currently the Village reduces 20.4 % of TSS in storm water discharges. This meets 20% goal required by recent legislation.
  - Compliance with the 40% TSS removal requirement has been suspended by recent legislation. However the Village should keep in mind that the law could change again re-establishing the original standards. Thus the Village Board should consider taking advantage of low cost TSS removal opportunities and improvements where possible to avoid higher cost improvements that may be required in the future. Specifically this plan would identify that the Village partner with future commercial and industrial redevelopment projects to implement the most cost effective and efficient means of achieving that goal.

PRIOR ACTION/REVIEW

The Village of Howard previously approved the storm water report in prior years. Nothing has substantially changed.

FISCAL IMPACT:

1. Is There A Fiscal Impact? No
2. Is it Currently Budgeted? No
3. If Budgeted, Which Line? N/A
4. Amount?

RECOMMENDED ACTION

Village staff recommends that the Village Board;

1) Receive comments from the public regarding the Village's permit requirements, planning, actions, annual report.
2) Approve the annual report.

If the Village Board agrees with this action, the following motion could be made:

"Motion to approve the Village's 2011 MS4 annual report."

POLICY ALTERNATIVE(S)

The Village Board could take the following actions:

- Approve the report
- Reject the report and decide how to proceed
- Table the report and request additional information

ATTACHED INFORMATION

I. Annual Report

II. Hundreds of pages of reports, management plans and procedures are available for review. Due to their size they are available for public inspection at the Public Works Facility. If any Board Member would like copies of these reports, I would be happy to send you a CD with the information.

State of Wisconsin
Department of Natural Resources
dnr.wi.gov

Annual Report under MS4 General Permit No. WI-S050075-1

Form 3400-195 (R 01/12)

Due by March 31, 2012

Notice: Pursuant to s. NR 216.07(8), Wis. Adm. Code, an owner or operator of a Municipal Separate Storm Sewer System (MS4) is required to submit an annual report to the Department of Natural Resources (DNR) by March 31 of each year to report on activities for the previous calendar year. This form is being provided by the DNR for the user's convenience. Personal information collected will be used for administrative purposes and may be provided to the extent required by Wisconsin's Open Records Law [ss. 19.31-19.39, Wis. Stats.].

This form is for reporting on activities undertaken in calendar year 2011.

Instructions: Complete each section of the form that follows. If additional space is needed to respond to a question, attach additional pages. Provide descriptions that explain the program actions taken to comply with the general permit. Complete and submit the annual report by March 31, 2012, to the appropriate address indicated on the last page of this form.

SECTION I. Municipal Information

Name of Municipality		Facility ID No. (FIN)	
Village Of Howard		31091	
Mailing Address 1336 Cornell Road	City Green Bay	State WI	Postal Code 54313
County(s) in which Municipality is located Brown	Type of Municipality: (check one) ☐ County ☐ City ☒ Village ☐ Town ☐ Other (specify)		

SECTION II. Municipal Contact Information

Name of Municipal Contact Person		Title	
Geoffrey Farr		Public Works Director	
Mailing Address 1336 Cornell Road	City Green Bay	State WI	Postal Code 54313
E-mail Address gfarr@villageofhoward.com	Telephone No. (include area code) 920-434-4060	Fax No. (include area code) 920-434-4072	

SECTION III. Certification

I hereby certify that I am an authorized representative of the municipality covered under MS4 General Permit No. WI-S050075-1 for which this annual report is being submitted and that the information contained in this document and all attachments were gathered and prepared under my direction or supervision. Based on my inquiry of the person or persons under my direction or supervision involved in the preparation of this document, to the best of my knowledge, the information is true, accurate, and complete. I further certify that the municipality's governing body or delegated representatives have reviewed or been apprised of the contents of this annual report. I understand that Wisconsin law provides severe penalties for submitting false information.

Authorized Representative Printed Name		Authorized Representative Title	
Authorized Representative Signature		Date Signed	
E-mail Address gfarr@villageofhoward.com	Telephone No. (include area code) 920-434-4060	Fax No. (include area code) 920-434-4072	

SECTION IV. General Information

a. Describe what efforts the municipality has undertaken to invite the municipal governing body, interest groups, and the general public to review and comment on the annual report.

The annual report was an item on the Village Board agenda and was posted as a public notice for the Village Board meeting. The items on the Board agenda included: 1) Receive public comments regarding the Villages MS4 permit requirements, planning, actions, and annual report; and 2) Review and take action on the Villages MS4 annual report

b. Describe how elected and municipal officials and appropriate staff have been kept apprised of the municipal storm water discharge permit and its requirements.

MS4 permit requirements are discussed regularly at Village Board meetings. Agenda items involving the approval of site development requirements, studies, etc. include condidtions requiring complance with storm water managemnt ordinances and practices. In addition, permit requirements have been the subject of discussion at staff meetings to plan future activities and actions needed to satisfy the MS4 permit.

c. Has the municipality prepared its own municipal-wide storm water management plan? ☒ Yes ☐ No

If yes, title and date of storm water management plan:

Developed Urban Area Storm Water Management Plan, December 2009, previously submitted.

d. Has the municipality entered into a written agreement with another municipality or a contract with another entity to perform one or more of the conditions of the general permit as provided under Section 2.10 of the general permit? ☐ Yes ☒ No

If yes, describe these cooperative efforts:

e. Does the municipality have an internet website? ☒ Yes ☐ No

If yes, provide web address:

villageofhoward.com

If the municipality has an internet website, is there current information about or links provided to the MS4 general permit and/or the municipality's storm water management program? ☒ Yes ☐ No

If yes, provide web address:

http://www.villageofhoward.com/public_works-storm-water.cfm

SECTION V. Permit Conditions

a. Minimum Control Measures: For each of the permit conditions listed below, provide a description of the status of implementation of program elements, the status of meeting measurable goals, and compliance with permit schedule in section 3 of the MS4 general permit. Provide an evaluation of program compliance with the general permit, the appropriateness of identified best management practices, and progress towards achieving identified measurable goals. Be specific in describing the actions that have been taken during the reporting year to implement each permit condition and whether measurable goals have been met, including any data collected to document a measurable goal. Also, explain the reasons for any variations from the compliance schedule in the MS4 general permit.

- Public Education and Outreach

The Villages MS4 permit start date was Jan 8, 2007. The Public Education and Outreach program was due 18 months after the start date. The program was previously submitted in compliance with permit conditions. Program implementation began 24 months after the start date on January 8, 2009. The public education and outreach plan was preiously submitted. Most of the items in the 2010 public education and outreach plan have been completed. See previous submissions: Web site page, spring and fall news letters, riparian stream bank owners letter & mailing list, EC & Post Constrution SMP permitting flow chart, and professional staff training documentation

- Public Involvement and Participation

The Villages MS4 permit start date was Jan 8, 2007. The Public Involvement and Participation program was due 18 months after the start date. The program was previously submitted in compliance with permit conditions. Program implementation began 24 months after the start date on January 8, 2009. All of the items in the 2010 public involvement and participation plan have been completed. See previous submissions: Web site page, household hazardous waste dropoff collection site activity at Bay View Middle School.

- Illicit Discharge Detection and Elimination

The Villages MS4 permit start date was Jan 8, 2007. The illicit discharge ordinance and response procedures were due 24 months after the start date. The ordinance and response procedures were previously submitted in compliance with permit conditions. Implementation began 30 months after the start date on June 8, 2009. Implementation activities for illicit discharge and elimination activities are listed in section VII e) of this report.

The initial field screening and ongoing screening plan was due 36 months after the start date on January 8, 2010. The results of the intial field screening was submitted previously.

The on-going field screening is due 48 months after the start date which is January 8, 2011. The results of the initial field screening and ongoing screen plan was submitted on Janruary 31, 2011 to the storm water program staff in the north east region DNR office.

- Construction Site Pollutant Control

The Villages MS4 permit start date was Jan 8, 2007. The erosion control ordinance, inspection and enforcement procedures were due 18 months after the start date. These items have been submitted in compliance with permit conditions. Implementation began 24 months after the start date on January 8, 2009. Implementation activities for construction site pollutant control are listed in section VII e) of this report.

- Post-Construction Storm Water Management

The Villages MS4 permit start date was Jan 8, 2007. The post construction storm water ordinance and long term BMP maintenance procedures were due 18 months after the start date. These items have been submitted in compliance with permit conditions. Implementation began 24 months after the start date on January 8, 2009. Implementation activities for post construction storm water management are listed in section VII e) of this report.

- Pollution Prevention

The Villages MS4 permit start date is Jan 8, 2007. The pollution prevention plan was due 24 months after the start date on January 8, 2009. The Village's pollution prevention plan was submitted and included the following reports: street sweeping and catchbasin cleaning, deicing, leaves and grass clippings, pollution prevention reports on 4 municipal buildings, fertilizer management and powerpoint slides used for education for public works employees. Implementation began 30 months after the start date on June 8, 2009. Implementation activities for pollution prevention include inspection of all municipal bmp's including maintenance recommendations, and provided municipal employee training related to general MS4 requirements & issues, facility maintenance and good housekeeping, street sweeping, deicing, fertilizer plans, and leaf and grass clipping management.

b. Storm Water Quality Management: Has the municipality completed a pollutant-loading analysis to assess compliance with the 20% TSS reduction developed urban area performance standard? ☒ Yes ☐ No

If yes, provide the following: Model used SLAMM Version 9.3.0 Reduction (%) achieves 20.4% as of 2009

If no, include a description of any actions the municipality has undertaken during 2011 to help achieve the 20% standard.

Has the municipality completed an evaluation of all municipal owned or operated structural flood control facilities to determine the feasibility of retrofitting to increase TSS removal? ☒ Yes ☐ No If yes, describe:

See the previously submitted report entitled "Village of Howard Developed Urban Area Water Quality Management Plan", 3

remaining dry ponds can be coverted into a wet ponds (Woodmans, Village Center, and Community Church).

c. Best Management Practices Maintenance: Does the municipality have a maintenance program for installed storm water best management practices? ☒ Yes ☐ No

If yes, describe the maintenance program. If available, attach any additional information on the maintenance program.

Yearly inspections of ponds and strom pipes. Attached Inspection & Maintenance Report.

d. Storm Sewer System Map: Describe any changes or updates to the storm sewer system map made in the reporting year. Provide an updated map if any changes occurred during the reporting year. No Changes Attached 2012 MS4 Map.

SECTION VI. Fiscal Analysis

a. Provide a fiscal analysis that includes the annual expenditures for 2011, and the budget for 2011 and 2012. A table to document fiscal information is provided on page 6.

b. What financing/fiscal strategy has the municipality implemented to finance the requirements of the general permit?
☒ Storm water utility ☒ General fund ☒ Other Permit Fees

c. Are adequate revenues being generated to implement your storm water management program to meet the permit requirements? ☒ Yes ☐ No

Please provide a brief summary of your financing/fiscal strategy and any additional information that will assist the Department in understanding how storm water management funds are being generated to implement and administer your storm water management program.

Local spending required to meet unfunded state and federal mandates has been provided on an as needed basis.

SECTION VII. Inspections and Enforcement Actions

Note: If an ordinance listed below has previously been submitted and has not been amended since that time, a copy does not need to be submitted again. If the ordinance was previously submitted, indicate such in the space provided.

a. As of the date of this annual report, has the municipality adopted a construction site pollutant control ordinance in accordance with subsection 2.4.1 of the general permit? ☒ Yes ☐ No If yes, attach copy or provide web link to ordinance:

b. As of the date of this annual report, has the municipality adopted a post-construction storm water management ordinance in accordance with subsection 2.5.1 of the general permit? ☒ Yes ☐ No If yes, attach copy or provide web link to ordinance:

c. As of the date of this annual report, has the municipality adopted an illicit discharge detection and elimination ordinance in accordance with subsection 2.3.1 of the general permit? ☒ Yes ☐ No If yes, attach copy or provide web link to ordinance:

d. As of the date of this annual report, has the municipality adopted any other ordinances it has deemed necessary to implement a program under the general permit (e.g., pet waste ordinance, leaf management/yard waste ordinance, parking restrictions for street cleaning, etc.)? ☐ Yes ☒ No If yes, attach copy or provide web link to ordinance:

e. Provide a summary of available information on the number and nature of inspections and enforcement actions conducted during the reporting period to ensure compliance with the ordinances described in a. to d. above.

Erosion Control ativities: 52 permits issued, 649 inspections during const, no formal enforcement actions were necessary.

Post Construction Storm Water Mangement activities: review and issued permits on 4 development projects.

Illicit Discharge and Elimination activities: tested 20 major outfalls along with 35 minor outfalls (see screening ongoing plan report).

SECTION VIII. Water Quality Concerns

a. Does any part of the MS4 discharge to an outstanding resource water (ORW) or exceptional resource water (ERW) listed under s. NR 102.10 or 102.11, Wis. Adm. Code? (A list of ORWs and ERWs may be found on the Department's Internet site at: http://dnr.wi.gov/org/water/wm/wqs/orwerw/) ☐ Yes ☒ No If yes, list:

b. Does any part of the MS4 discharge to an impaired waterbody listed in accordance with section 303(d)(1) of the federal Clean Water Act, 33 USC § 1313(d)(1)(C)? (A list of the most current Wisconsin impaired waterbodies may be found on the Department's Internet site at: http://dnr.wi.gov/org/water/wm/wqs/303d/303d.html) ☒ Yes ☐ No If yes, complete the following:

- Impaired waterbody to which the MS4 discharges:

Duck Creek & Green Bay

- Description of actions municipality has taken to comply with section 1.5.2 of the MS4 general permit for discharges of pollutant(s) of concern to an impaired waterbody:

None, TMDL's not established as of this date.

c. Identify any known water quality improvements in the receiving water to which the MS4 discharges during the reporting period.

The Village and developers have installed various storm water pomds & biofilter BMP's to the receiving waters as part of post construction site development and the developed urban area TSS reduction requirements

d. Identify any known water quality degradation in the receiving water to which the MS4 discharges during the reporting period and what actions are being taken to improve the water quality in the receiving water.

None

SECTION IX. Proposed Program Changes

a. Describe any proposed changes to the storm water management program being contemplated by the municipality for 2012 and the schedule for implementing those changes. Proposed program changes must be consistent with the requirements of the general permit.

Fiscal Analysis Table. Complete the fiscal analysis table provided below.

Program Element	Annual Expenditure	Budget		Source of Funds
	2011	2011	2012	
Public Education and Outreach	$1,000 staff time	$6,000	$3,000	2012 staff time, web site maintance, news letters, mailings, staff traning, and presentations.
Public Involvement and Participation	$1,000 staff time	$7,500	$2,000	2012 staff time, web site maintenance, news letters, and inlet stenciling.
Illicit Discharge Detection and Elimination	$8,000 staff time and contracted services	$17,000	$8,500	2012 Ordinance work $1,000 and Outfall screening $5,000, Illicit Discharge follow ups, enforcement, and cleanup $2,500 From Storm Water Utility
Construction Site Pollutant Control	$15,000 staff time	$37,000	$20,000	2012 Ordinance work $2,000 and Code enforcement permits and inspections $18,000 From Storm Water Utility, General Fund, & Permit Fees
Post-Construction Storm Water Management	$3,500 staff time	$13,500	$11,500	2012 Ordinance work $1,000, Annual BMP inspection $2,000, Post construction site plan and BMP permit review $8,500 From Storm Water Utility and Permit Fees
Pollution Prevention	$3,000 staff time and contracted services	$3,000	$3,000	2012 Annual inspection of municipal BMP's and Buildings $3,000. From Storm Water Utility
Storm Water Quality Management (including pollutant-loading analysis)	$621,000 staff time and contracted services	$560,000	$650,000	2012 Woodman, Community Church, and Village Center pond construction $185,000, Municipal BMP maintenance $15,000,street sweeping, leaf collection & composting, storm sewer, ditching, mowing, manholes, inlets, catch basin maintenance,televising, jetting, locates $450,000. From General Fund and Storm Water Utility
Storm Sewer System Map	$3,500 staff time	$5,000	$5,000	2012 MS4 map Updates From Storm Water Utility

Other	$0	$20,000	$20,000	2012 Misc. From Storm Water Utility

NORTHERN REGION COUNTIES		
Ashland	Langlade	DNR Service Center
Barron	Lincoln	1701 N. 4th Street
Bayfield	Oneida	Superior, WI 54880
Burnett	Polk	Phone: (715) 392-7988
Douglas	Price	
Florence	Rusk	
Forest	Sawyer	
Iron	Taylor	
	Vilas	
	Washburn	

WEST CENTRAL REGION COUNTIES		
Adams	Marathon	DNR Service Center
Buffalo	Monroe	5301 Rib Mountain Rd.
Clark	Portage	Wausau, WI 54401
Crawford	Trempealeau	Phone: (715) 359-4522
Jackson	Vernon	
Juneau	Wood	
La Crosse		
Chippewa	Pepin	DNR Service Center
Dunn	Pierce	890 Spruce St.
Eau Claire	St. Croix	Baldwin, WI 54002
		Phone: (715) 684-2914

NORTHEAST REGION COUNTIES		
Brown	Marquette	DNR Northeast Region
Calumet	Menominee	2984 Shawano Ave.
Door	Oconto	Green Bay, WI 54313
Fond du Lac	Outagamie	Phone: (920) 662-5100
Green Lake	Shawano	
Kewaunee	Waupaca	
Manitowoc	Waushara	
Marinette	Winnebago	

SOUTH CENTRAL REGION COUNTIES		
Columbia	Jefferson	DNR South Central Region
Dane	LaFayette	3911 Fish Hatchery Rd.
Dodge	Richland	Fitchburg, WI 53711
Grant	Rock	Phone: (608) 275-3266
Green	Sauk	
Iowa		

SOUTHEAST REGION COUNTIES		
Kenosha	Sheboygan	DNR Service Center
Milwaukee	Walworth	141 NW Barstow Street,
Ozaukee	Washington	Room 180
Racine	Waukesha	Waukesha, WI 53188
		(262) 574-2100