

CHIPPEWA COUNTY

COUNTY BOARD

REGULAR MEETING

SEPTEMBER 14, 2021

CHIPPEWA COUNTY COURTHOUSE, RM 302

6:00 PM

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
3. **ROLL CALL**

Attendee Name	Organization	Title	Status	Arrived
Dean Gullickson	Chippewa County	District 7 (Chair)	Present	
Glen Sikorski	Chippewa County	District 2 (Vice-Chair)	Present	
Harold Steele	Chippewa County	District 1	Present	
Ken Schmitt	Chippewa County	District 3	Present	
Lee McMenamin	Chippewa County	District 4	Present	
Tom Thornton	Chippewa County	District 5	Excused	
Don Hauser	Chippewa County	District 6	Present	
James Mickelson	Chippewa County	District 8	Present	
Mechele Shipman	Chippewa County	District 9	Present	
Charlene Kervina	Chippewa County	District 10	Excused	
David Eisenhuth	Chippewa County	District 11	Absent	
Kari Ives	Chippewa County	District 12	Present	
Annette Hunt	Chippewa County	District 13	Excused	
Chuck Hull	Chippewa County	District 14	Present	
Ronald McGill	Chippewa County	District 15	Present	

Others present in room 302 were Randy Scholz, Andy Bauer, Lori Zwiefelhofer, Traci Bremness, Jaclyn Sadler, Todd Pauls, Jim Sherman, Larry Ritzinger, Doug Clary, Dennis Falkenberg, Tim Easker, Brian Kelley, Toni Hohlfelder, Lisa Mancl and Chris Kowalczyk.

Others present in the overflow room in room 003 were Lisa Merrell, Angie Weideman and Julia Wolf.

4. **APPROVAL OF AGENDA**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ken Schmitt, District 3
SECONDER:	Kari Ives, District 12
AYES:	Gullickson, Sikorski, Steele, Schmitt, McMenamin, Hauser, Mickelson, Shipman, Ives, Hull, McGill
ABSENT:	Eisenhuth
EXCUSED:	Thornton, Kervina, Hunt

5. **MEMBERS OF THE PUBLIC WISHING TO BE HEARD**

County Board

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

September 14, 2021
6:00 PM

There were no members of the public wishing to be heard.

6. CONSENT AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	James Mickelson, District 8
SECONDER:	Mechele Shipman, District 9
AYES:	Gullickson, Sikorski, Steele, Schmitt, McMenamin, Hauser, Mickelson, Shipman, Ives, Hull, McGill
ABSENT:	Eisenhuth
EXCUSED:	Thornton, Kervina, Hunt

1. Approval of Minutes

County Board - Regular Meeting - Aug 10, 2021 6:00 PM

7. PUBLIC HEARING

CDBG-CV Microenterprise Grant Program Public Hearing

Tobi LeMahieu presented the information for the Public Hearing for the CDBG-CV Microenterprise Grant Program.

1. Call to order
The public hearing was called to order at 6:03 pm.
2. Background on the project and Chippewa County's involvement in the CDBG program
3. Review of the project performance
4. Citizen input regarding the project
There were no members of the public wishing to speak.
5. Close the public hearing
The public hearing closed at 6:06 pm.

8. PUBLIC HEARING

Redistricting Public Hearing on Tentative County Board Supervisory Districts

Doug Clary and Dennis Falkenberg presented two options for the County Board Supervisory Districts.

1. Call to order
The public hearing was called to order at 6:06 pm.
2. Public Comment
There were no members of the public wishing to be heard.
3. Close the public hearing

County Board

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

September 14, 2021
6:00 PM

The public hearing closed at 6:16 pm.

9. REPORTS

A. General Reports

1. West Central WI Regional Planning Commission Annual Report - Lynn Nelson/Tobi LeMahieu
Lynn Nelson and Tobi LeMahieu presented the annual report for West Central WI Regional Planning Commission. See handout in the Clerk's office.

B. County Administrator Review and Update

1. Preliminary Review of the FY22 Budget - Randy Scholz
County Administrator, Randy Scholz, gave the preliminary review of the FY22 Budget. See attachment.

C. Department Reports

1. Finance Update - Lori Zwiefelhofer
Finance Director, Lori Zwiefelhofer, presented a Financial Update. See attachment.
2. CTH T Corridor Mapping & RAISE Grant Application - Brian Kelley
Highway Commissioner, Brian Kelley, spoke on the CTH T Corridor project. See attachment.

Public Information meeting on Monday, September 20th, 2021.

Supervisor Schmitt shared concerns related to zoning, water quality, road conditions north of Highway 29 and economic development of other parts of the county.

10. BUSINESS ITEMS

1. Res. 36 - 21 : Resolution to Approve Tentative Supervisory Redistricting Plan - Doug Clary and Dennis Falkenberg
Supervisor Shipman made a motion to amend the resolution. Motion to amend - strike the words "the attached" on line 33 and add option 2 behind "redistricting plan" on line 34. Second made by Supervisor Schmitt. Amendment passes - all supervisors present voted yes. 11 Yes, 0 No.

Option 2 maps and explanation added to minutes.

Supervisor Steele questioned parts of the Town of Wheaton being in District 9 when they are surrounded by District 18. Clary explained how the City of Chippewa Falls has annexed land/property around those parts of the Town of Wheaton. Supervisor Steele also shared concern about the Town of Estella being split in half.

County Clerk, Jaclyn Sadler, shared that she had spoken to members of the redistricting committee earlier in the day regarding option 2 and all members were in favor of option 2 with the exception of the Town of Estella.

County Board

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

September 14, 2021
6:00 PM

RESULT: APPROVED AS AMENDED [10 TO 1]
MOVER: Mechele Shipman, District 9
SECONDER: Kari Ives, District 12
AYES: Gullickson, Sikorski, Schmitt, McMenamin, Hauser, Mickelson, Shipman, Ives, Hull, McGill
NAYS: Steele
ABSENT: Eisenhuth
EXCUSED: Thornton, Kervina, Hunt

2. Res. 37 - 21 : Resolution to Proclaim September 2021 as Recovery Month in Chippewa County - Tim Easker
Health and Human Services Director, Tim Easker, spoke on Recovery month and the resolution.

RESULT: APPROVED [UNANIMOUS]
MOVER: Kari Ives, District 12
SECONDER: Harold Steele, District 1
AYES: Gullickson, Sikorski, Steele, Schmitt, McMenamin, Hauser, Mickelson, Shipman, Ives, Hull, McGill
ABSENT: Eisenhuth
EXCUSED: Thornton, Kervina, Hunt

3. Res. 38 - 21 : Resolution to Create a Full-Time Shared Position in the Human Resources and Facilities & Parks Division - Toni Hohlfedler and Larry Ritzinger
Facilities and Parks Director, Larry Ritzinger and Human Resources Director, Toni Hohlfedler spoke on the position request. Ritzinger spoke on the growth in the parks reservations, peak times for camping season and the extra work with the gun range. Hohlfedler spoke on dividing the tasks in the HR department to account for the extra work of going to self-funded health insurance.

RESULT: APPROVED [UNANIMOUS]
MOVER: James Mickelson, District 8
SECONDER: Lee McMenamin, District 4
AYES: Gullickson, Sikorski, Steele, Schmitt, McMenamin, Hauser, Mickelson, Shipman, Ives, Hull, McGill
ABSENT: Eisenhuth
EXCUSED: Thornton, Kervina, Hunt

4. Res. 39 - 21 : Resolution to Approve Intergovernmental Agreement on Stormwater - Dan Masterpole

County Board

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

September 14, 2021
6:00 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kari Ives, District 12
SECONDER:	Harold Steele, District 1
AYES:	Gullickson, Sikorski, Steele, Schmitt, McMenamin, Hauser, Mickelson, Shipman, Ives, Hull, McGill
ABSENT:	Eisenhuth
EXCUSED:	Thornton, Kervina, Hunt

5. 03 - 21 : Ordinance to Repeal and Recreate Animal Waste Ordinance - Second Reading - Dan Masterpole
Land Conservation and Forest Management Director, Dan Masterpole, explained the ordinance.

RESULT:	APPROVED [9 TO 2]
MOVER:	Harold Steele, District 1
SECONDER:	Don Hauser, District 6
AYES:	Steele, Schmitt, McMenamin, Hauser, Mickelson, Shipman, Ives, Hull, McGill
NAYS:	Gullickson, Sikorski
ABSENT:	Eisenhuth
EXCUSED:	Thornton, Kervina, Hunt

11. AGENDA ITEMS FOR FUTURE CONSIDERATION

There were no items for future consideration.

12. ADJOURN

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ken Schmitt, District 3
SECONDER:	Mechele Shipman, District 9
AYES:	Gullickson, Sikorski, Steele, Schmitt, McMenamin, Hauser, Mickelson, Shipman, Ives, Hull, McGill
ABSENT:	Eisenhuth
EXCUSED:	Thornton, Kervina, Hunt

CHIPPEWA COUNTY**COUNTY BOARD****REGULAR MEETING****AUGUST 10, 2021****CHIPPEWA COUNTY COURTHOUSE, RM 302****6:00 PM**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
3. **ROLL CALL**

Attendee Name	Organization	Title	Status	Arrived
Dean Gullickson	Chippewa County	District 7 (Chair)	Present	
Glen Sikorski	Chippewa County	District 2 (Vice-Chair)	Present	
Harold Steele	Chippewa County	District 1	Present	
Ken Schmitt	Chippewa County	District 3	Present	
Lee McMenamin	Chippewa County	District 4	Present	
Tom Thornton	Chippewa County	District 5	Present	
Don Hauser	Chippewa County	District 6	Present	
James Mickelson	Chippewa County	District 8	Present	
Mechele Shipman	Chippewa County	District 9	Present	
Charlene Kervina	Chippewa County	District 10	Present	
David Eisenhuth	Chippewa County	District 11	Present	
Kari Ives	Chippewa County	District 12	Present	
Annette Hunt	Chippewa County	District 13	Present	
Chuck Hull	Chippewa County	District 14	Present	
Ronald McGill	Chippewa County	District 15	Present	

others present - Randy Scholz, Andy Bauer, Toni Hohlfelder, Dan Masterpole, Larry Ritzinger, Doug Clary, Todd Pauls, Deb Blevins, Jaclyn Sadler, Lori Zwiefelhofer, Traci Bremness, Carolyn Kaiser, Gary Spilde, Dennis Ferstenou, Dave Staber, Jim Hammitt, Tim Johnson

4. **APPROVAL OF AGENDA**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	James Mickelson, District 8
SECONDER:	Ken Schmitt, District 3
AYES:	Gullickson, Sikorski, Steele, Schmitt, McMenamin, Thornton, Hauser, Mickelson, Shipman, Kervina, Eisenhuth, Ives, Hunt, Hull, McGill

5. **MEMBERS OF THE PUBLIC WISHING TO BE HEARD**

Jim Hammitt, Lake Holcombe, spoke on the lack of a County noise ordinance. Would like a County noise ordinance.

Dave Staber, Town Chairman of the Town of Lafayette, spoke in favor of the Stormwater Agreement.

County Board

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

August 10, 2021
6:00 PM

Carolyn Kaiser, Town of Wheaton, spoke in favor of ordinance 03-21 and asked that the second reading be waived.

Dennis Ferstenou, Town of Eagle Point Chairman, spoke in favor of the Stormwater Agreement.

Gary Spilde, Village of Lake Hallie President, spoke in favor of the Stormwater Agreement.

6. CONSENT AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tom Thornton, District 5
SECONDER:	Mechele Shipman, District 9
AYES:	Gullickson, Sikorski, Steele, Schmitt, McMenamin, Thornton, Hauser, Mickelson, Shipman, Kervina, Eisenhuth, Ives, Hunt, Hull, McGill

1. Approval of Minutes

County Board - Regular Meeting - Jul 13, 2021 6:00 PM

County Board - Special Meeting - Jul 20, 2021 6:00 PM

2. AZO 04 - 21 : 2021-0012 Rezone Request - Korn Et Al, Rudolph & Huggett
3. AZO 05 - 21 : 2021-0010 - Steven Oberlin & Gweneth Good-Oberlin - Rezone

7. REPORTS

A. County Administrator Review and Update

B. Department Reports

C. General Reports

1. 2020 Audit Report - April Anderson, CliftonLarsonAllen
April Anderson from CliftonLarsonAllen presented the 2020 Audit report to the County Board. see attachment.

8. BUSINESS ITEMS

1. Approve Cooperative Agreement to Implement Joint Stormwater Program for Chippewa Falls Urban Area - Randy Scholz and Dan Masterpole
Motion to suspend the rules as agreement didn't go through a committee for the board to take action.
Motion made by Supervisor Shipman, Second made by Supervisor Hull , vote 9 - Yes, 6 - No.
Supervisors voting Yes were Schmitt, Thornton, Hauser, Shipman, Kervina, Ives, Hunt, Hull and McGill.
Supervisors voting No were Steele, Sikorski, McMenamin, Gullickson, Mickelson, Eisenhuth

Motion to suspend needed 2/3 vote. Motion to suspend the rules failed. Business item was not discussed and therefore no action was taken.

Minutes Acceptance: Minutes of Aug 10, 2021 6:00 PM (Consent Agenda)

County Board

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

August 10, 2021
6:00 PM

RESULT: **FAILED**

2. Res. 29 - 21 : Resolution to Create a Redistricting Committee - Randy Scholz

RESULT: **APPROVED [14 TO 1]**
MOVER: Harold Steele, District 1
SECONDER: Charlene Kervina, District 10
AYES: Gullickson, Sikorski, Steele, Schmitt, McMenamin, Hauser, Mickelson, Shipman,
 Kervina, Eisenhuth, Ives, Hunt, Hull, McGill
NAYS: Thornton

3. Res. 30 - 21 : Resolution to Increase County Board Size to 21 Supervisors Through Redistricting - Randy Scholz
Amendment - Motion made by Supervisor Thornton to reduce the County Board Increase from 21 supervisors to 19 supervisors. Second made by Supervisor Hauser.
Amendment Motion failed.
Supervisors voting yes were Supervisors Thornton, Hauser, Mickelson, Shipman and McGill.
Supervisors voting no were Supervisors Steele, Sikorski, Schmitt, McMenamin, Gullickson, Kervina, Eisenhuth, Ives, Hull and Hunt.

RESULT: **APPROVED [12 TO 3]**
MOVER: Harold Steele, District 1
SECONDER: Ken Schmitt, District 3
AYES: Gullickson, Sikorski, Steele, Schmitt, McMenamin, Hauser, Mickelson, Shipman,
 Kervina, Eisenhuth, Ives, Hunt
NAYS: Thornton, Hull, McGill

4. Res. 31 - 21 : Resolution to Establish Health Insurance Funding for the 2022 Budget - Randy Scholz

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Annette Hunt, District 13
SECONDER: Ken Schmitt, District 3
AYES: Gullickson, Sikorski, Steele, Schmitt, McMenamin, Thornton, Hauser, Mickelson,
 Shipman, Kervina, Eisenhuth, Ives, Hunt, Hull, McGill

5. Res. 32 - 21 : Resolution to Transition to a Self-Funded Health Insurance Plan in 2022 - Randy Scholz and Toni Hohlfelder

Minutes Acceptance: Minutes of Aug 10, 2021 6:00 PM (Consent Agenda)

County Board

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

August 10, 2021
6:00 PM

RESULT: APPROVED [14 TO 1]
MOVER: Chuck Hull, District 14
SECONDER: Kari Ives, District 12
AYES: Gullickson, Sikorski, Steele, Schmitt, McMenamin, Hauser, Mickelson, Shipman, Kervina, Eisenhuth, Ives, Hunt, Hull, McGill
NAYS: Thornton

6. Res. 33 - 21 : Resolution to Approve Levy for Salary Adjustments in 2022 - Randy Scholz

RESULT: APPROVED [UNANIMOUS]
MOVER: Mechele Shipman, District 9
SECONDER: Annette Hunt, District 13
AYES: Gullickson, Sikorski, Steele, Schmitt, McMenamin, Thornton, Hauser, Mickelson, Shipman, Kervina, Eisenhuth, Ives, Hunt, Hull, McGill

7. Res. 34 - 21 : Resolution to Create a Technical Support Analyst Position in IT - Randy Scholz and Andy Bauer

RESULT: APPROVED [14 TO 1]
MOVER: Annette Hunt, District 13
SECONDER: Kari Ives, District 12
AYES: Gullickson, Sikorski, Steele, Schmitt, McMenamin, Thornton, Hauser, Mickelson, Shipman, Eisenhuth, Ives, Hunt, Hull, McGill
NAYS: Kervina

8. Res. 35 - 21 : Resolution to Create IT Technical Support Analyst Position for RWC - Andy Bauer

RESULT: APPROVED [14 TO 1]
MOVER: Kari Ives, District 12
SECONDER: James Mickelson, District 8
AYES: Gullickson, Sikorski, Steele, Schmitt, McMenamin, Hauser, Mickelson, Shipman, Kervina, Eisenhuth, Ives, Hunt, Hull, McGill
NAYS: Thornton

9. Ord. 03 - 21 : Ordinance to Repeal and Recreate Animal Waste Ordinance - First Reading - Dan Masterpole
Land Conservation and Forest Management Director, Dan Masterpole, provided a presentation on the ordinance. see attachment.

RESULT: FIRST READING **Next: 9/14/2021 6:00 PM**

10. Purchasing Policy Revisions - First Reading - Randy Scholz and Lori Zwiefelhofer
Motion to waive 2nd reading.

Minutes Acceptance: Minutes of Aug 10, 2021 6:00 PM (Consent Agenda)

County Board

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

August 10, 2021
6:00 PM

Motion made by Supervisor Schmitt, Second made by Supervisor Hull, Vote- 14-Yes, 1-No.
All Supervisors present voted yes, except Supervisor McMenemy
Motion to waive 2nd reading approved.

RESULT:	APPROVED [14 TO 1]
MOVER:	Annette Hunt, District 13
SECONDER:	Mechele Shipman, District 9
AYES:	Gullickson, Sikorski, Steele, Schmitt, Thornton, Hauser, Mickelson, Shipman, Kervina, Eisenhuth, Ives, Hunt, Hull, McGill
NAYS:	McMenemy

11. Closed Session - The County Board will convene in Closed Session pursuant to Wisconsin State Statute Sec. 19.85(1)(g) "Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (confer with attorney on tentative settlement in Jacob R. Voytko v. Chippewa County, et. al.).
Motion made to convene into closed session. Those in attendance were all 15 County Board Supervisors, Tim Johnson, Deb Blevins, Todd Pauls, Randy Scholz and Jackie Sadler

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Glen Sikorski, District 2 (Vice-Chair)
SECONDER:	Annette Hunt, District 13
AYES:	Gullickson, Sikorski, Steele, Schmitt, McMenemy, Thornton, Hauser, Mickelson, Shipman, Kervina, Eisenhuth, Ives, Hunt, Hull, McGill

12. The County Board will reconvene to open session to continue with the agenda

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tom Thornton, District 5
SECONDER:	Ken Schmitt, District 3
AYES:	Gullickson, Sikorski, Steele, Schmitt, McMenemy, Thornton, Hauser, Mickelson, Shipman, Kervina, Eisenhuth, Ives, Hunt, Hull, McGill

9. AGENDA ITEMS FOR FUTURE CONSIDERATION

Supervisor Schmitt asked that the Stormwater Agreement be on the next Land Conservation Forest Management committee meeting agenda.

Supervisor Hunt asked for Public Health to provide an update on the pandemic.

10. ADJOURN

Minutes Acceptance: Minutes of Aug 10, 2021 6:00 PM (Consent Agenda)

County Board

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

August 10, 2021
6:00 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ken Schmitt, District 3
SECONDER:	James Mickelson, District 8
AYES:	Gullickson, Sikorski, Steele, Schmitt, McMenamin, Thornton, Hauser, Mickelson, Shipman, Kervina, Eisenhuth, Ives, Hunt, Hull, McGill

Minutes Acceptance: Minutes of Aug 10, 2021 6:00 PM (Consent Agenda)

PUBLIC HEARING NOTICE

Chippewa County

Tuesday, September 14, 2021

6:00 p.m.

711 N. Bridge Street, Room 302

Chippewa Falls, WI 54729

Chippewa County will conduct a public hearing regarding its Community Development Block Grant-Coronavirus (CDBG-CV) grant award for its Microenterprise Grant Program. The program is providing funds to alleviate the economic effects of the COVID-19 pandemic on small businesses in a 7-county region throughout West Central Wisconsin.

The public is invited to review the project's performance and to comment on its activities.

The agenda for the public hearing is as follows:

- Background on the project and Chippewa County's involvement in the CDBG program
- Review of project performance
- Citizen input regarding the project

Residents of Chippewa County are encouraged to participate, especially residents with low to moderate incomes.

Chippewa County shall attempt to provide reasonable special accommodations to the public for access to its public meetings, provided reasonable notice of special need is given. If special accommodations for the meeting are desired, contact the County Clerk's Office at 715-726-7980 or jsadler@co.chippewa.wi.us.

Records pertaining to the project can be requested by contacting the County Clerk's office between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday at the contact information above.

**Chippewa County
Community Development Block Grant-Coronavirus (CDBG-CV)
Public Hearing – Tuesday, September 14, 2021
Chippewa County Courthouse
711 N. Bridge Street, Room 302, Chippewa Falls, WI 54729
6:00 p.m.**

Agenda

1. Background on project and Chippewa County's involvement in CDBG program:

In March 2021, Chippewa County was awarded a grant from the Community Development Block Grant-Coronavirus (CDBG-CV) program to provide funds to alleviate the economic effects of the COVID-19 pandemic on small businesses in a 7-county region throughout West Central Wisconsin. The CDBG-CV program is a federally funded grant program, which is administered in Wisconsin by the state's Department of Administration.

As part of the federal requirements tied to the CDBG-CV grant, the County must hold two public hearings. The first hearing was held in February 2021 prior to the submission of the grant application. Today's meeting is the second public hearing, and its purpose is to review the project's performance and to invite the public's comments on activities that have been completed.

2. Review of project performance:

The project commenced in Spring 2021 after receipt of the CDBG award. The West Central Wisconsin Regional Planning Commission was hired to carry out the project.

Quick Project Facts	
Contractor & Grant Administrator	West Central WI Regional Planning Commission
Projected total amount of funds to grantees	Up to \$891,231.92
Projected number of businesses receiving grants	180

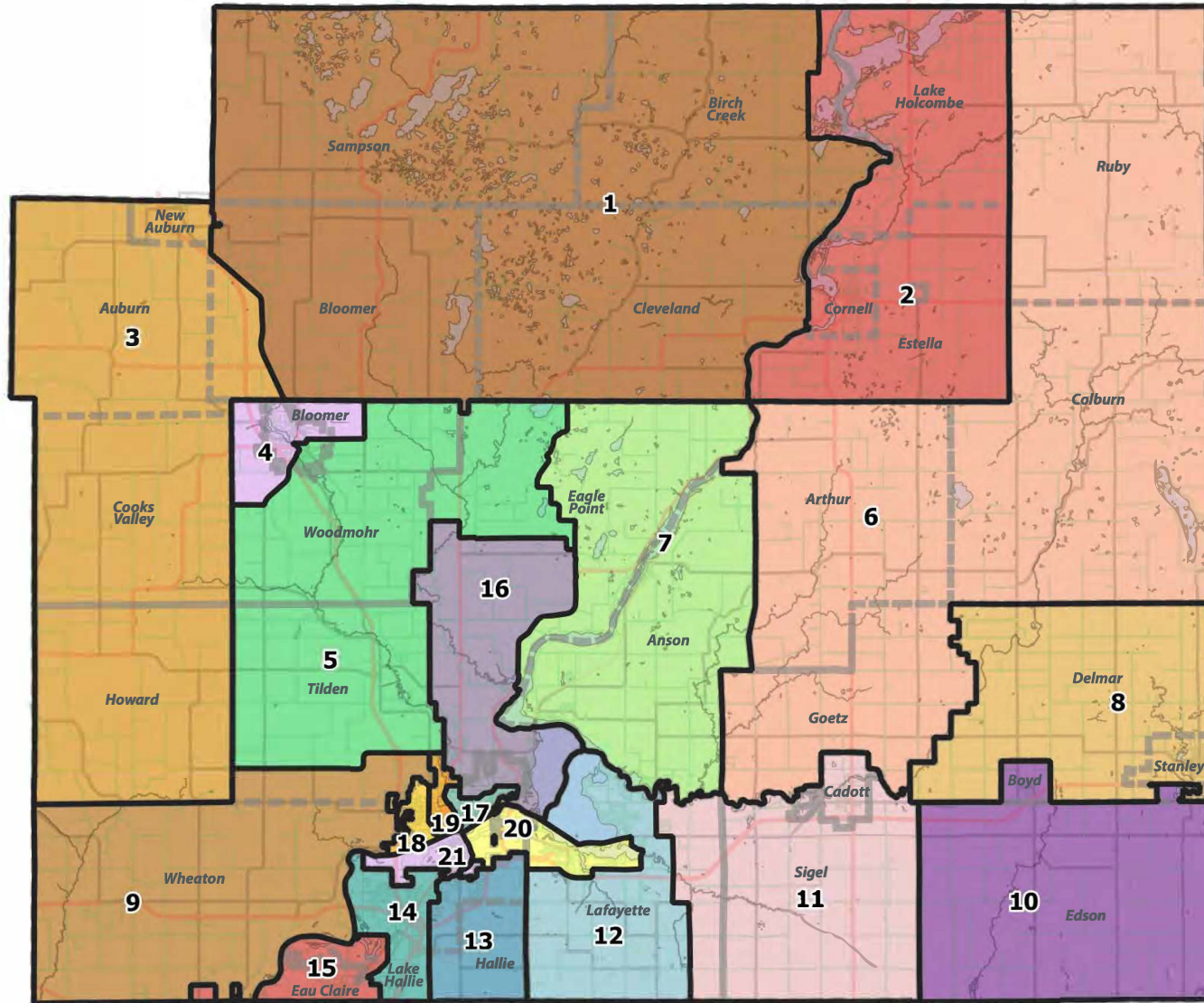
The project established a Microenterprise Grant Program, which is providing up to \$5,000 grants to eligible small, low-or-moderate income businesses in Barron, Chippewa, Clark, Dunn, Eau Claire (not including the City of Eau Claire), Polk and St. Croix counties. The purpose is to assist the hardest-hit small business owners in order to help them weather the ongoing impacts of COVID-19, which will provide a foundation for their recovery and future growth. Applications from businesses have been accepted, and the Commission is currently working in partnership with the Wisconsin Department of Administration to distribute funds to the business grantees. All funds are expected to be provided to the business owners by Fall 2021 with project closeout slated before the end of the year.

3. Citizen input regarding project:

The public is invited to share comments on items such as project performance and their views on the CDBG program, or to ask questions about the project or CDBG.

Tentative County Supervisory Districts - Option 1

2021 Redistricting Cycle



Supervisory District Number	Supervisory District Population	Amount of Deviation from 3,157	Percent of Deviation from 3,157
01	3,028	-129	-4.09%
02	3,149	-8	-0.25%
03	3,056	-101	-3.20%
04	3,087	-70	-2.22%
05	3,043	-114	-3.61%
06	2,941	-216	-6.84%
07	3,181	+24	+0.76%
08	3,259	+102	+3.23%
09	3,076	-81	-2.57%
10	3,304	+147	+4.66%
11	3,219	+62	+1.96%
12	3,309	+152	+4.66%
13	3,055	-102	-3.23%
14	3,252	+95	+3.01%
15	3,199	+42	+1.33%
16	3,125	-32	-1.01%
17	3,067	-90	-2.85%
18	3,139	-18	-0.57%
19	3,303	+146	+4.62%
20	3,300	+143	+4.53%
21	3,205	+48	+1.52%

Ideal District population is 3,157

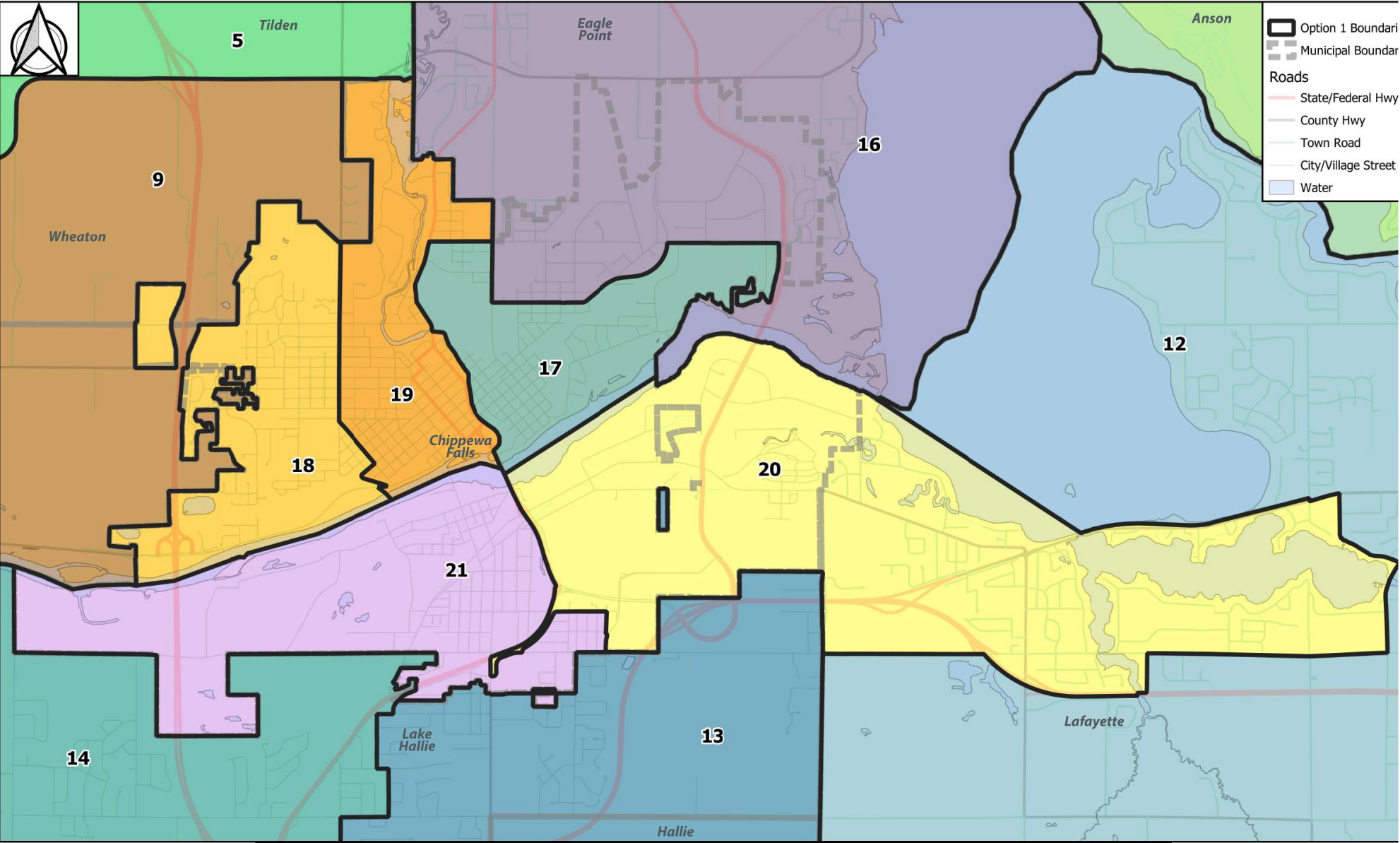
- Option 1 Boundary
- Municipal Boundary
- Roads**
 - State/Federal Hwy
 - County Hwy
 - Town Road
 - City/Village Street
- Water

Map produced by the Chippewa County Planning & Zoning Department and is for reference purposes only

Attachment: Tentative County Supervisory Districts - Option 1 County with Muni Bounds (6585 :

Tentative County Supervisory Districts - Option 1

Chippewa Falls Area - 2021 Redistricting Cycle



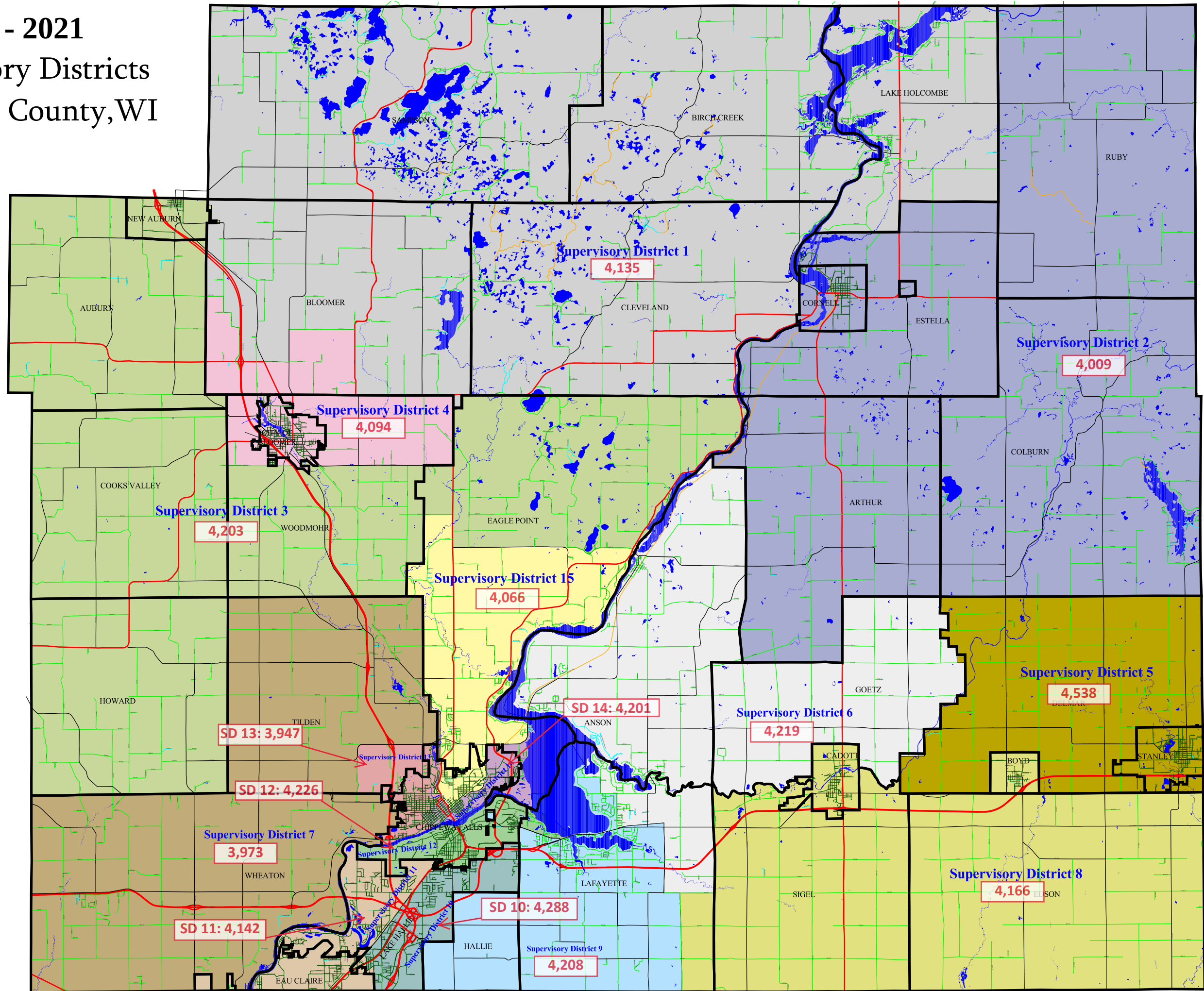
Map produced by the Chippewa County Planning & Zoning Department and is for reference purposes only

Attachment: Tentative County Supervisory Districts Option 1 CF Area (6585 : Redistricting Public

2012 - 2021

Supervisory Districts

Chippewa County, WI



Updated: 09-10-2021 with SD Numbers
Douglas Clary

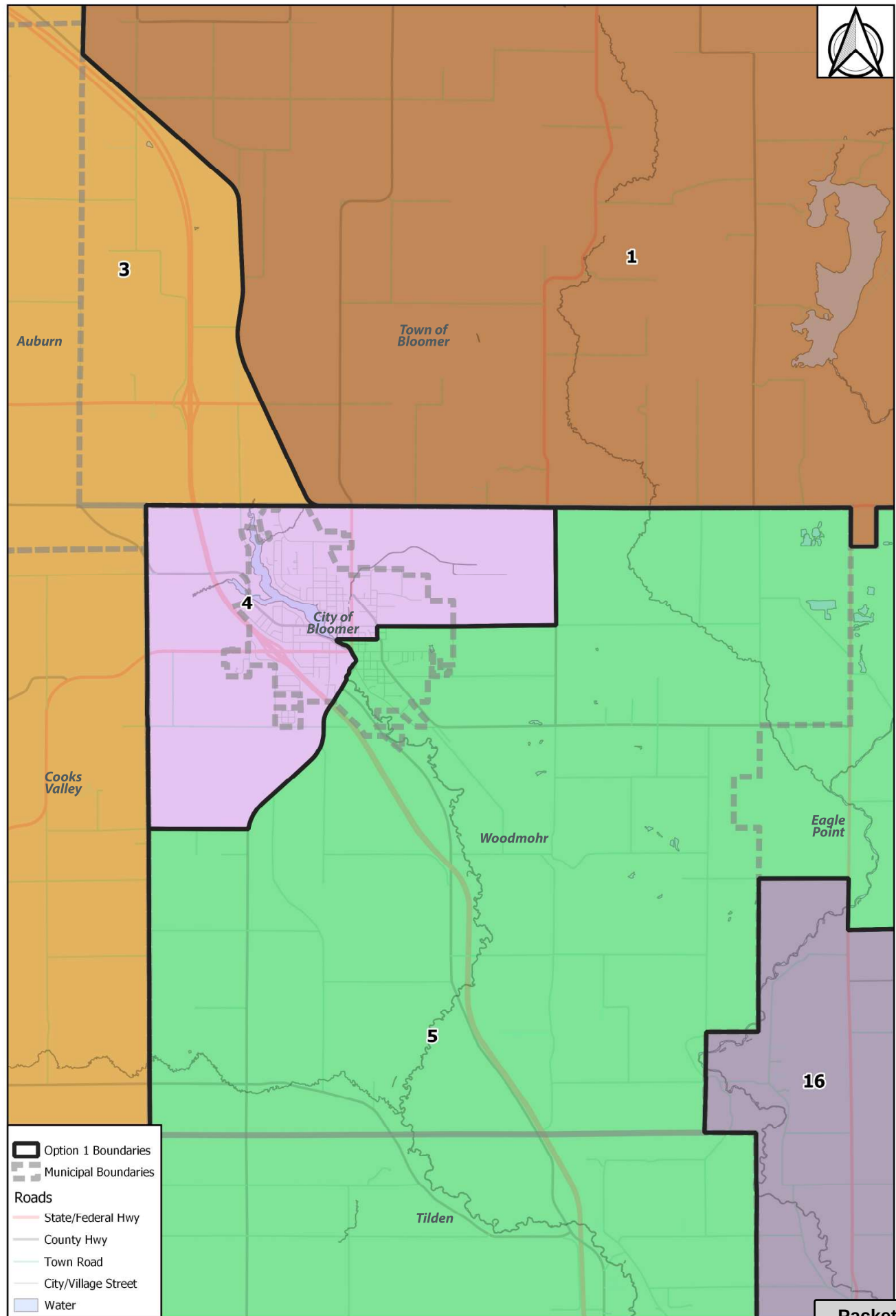
Map created courtesy of
Ryan Brown - County Planner
Planning and Zoning Department
Plan Adopted - August 9, 2011

Attachment: Current 2012-2021 Supervisory District Map (6585 : Redistricting Public Hearing)

Tentative County Supervisory Districts - Option 1

8.d

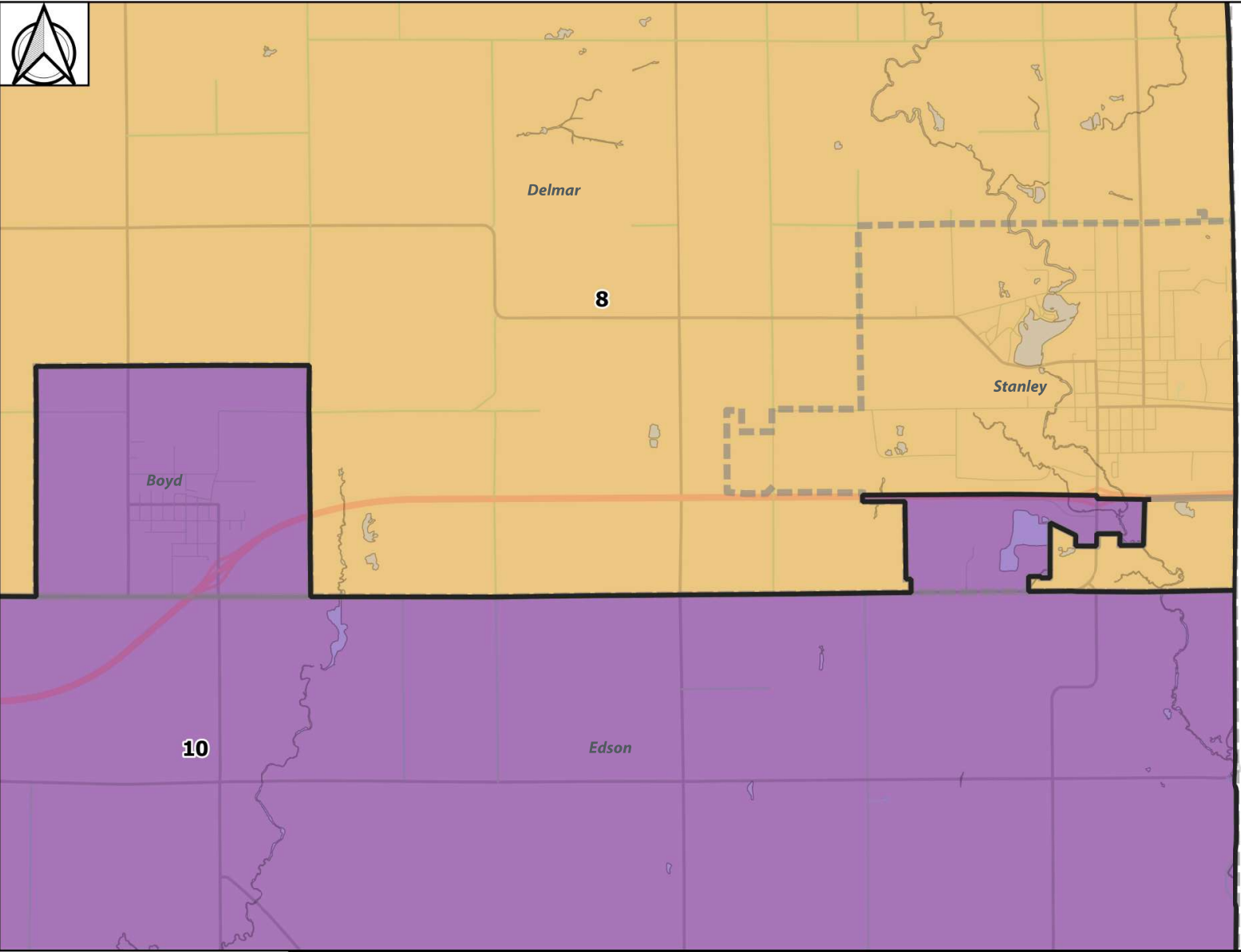
Bloomer Area - 2021 Redistricting Cycle



Attachment: Tentative County Supervisory Districts - Option 1 Bloomer Area (6585 : Redistricting Public Hearing)

Tentative County Supervisory Districts - Option 1

Stanley Area - 2021 Redistricting Cycle



- Option 1 Boundary
- Municipal Boundary
- Roads**
 - State/Federal Hwy
 - County Hwy
 - Town Road
 - City/Village Street
 - Water

Map produced by the Chippewa County Planning & Zoning Department and is for reference purposes only

CHIPPEWA COUNTY DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone: 715.726.7940 • Fax: 715.726.4596 • www.co.chippewa.wi.us •

Land Management

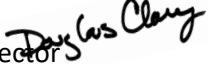
Land Planning

Land Records & G.I.S.

POWTS & Wells

Date: September 13, 2021

To: Mechele Shipman, Redistricting Committee Chair & County Board Supervisor – District 9

From: Douglas Clary, Director 

Re: Redistricting – Revised Option 2 based on Prison Population Split between Census Blocks

On September 8th, 2021, the Chippewa County Redistricting Committee approved a Tentative County Supervisory District to be forwarded to the County Board for approval. We contacted the State Legislative Technical Services Bureau (LTSB) office on how to properly assign a “ward”, which would be larger than allowed per the Wisconsin State Statutes. The ward in question was comprised of the Stanley Correctional Institution (SCI) with the prison resident population of 1,537 which was assigned to one Census Block. However, there were two (2) Census Blocks covering the SCI property.

On, September 10th, 2021, we received guidance from the LTSB of an option for reallocating the prison resident population between the two Census Blocks. Three (3) of the dorms are located in the western Census Block, while two are located in the eastern Census Block. Thus, the proposed western Census Block prison population would be 922 and the eastern Census Block prison population would be 615. These numbers were derived from dividing 1,537 divided by 5 and then the result times the number of dorms in each Census Block.

By allowing the prison population to be split within two Census Blocks, we were able to redesign the eastern and the northern County Board Supervisory Districts to meet some concerns that were present with the Tentative County Supervisory District Option 1.

One of the concerns or actually a request was from the City of Stanley. Stanley requested an adjustment of the proposed Supervisory Districts, so that the City could be represented by one vs. two County Board Supervisors. This would be a problem because of Stanley’s overall population.

With the revision, we were able to have a significant resident population of the City represented by one County Board Supervisor with the prison Census Block including approximately 922 of the prison population. The prison Census Block of approximately 615 prison population, would be associated with another Supervisory District (10) which includes the Town of Edson and Village of Boyd, in their entirety, and a portion of Delmar.

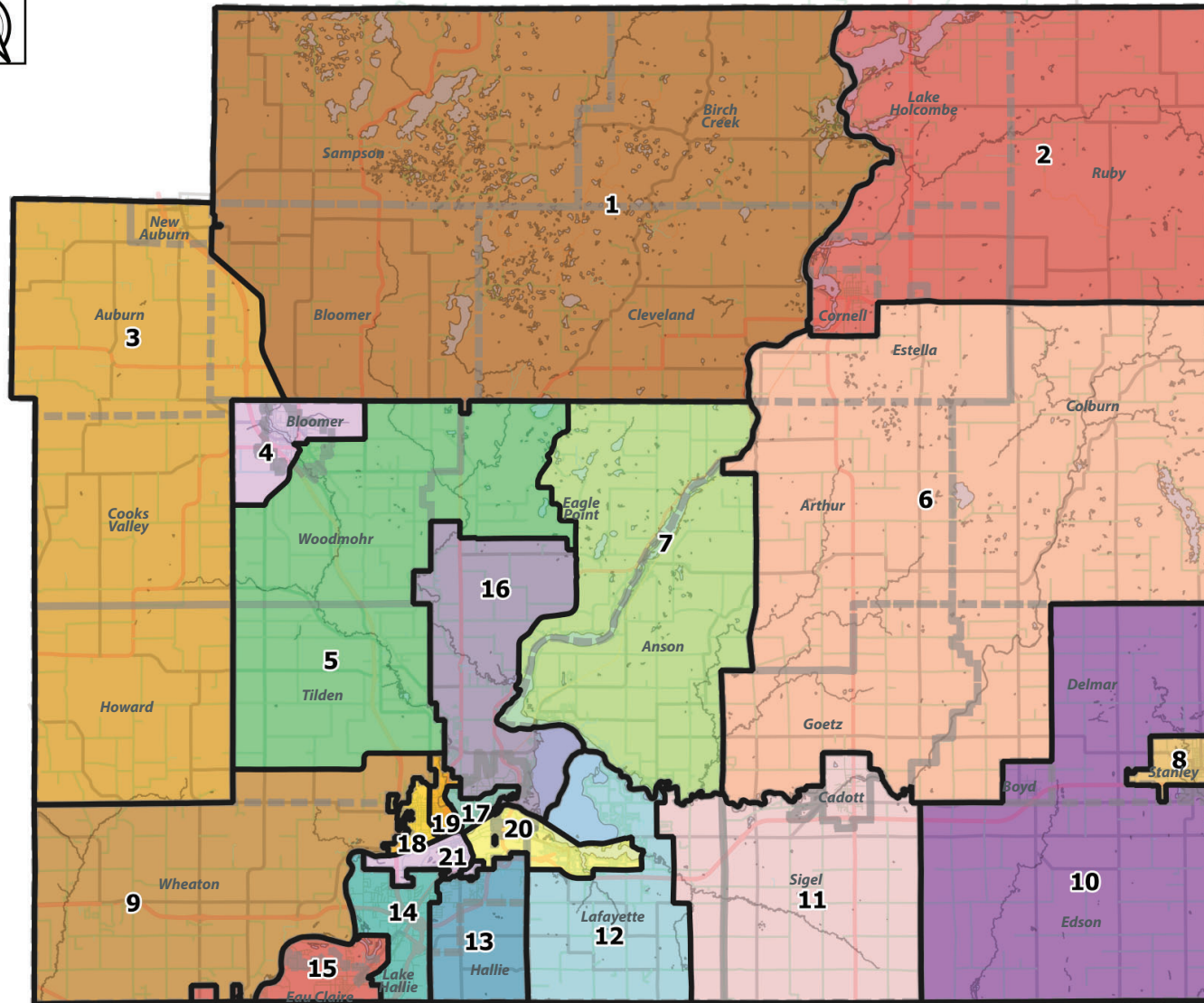
The second concern was raised about the compactness of County Board Supervisory District 6. As you may recall, this particular district was long and extended from the NE corner of the County down to Highway 29. With the reapportioning of the prison population, we were able to adjust the proposed County Supervisory Districts of 1, 2, 6, 8, and 10. This allowed for District 6, 8 and 10 to be more compacted.

The final concern was that tentative County Supervisory District had a deviation of 11.66%. Option 2 brings our overall plan deviation to 8.43% from a perfect population equality. This percentage is below the 10% guideline which presumptively complies with the one-person, one-vote rule.

Attachment: Shipman - Letter Explaining Option 2 with Prison Population Reallocation_2021-09-13 (6585 : Redistricting Public Hearing)

Tentative County Supervisory Districts - Option 2

2021 Redistricting Cycle - Stanley Correctional Institution
(Reapportionment of population within two Census Blocks)



Supervisory District Number	Supervisory District Population	Percent of Deviation from 3,157
01	3,237	+2.53%
02	3,157	+0.00%
03	3,056	-3.20%
04	3,087	-2.22%
05	3,043	-3.61%
06	3,050	-3.39%
07	3,181	+0.76%
08	3,170	+0.41%
09	3,076	-2.57%
10	3,067	-2.85%
11	3,219	+1.96%
12	3,309	+4.66%
13	3,055	-3.23%
14	3,252	+3.01%
15	3,199	+1.33%
16	3,125	-1.01%
17	3,067	-2.85%
18	3,139	-0.57%
19	3,303	+4.62%
20	3,300	+4.53%
21	3,205	+1.52%

Ideal District Population is:	3,157
-------------------------------	-------

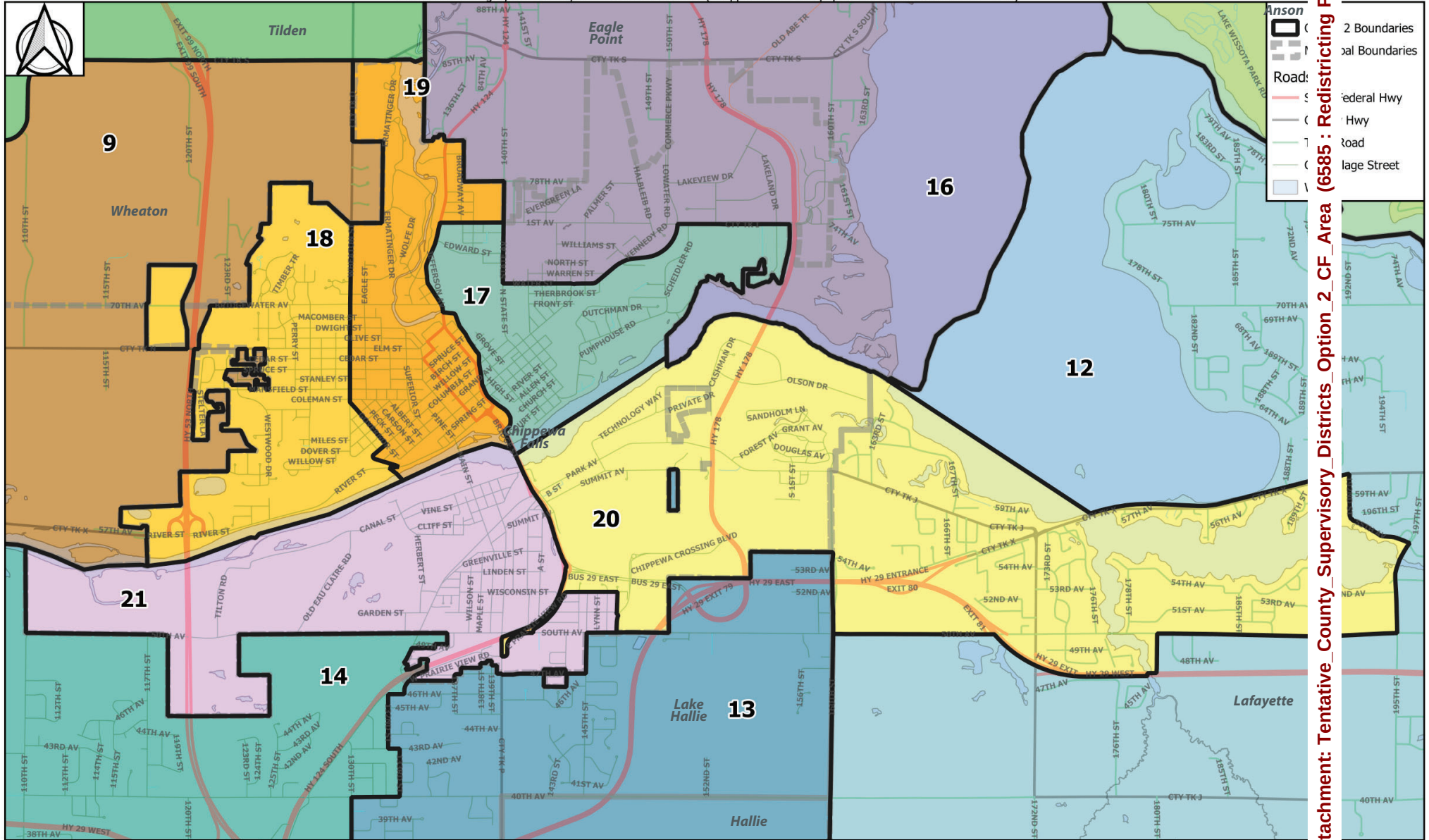
	2 Boundaries
	3al Boundaries
	Road: Federal Hwy
	Hwy
	road
	lage Street

Attachment: Tentative County Supervisory Districts Option 2 (6585 : Redistricting Public Hearing)

Map produced by the Chippewa County Planning & Zoning Department and is for reference purposes only

Tentative County Supervisory Districts - Option 2 Chippewa Falls Area

2021 Redistricting Cycle - Stanley Correctional Institution (Reapportionment of population within two Census Blocks)

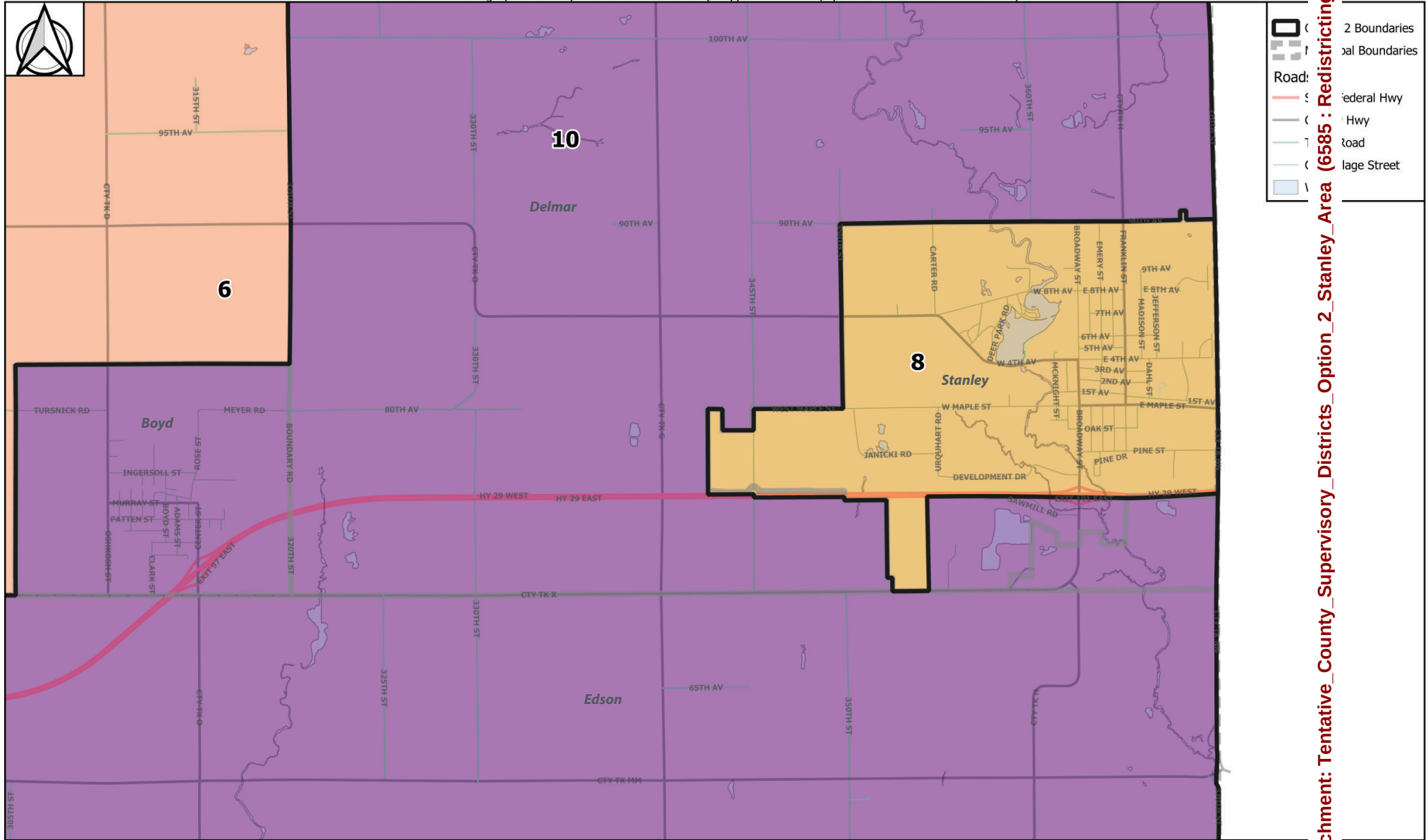


Map produced by the Chippewa County Planning & Zoning Department and is for reference purposes only

Attachment: Tentative County Supervisory Districts - Option 2 CF Area (6585 : Redistricting Public

Tentative County Supervisory Districts - Option 2 Stanley Area

2021 Redistricting Cycle - Stanley Correctional Institution (Reapportionment of population within two Census Blocks)



Map produced by the Chippewa County Planning & Zoning Department and is for reference purposes only

Attachment: Tentative County Supervisory Districts - Option 2 Stanley Area (6585 : Redistricting Public



Who We Are And What We Do

2021

Lynn Nelson, Executive Director
Tobi LeMahieu, Fund Manager

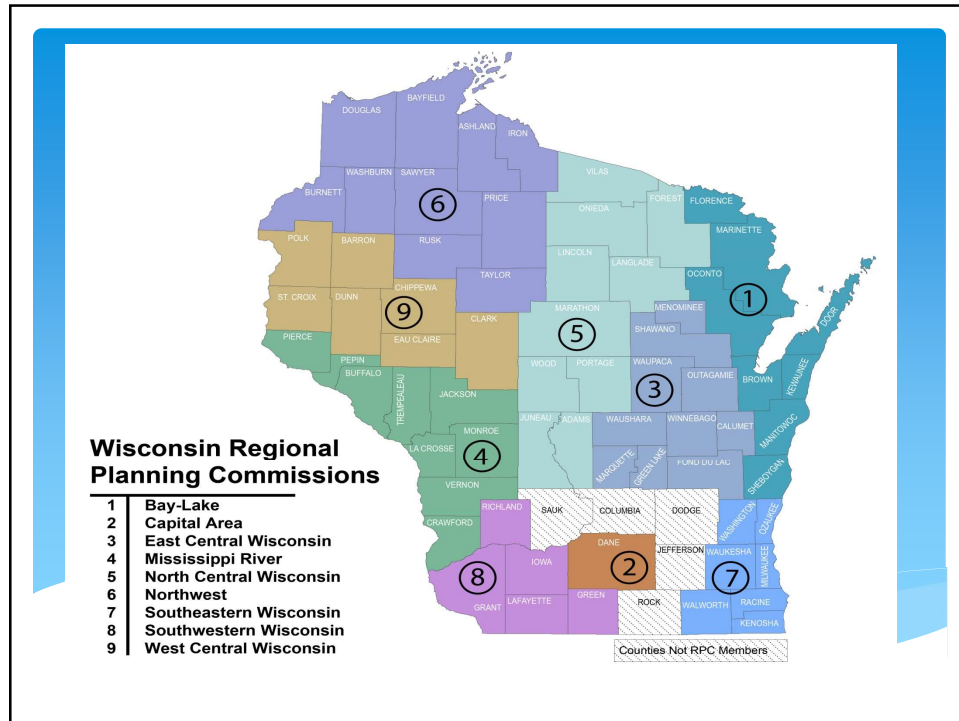


West Central Wisconsin Regional Planning Commission

Regional Planning Commissions

❖ WCWRPC was created under State
Statute in 1971 (§66.945, now §66.0309)



West Central Wisconsin Regional Planning Commission

- Governed by 21 Member Commission
- Appointments are made by County Boards (3 per county)


 West Central Wisconsin Regional Planning Commission

West Central Wisconsin Regional Planning Commission

Commissioners

Barron County

Stan Buchanan
Louie Okey
Gary Taxdahl

Chippewa County

Dave Eisenhuth
Donald Hauser
Lee McMenamin

Clark County

Peter Kaz
Allen Krause, Jr.
Joe Waichulis, Jr.

Dunn County

Diane Morehouse
Tom Quinn
Steve Rasmussen

Eau Claire County

John Frank
Connie Russell
Dane Zook

Polk County

Tracy LaBlanc
Tom Magnafici
Steve Warndahl

St. Croix County

Judy Achterhof
Larry Weisenbeck
Daniel Hansen

West Central Wisconsin Regional Planning Commission

WCWRPC Staff



Lynn Nelson
Executive Director



Hailee Bushman
Assistant Planner



Landon Profazier
Creative Content
Manager / Associate
Planner



Mai Xiong-Thao
Loan Processor



Eric Anderson
Senior Planner



Craig Johnson
Associate Planner



Edwin Rothrock
Associate Planner



Kim Zimmerman
Finance Manager



Susan Badtke
Senior Planner



Tobi LeMahieu
Fund Manager



Lisa Ruth
Office Manager



Heidi Biesterveld
Lending Specialist



Michael Mills
Assistant Planner



Chris Straight
Senior Planner



West Central Wisconsin Regional Planning Commission

West Central Wisconsin Regional Planning Commission

Goal:

Assist units of government in planning for the physical, social, and economic development needs of the region.

Services fall in four general areas:

- 1) Economic Development
- 2) Transportation
- 3) Community Development
- 4) Conversation and Mapping



West Central Wisconsin Regional Planning Commission

Sample Work Projects

- Chippewa Valley Innovation Center Economic Development Administration (EDA) CARES Application
- Northern Wisconsin State Fair Association FEMA Application for a Safe Room
- Chippewa Falls Shared Ride Taxi Administration
- Safe Routes to School Plan/Implementation Activities for Chippewa Falls
- Stanley Comprehensive Plan Update
- Chippewa Valley Bike Map
- Staffing to the Chippewa-Eau Claire Metropolitan Planning Organization
- Staffing to Rain to Rivers of Western Wisconsin
- Staffing/Administration of Business Loan/Grant Programs...

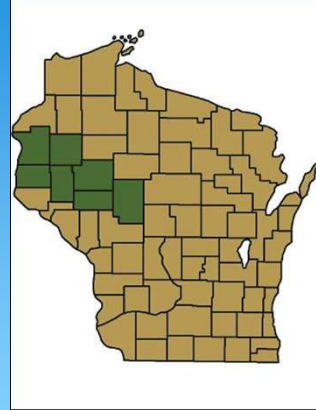


West Central Wisconsin Microenterprise Grant Program

Program Description:

West Central Wisconsin Regional Planning Commission (WCWRPC) is the regional administrator of the West Central Wisconsin Microenterprise Grant Program.

The Microenterprise Grant Program provides \$5,000 grants to eligible businesses negatively impacted by the COVID-19 pandemic.

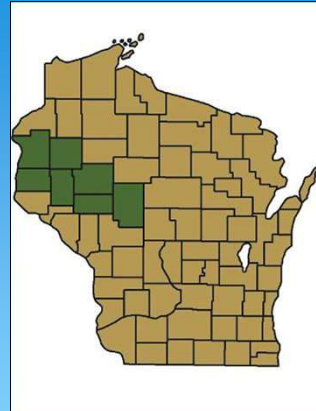


West Central Wisconsin Microenterprise Grant Program

Eligibility:

To qualify for a \$5,000 grant, a business must be:

- Small; defined as five or fewer employees including the owner(s)
- Located in West Central Wisconsin – *excluding the City of Eau Claire*
- Established prior to February 5, 2020
- Owned by a person(s) of qualifying income. If there are multiple owners of the business, the majority (51% or more) of the owners must meet the income eligibility requirements



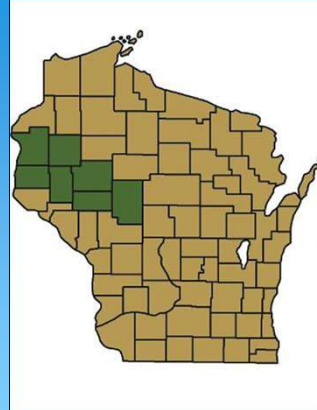
West Central Wisconsin Microenterprise Grant Program

Eligible Use of Funds:

Grant funds must reimburse working capital needs resulting from the COVID-19 pandemic.

Examples include:

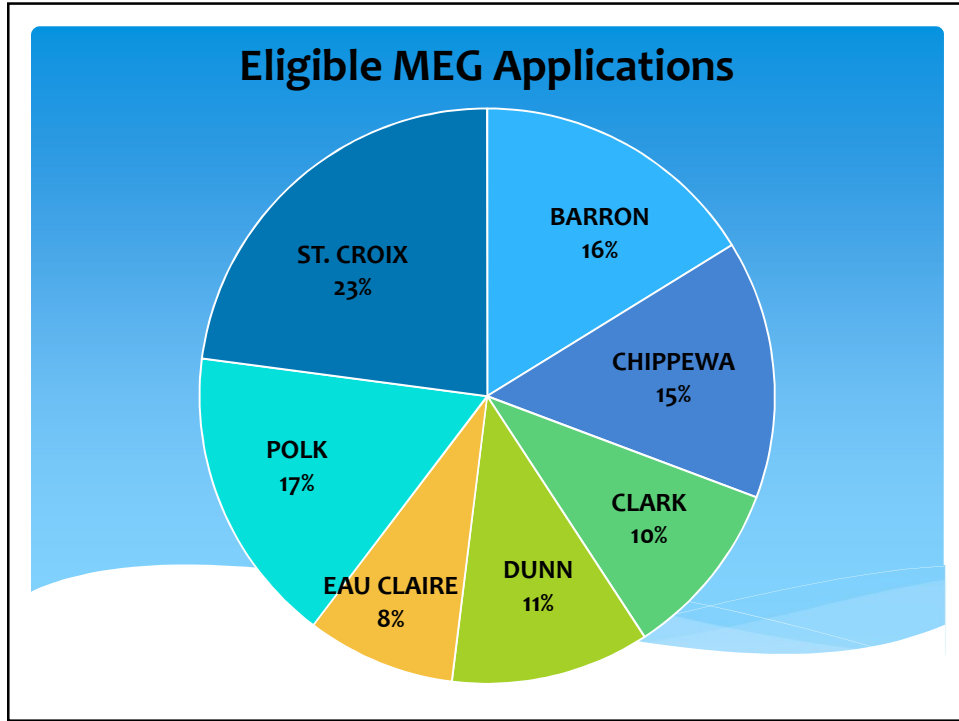
- Operating expenses such as payroll, rent, mortgage, insurance, utilities, inventory, professional fees, and COVID-19 related expenses such as protective equipment



WCWRPC
West Central Wisconsin Regional Planning Commission

West Central Wisconsin Microenterprise Grant Program

County	Eligible Applications	Requested Grant Award Amount
BARRON	29	\$142,871.11
CHIPPEWA	26	\$129,634.64
CLARK	18	\$90,000.00
DUNN	20	\$99,490.59
EAU CLAIRE	15	\$74,995.96
POLK	30	\$147,425.39
ST. CROIX	42	\$201,814.23
TOTAL	180	\$891,231.92



\$10,000 MAIN STREET BOUNCEBACK GRANTS

EXPAND YOUR BUSINESS AND HELP WISCONSIN'S MAIN STREETS BOUNCE BACK.

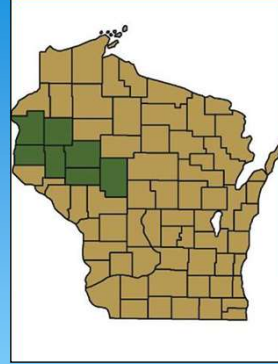
The graphic features a blue-tinted background image of a historic street scene with a clock tower. Overlaid on the right side is a white outline map of Wisconsin. The text is in white, bold, sans-serif font.

Wisconsin Main Street Bounceback Grant Program

Program Description:

West Central Wisconsin Regional Planning Commission (WCWRPC) is the regional administrator of the Main Street Bounceback Grant Program.

The Bounceback Grant Program provides \$10,000 grants to businesses moving into vacant commercial spaces.



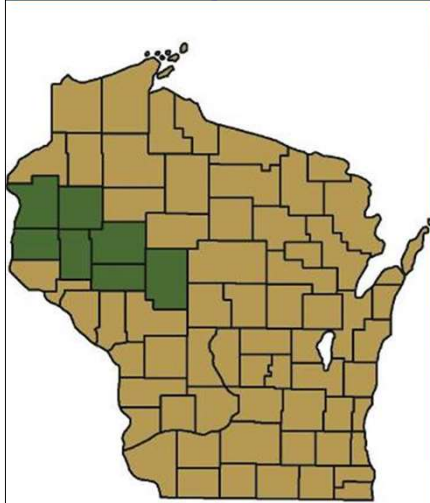
Eligibility:

New or existing businesses that are planning to lease or purchase a vacant commercial space between January 1, 2021 and June 30, 2022, are eligible for Main Street Bounceback Grants.

A business will not qualify for grant funds if they are renewing an existing lease or vacating a commercial space to move to another.



Regional Business Fund, Inc.



WCWRPC created the 501 c(6) nonprofit RBF, Inc. in 1995, originally to administer a federal revolving loan fund award

RBF, Inc. Board of Directors consists of nine (9) members who meet monthly

RBF, Inc. is staffed by West Central Wisconsin Regional Planning Commission



Regional Business Fund, Inc. Programs

* Economic Development Administration (EDA) Revolving Loan Fund (1995)

* Technology Enterprise Fund (TEF) program (2006)

* Consolidated Fund (2007)*

*Revolving Loan Fund (2007)

*Micro Loan Fund (2008)

*Façade Loan Fund (2008)

*Growth Loan Fund (2016)

**As an entitlement community, the City of Eau Claire is not eligible for any Consolidated Fund programs.*

*EDA CARES Revolving Loan Fund (2020)



RBF, Inc. Borrowers – Chippewa County 2020

- * The Hive Chippewa Valley, LLC dba The Hive (Micro Loan Fund)
- * BC Auto Wash Properties, LLC (Revolving Loan Fund)
- * Merlin J. Schrock dba Rocky Ridge Hardwoods (Revolving Loan Fund)
- * Wanish Sugar Bush LLC (Micro Loan Fund)
- * Daniel J. Mast dba D & J Lumber Sales (Growth Loan Fund)
- * Modern Lifestyle Luggage Inc. (EDA CARES RLF)
- * Motivating Health LLC (EDA CARES RLF)
- * CSTW LLC (Revolving Loan Fund)



RBF, Inc. Borrowers – Chippewa County 2021

- * Wissota View, LLC (EDA CARES RLF)
- * My Foot Rx LLC (EDA CARES RLF)
- * Blaine R. Kvapil (EDA CARES RLF)
- * Humble Beginnings Auto LLC (EDA CARES RLF)
- * Chipota Chiropractic, LLC
- * AGG Properties LLC (Revolving Loan Fund)
- * V Enterprises LLC (Revolving Loan Fund)



West Central Wisconsin Regional Planning Commission

2020 Annual Report



coordinate. partner. advocate. serve.

Packet Pg. 33

OUR STORY

Regional Business Fund, Inc. (RBF) is a 501c6 non-profit entity whose purpose is to promote business and economic development in west central Wisconsin. RBF was created by the West Central Wisconsin Regional Planning Commission (WCWRPC) in 1995 to administer the Economic Development Administration (EDA) Revolving Loan Fund. In 2005, the Technology Enterprise Fund was added. The Consolidated Loan Fund (consisting of the Revolving Loan Fund, Micro Loan Fund, Growth Loan Fund, and Façade Loan Fund) was established in 2007. The Consolidated Loan Fund was established when west central Wisconsin units of government consolidated individual Community Block Grant (CDBG) Revolving Loan Funds into one regional pool, which is administered by the RBF. In 2020, the EDA CARES Act Recovery Assistance Revolving Loan Fund was established to assist small businesses most impacted by the COVID-19 pandemic with working capital loans.

In total, there are seven loan programs the RBF can offer businesses within west central Wisconsin consisting of Barron, Chippewa, Clark, Dunn, Eau Claire, Polk, and St. Croix counties.

RBF, Inc. is managed by a Board of Directors consisting of representatives from each of the seven counties and contracts with WCWRPC to administer the loan programs.

Eligible activities include:

- Acquisition of equipment, machinery, furniture and fixtures
- New working capital, inventory purchases, supplies
- Site improvements
- Leasehold improvements
- Natural disaster recovery
- Land or building acquisition
- New building construction or building renovation



All business photos contained herein have been provided by the businesses.

FUND ACTIVITY

Activity as of December 31, 2020

FUND BALANCE	\$15,761,332.63
(Total cash, receivables, and other assets)	

AVAILABLE CASH BALANCE	\$2,507,190.31
(Net of closed loans not yet funded and committed loans)	

DECEMBER REPAYMENTS	\$226,468.40
---------------------	--------------

CLOSED LOANS

- 79 totaling \$2,571,392
- 460 full-time jobs created/retained in the next 2 years
- \$13,311,344 private funds leveraged

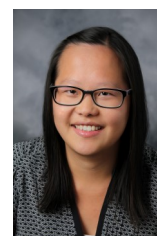
CONTACT US

Regional Business Fund, Inc.
715-836-2918 — www.rbfinc.org

Tobi LeMahieu
Fund Manager
Ext. 19
tlemahieu@wcwrpc.org

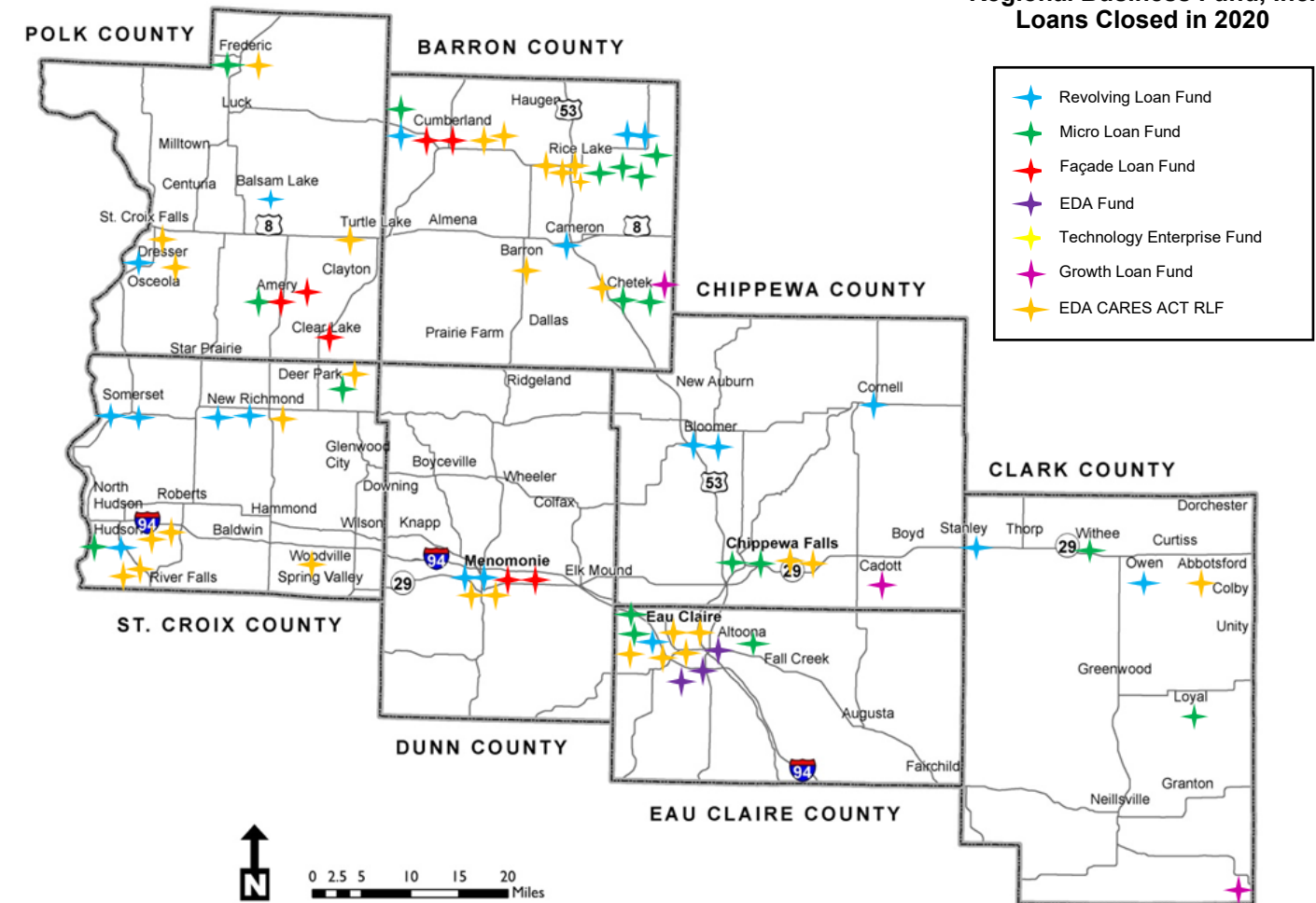
Heidi Biesterveld
Lending Specialist
Ext. 14
hbiesterveld@wcwrpc.org

Mai Xiong-Thao
Loan Processor
Ext. 20
mxiong-thao@wcwrpc.org



2020 ANNUAL REPORT

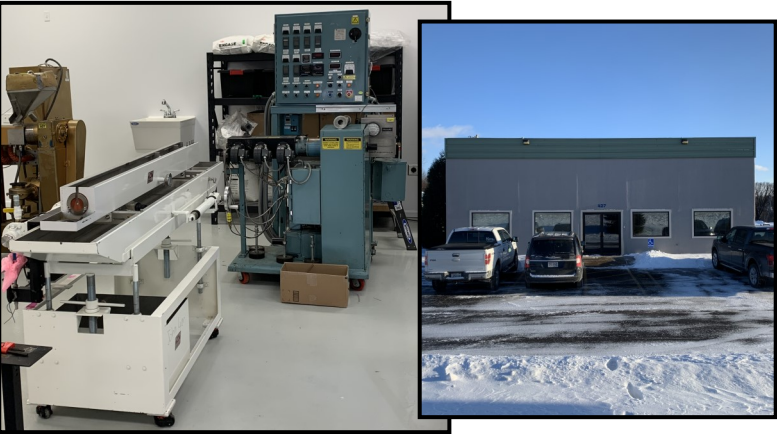
Regional Business Fund, Inc. Loans Closed in 2020



ECONOMIC DEVELOPMENT HIGHLIGHTS

- **79 LOW-INTEREST LOANS** were awarded to **75 BUSINESSES** in the amount of **\$2.6 MILLION** to assist with financing in west central Wisconsin
- **460 JOBS** were **CREATED** or **RETAINED** by businesses receiving loans
- **38 START-UP BUSINESSES** obtained RBF financing
- **\$13.3 MILLION** in private funds were **LEVERAGED**
- **7 DOWNTOWN BUILDINGS** were renovated via the **FAÇADE LOAN PROGRAM**
- In response to the pandemic, **113 BORROWERS** utilized RBF's flexible repayment terms and staff maintained a **COVID-19 BUSINESS FINANCIAL RESOURCE DIRECTORY**

Regional Business Fund, Inc. (RBF, Inc.) is a non-profit economic development corporation whose purpose is to promote business and economic development in west central Wisconsin by providing business financing tools. RBF, Inc. offers low-interest loan funds to businesses that expand within the region; diversify the economy; add new technology; revitalize buildings in the region's downtowns; create or retain quality jobs; and increase private capital investment in the region. RBF, Inc. is managed by a Board of Directors consisting of representatives from each of the seven counties in the region and contracts with West Central Wisconsin Regional Planning Commission to administer the loan fund.



Above: Keystone Medical Technologies, Inc. (St. Croix County)—Keystone Medical Technologies, Inc. in Somerset provides small diameter, high precision components such as polyamide tubing and coated wire for the medical device industry. The business recently acquired a new facility and purchased new equipment. RBF, Inc.’s Revolving Loan Fund financing assisted with the acquisition costs.

GROWTH LOAN FUND

Established in 2016, the Growth Loan Fund provides loans to existing businesses at least two years of age with financing needs that cannot be met by traditional financial institutions. Eligible companies are too old for the Micro Loan Fund program, but their needs cannot be met through the Revolving Loan Fund program. RBF can be the sole source of financing in the Growth Loan Fund.

In 2020, two (2) businesses received loans within the Growth Loan Fund program.

COUNTY	LOANS	AMOUNT	JOBS
Chippewa	1	\$60,000	0
Clark	1	\$55,000	2



D & J Lumber (Chippewa County)—D & J Lumber, located near Cadott, is a sawmill business which supplies lumber and wood chips to various businesses. A Growth Loan assisted with inventory purchases and acquisition of a wood chipper.

REVOLVING LOAN FUND

The Revolving Loan Fund (RLF) is a flexible source of loan funds for business financing. The purpose of the fund is to provide a source of gap financing to projects that provide an economic benefit to the community or region. RLF funds cannot be the sole source of financing and can only provide up to 25% of the total project cost.

In 2020, nineteen (19) businesses obtained loans within the RLF program.

COUNTY	LOANS	AMOUNT	JOBS	LEVERAGED
Barron	4	\$197,167	15	\$1,548,833
Chippewa	3	\$161,000	16	\$1,817,786
Clark	2	\$250,000	17	\$4,143,400
Dunn	2	\$70,000	7	\$1,080,500
Eau Claire	1	\$100,000	30	\$600,000
Polk	2	\$93,750	9	\$346,250
St. Croix	5	\$351,875	29	\$2,451,125

MICRO LOAN FUND

The Micro Loan Fund provides loans to start-up or newly established businesses two years of age or less who are unable to obtain traditional financing. RBF, Inc. can be the sole source of financing in the Micro Loan Fund program.

In 2020, nineteen (19) businesses received loans within the Micro Loan Fund program.

COUNTY	LOANS	AMOUNT	JOBS	LEVERAGED
Barron	8	\$217,000	18	\$520,150
Chippewa	2	\$60,000	2	\$35,000
Clark	2	\$56,000	8	\$128,000
Eau Claire	3	\$75,000	2	\$119,000
Polk	2	\$45,000	4	\$1,300
St. Croix	2	\$52,000	12	\$0



Uplifting Movement & Fitness (Clark County) Uplifting Movement & Fitness in Loyal offers in-person and virtual dance education classes to children and teens. A Micro Loan assisted with equipment purchases and building renovations to a newly acquired building.

FAÇADE LOAN FUND

The Façade Loan Fund provides 1% financing to encourage property and business owners in core downtowns to revitalize downtown commercial buildings within the communities of west central Wisconsin. In 2020, seven (7) loans were originated within the Façade Loan Fund program.

COUNTY	LOANS	AMOUNT
Barron	2	\$41,000
Dunn	2	\$60,000
Polk	3	\$56,600

EDA CARES ACT REVOLVING LOAN FUND

The Economic Development Administration (EDA) CARES Act Recovery Assistance Revolving Loan Fund (RLF) was established in 2020 to assist small businesses impacted by the COVID-19 pandemic by providing low-interest working capital loans. In 2020, twenty-nine (29) businesses obtained loans through the program to assist with pandemic recovery.

COUNTY	LOANS	AMOUNT
Barron	8	\$80,000
Chippewa	2	\$20,000
Clark	1	\$10,000
Dunn	2	\$20,000
Eau Claire	5	\$50,000
Polk	4	\$40,000
St. Croix	7	\$70,000



(Left) Menagerie Hair Salon (Polk County) — Menagerie Hair Salon has been a salon in St. Croix Falls since 2008. The pandemic caused the business to temporarily close resulting in decreased revenue. The EDA CARES loan assisted the business with funds to recover.

(Below) The Milk Pail (Barron County) — The Milk Pail is an ice cream parlor and restaurant that originally opened in Rice Lake in 1947. They specialize in serving local food and ice cream. The pandemic caused a decrease in sales, and the EDA CARES loan assisted with working capital funds.



(Below) Ted's Pizza Palace (Dunn County) — Ted's Pizza Palace in Menomonie celebrated its 50th anniversary in 2020. Owners Jim and Kim Gounakis simultaneously perform renovations to their building. A Façade Loan assisted with the pictured exterior renovations.



EDA REVOLVING LOAN FUND

The Economic Development Administration (EDA) Revolving Loan Fund (RLF) program is designed to address a gap in private capital markets and provides long-term, fixed rate, 1% down payment, gap financing. The program requires match funds and cannot be the sole source of financing.

The EDA RLF program can be utilized in the City of Eau Claire. Since most of RBF's other programs cannot be utilized in the City of Eau Claire, the EDA RLF program is most often used in the City. In 2020, three (3) businesses were assisted with EDA RLF financing.

COUNTY	LOANS	AMOUNT	LEVERAGED
Eau Claire	3	\$280,000	\$520,000

(Below) Silvermine Stone Company — Silvermine Stone Siding is located in the City of Eau Claire and manufactures veneer siding for commercial and residential projects. RBF's EDA Revolving Loan Fund program provided the business with a loan to purchase new automation equipment and fork lifts so the company could expand.



TECHNOLOGY ENTERPRISE FUND

The Technology Enterprise Fund (TEF) is a “quasi-equity”, patient debt, revolving loan fund that provides creative financing to new and emerging technology companies. This fund is targeted to businesses engaged in the research and development of new and emerging technologies and manufacturing processes. Debt can be completely deferred for up to two years. No loans were originated in the TEF program in 2020.

\$10,000 MAIN STREET BOUNCEBACK GRANTS

**BUILD A STRONG FOUNDATION FOR
YOUR BUSINESS AND HELP REENERGIZE
WISCONSIN'S DOWNTOWNS AND
COMMERCIAL CORRIDORS.**



The pandemic took a toll on Wisconsin's small businesses, and the main streets and commercial corridors that housed them. Now it's time to bounce back.

We know it takes a lot to start a new business or open a new space. The Wisconsin Economic Development Corporation and West Central Wisconsin Regional Planning Commission are here to support you, because we know that the economic well-being of our state depends on the strength of businesses like yours.

Through the Main Street Bounceback Grants Program, you can get \$10,000 to help you get set up in a commercial space. The more empty spaces we can fill with new restaurants, salons, stores and other businesses, the more people it will bring into our commercial areas and through your doors.

MAIN STREET BOUNCEBACK GRANTS PROGRAM AT-A-GLANCE

1 WHAT IS IT?

The program provides \$10,000 grants to businesses moving into vacant commercial spaces. We want to help you build a solid foundation for the long-term success of your small business—and strengthen Wisconsin's main streets and commercial corridors at the same time.

2 WHAT CAN I USE IT FOR?

Your business can use the grant funds for lease or mortgage payments, operating expenses, building repairs, tenant improvements and other qualified expenses. Funds cannot be used on storage spaces or for residential uses.

3 IS MY BUSINESS ELIGIBLE?

New or existing businesses that are planning to lease or purchase a vacant commercial space between January 1, 2021 and June 30, 2022, are eligible for Main Street Bounceback Grants. Your business will not qualify for grant funds if you are renewing an existing lease or will be vacating a commercial space to move to another.

Landlords and real estate investment firms that intend to hold the property for investment purposes are not eligible. Businesses that are part of a national or regional chain are also ineligible unless the business is an independently owned and operated franchise.



4 HOW DO I APPLY?

To get the application process going, visit wedc.org/mainstreet-bounceback or contact Tobi LeMahieu at West Central Wisconsin Regional Planning Commission at tlemahieu@wcwrpc.org or [715.836.2918](tel:715.836.2918).

In addition to filling out the application, you will need to provide proof of business (such as permits, incorporation documents or tax returns), a signed lease or contract for the specified commercial property, your IRS form W-9, and a letter of acknowledgement from a local economic development organization that can certify that you are a new tenant in a previously vacant building (we can help you secure this letter).

Your program contact:

TOBI LEMAHIEU

West Central Wisconsin Regional Planning Commission

tlemahieu@wcwrpc.org

[715.836.2918](tel:715.836.2918)

Administering Main Street Bounceback Grants for Polk, Barron, St. Croix, Dunn, Chippewa, Eau Claire and Clark counties.



Department of Administration

Randy B. Scholz, County Administrator

August 25, 2021

TO: Executive Committee

FR: Randy Scholz

RE: **Preliminary** Review of County Administrator 2022 Proposed Budget

Preliminary information as of 08/24/2021 does not include final numbers from state shared revenue.

I wanted an opportunity to provide you with a preliminary review of the FY22 budget that I will be recommending to the Executive Committee on October 5, 2021 and to the County Board on November 4, 2021.

Over the last couple of weeks the Finance Director and I have met individually with all Department Heads to review the department budgets for additional savings and efficiencies. At this time I feel that we have a pretty good idea on where the budget is coming in at. We are still waiting for the shared revenue numbers from the state, therefore I want to emphasize that this information is still preliminary and is subject to change until I provide my final recommendation to the Executive Committee on October 5th.

The table below shows the amount of tax rate change from 2021 to the preliminary proposed 2022 tax rate. The tax rate is calculated by taking (tax Levy ÷ equalized value x 1,000 = tax rate).

Tax Rate				
	2021	2022	Difference	% Change
Equalized Value/1,000	6,112,557,400	6,662,368,300	549,810,900	8.99%
Tax Rate	3.26	3.10	(.16)	-5.06%
Tax Levy	19,953,142	20,647,789	694,647	3.48%

The table below compares the 2021 levy to the preliminary proposed 2022 levy. It also shows the maximum allowable levy for both years. Currently the FY22 Preliminary County Administrator Proposed Budget has a **decrease of the tax rate** from \$3.26/1,000 to **\$3.10/1,000**. It also **increases** the difference to the County's **allowable tax levy** from **\$3,438.00** to **\$12,052.00**.

Maximum Allowable Levy by State				
	Tax Levy	Maximum Allowable	Difference	% Difference Available to Max
2021	19,953,142.00	19,956,580.00	3,438.00	.02%
2022	20,647,789.00	20,659,841.00	12,052.00	.06%
Percentage Change	3.48%	3.52%	250.55%	

The table below shows the departments that tax levy is allocated towards in the County Administrator Proposed Budget.

CA Proposed (Tax Levy by Department) 08-19-2021				
	2021 Tax Levy	2022 Tax Levy	Tax Levy Incr/(Decr)	Percentage Change
ADRC & Aging	35,047	35,047	-	0.00%
DHS	2,340,636	2,540,636	200,000	8.54%
CJS	295,606	341,553	45,947	15.54%
County Admin	332,962	343,647	10,685	3.21%
County Clerk	189,660	196,424	6,764	3.57%
Corp Counsel	328,394	350,126	21,732	6.62%
Courts	701,099	701,099	-	0.00%
Child Support	73,279	68,540	(4,739)	-6.47%
District Attorney	632,162	652,763	20,601	3.26%
Emerg Mgmt	203,047	208,223	5,176	2.55%
Extension	283,261	290,784	7,523	2.66%
Facilities & Parks	1,657,566	1,627,892	(29,674)	-1.79%
Finance	384,561	406,429	21,868	5.69%
Human Resources	349,793	358,923	9,130	2.61%
Highway	4,314,286	4,204,498	(109,788)	-2.54%
Information Tech	824,703	895,304	70,601	8.56%
Land Conservation	239,538	239,538	-	0.00%
Public Health	797,220	802,187	4,967	0.62%
Probate	177,149	183,627	6,478	3.66%
Register of Deeds	(100,733)	(130,733)	(30,000)	-29.78%
Sheriff - Admin	947,199	934,364	(12,835)	-1.36%
Sheriff - Invest	649,264	671,822	22,558	3.47%
Sheriff - Jail	2,830,217	2,826,721	(3,496)	-0.12%
Sheriff - Patrol	2,256,088	2,353,807	97,719	4.33%
Sheriff - Telec	1,318,537	1,314,215	(4,322)	-0.33%
Treasurer	(219,418)	(159,055)	60,363	27.51%
Veterans	215,054	215,630	576	0.27%
Zoning	438,382	428,382	(10,000)	-2.28%
County Board	181,680	181,680	-	0.00%
General County	(4,174,581)	(4,256,732)	(82,151)	-1.97%
Facilities (Other)	45,926	44,374	(1,552)	-3.38%
Budget Adjust	165,000	175,000	10,000	6.06%
Insurances	297,400	322,400	25,000	8.41%
Coroner	106,265	106,265	-	0.00%
Housing	1,150	1,150	-	0.00%
Total Operational Levy	19,117,399	19,476,530	359,131	1.88%
Excluded from Levy Limits:				
Libraries	786,290	902,109	115,819	14.73%
County Aid Bridge	49,453	269,150	219,697	444.25%
TOTAL LEVY	19,953,142	20,647,789	694,647	3.48%

The table below shows the new positions that the County Board or the County Administrator has already approved for the 2022 budget or to be approved at a future meeting. All of the positions listed below are currently included in the County Administrator FY22 Preliminary Proposed Budget and are reflected in the numbers indicated above.

Summary of New Positions Recommended by the County Administrator The positions listed below have already been approved by the County Board or are pending approval for incorporation into the FY21/FY22 budget				
Description	Department	Budget Process or Mid-Year	County Board Meeting	Comments
Technical Support Analyst for RWC (Full-time)	DOA-IT	FY22 Budget	Res. 35-21 08/10/21	Funded by Medicaid revenue through 9 county consortium for Comprehensive Community Services (CCS).
Technical Support Analyst (Full-time)	DOA-IT	FY22 Budget	Res. 34-21 08/10/21	Currently partially funded with contracted services dollars in 2021 budget.
Epidemiologist (Increase from PT to FT)	Public Health	FY22 Budget	n/a	This position was added in 2020 as part-time (1500 hours). Effective 1/1/22 the position will increase to full-time (2088 hours). CA authority to approve status increase per HR Policy Manual Sec. 35(d)(2)
HR Assistant (Full-Time)	DOA-HR	FY21 Mid-Year	Pending CB Approval 09/14/21	Effective 9/20/21 current LTE position is eliminated and replaced with full- time position through 12/31/21 in the HR Division.
Human Resources Assistant/Administrative Assistant II (Shared position) (Full-time)	DOA-HR/ DOA-F&P	FY22 Budget	Pending CB Approval 09/14/21	Effective 1/1/22 the current HR Assistant position will be replaced with a full-time shared position working 75% (appx 1,560 hrs) in the HR Division and 25% (appx 520-56 hrs) in F&P Division
Community Development Educator (Shared Position) (Full-time)	Extension	FY21 Mid-Year	Res. 19-21 (a) 5/11/21	This position was eliminated from the 2021 budget due to the state hiring freeze. On 5/11/21, the County Board approved Res. 19-21 to fill this vacant position for the remainder of 2021 with the 2022 funding in question. For 2022 Chippewa County added \$5,000 of tax levy to fund this position with the remaining funding to come from within the Extension budget.

As I indicated before, this information is still preliminary and is subject to change until I provide my final recommendation to the Executive Committee on October 5th. The County Board budget hearing will be held on Thursday, November 4, 2021. If you have any questions or concerns you may contact me at any time.

Sincerely,



Randy B. Scholz
County Administrator



Department of Administration

Randy B. Scholz, County Administrator

September 9, 2021

TO: County Board Supervisors

FR: Randy Scholz

RE: Request for 4 New Positions in DHS

After I completed the 2022 Preliminary Budget Update that is included in the agenda packet, we were informed of the need to add additional positions in the budget for Human Services. I explained this to the Executive Committee on September 7, 2021, when I presented the preliminary budget. I asked Tim Easker, DHS Director, to provide an update on the position requests and the information is as follows:

The Department of Human Services will be requesting four social worker positions for the following programs: three for Comprehensive Community Services (CCS) and one for the Children's Long-Term Support (CLTS) program. All four positions are fully funded through Medicaid. We are bringing forth our requests in this manner as the need did not really materialize until after the submission of our 2022 budget.

CCS is a Medicaid funded program for children and adults who have a qualifying mental health and or substance use disorder. CCS is not the first stop for citizens on their recovery journey, as it is only for those where outpatient services have not been sufficient. CLTS serves those children who have a qualifying developmental or physical disability. The goal is to serve our children in the home as opposed to costly out-of-home and sometimes out-of-state residential placements and keep the family together. Keep in mind, potential participants need to be found functionally and financially eligible for the programs.

As you may recall, in 2019 we requested two CCS positions (one adult and one child) and one CLTS position all to start January 1, 2020. The requests were made due to the fact we had a growing waitlist for both programs.

Earlier in 2019, the Recovery and Wellness Consortium (RWC), which administers the nine county CCS program was cited due to waitlists by Chippewa and Pierce Counties. CCS waitlists are expressly prohibited by statute for CCS. The corrective action plan submitted to the state, indicated we would ensure our waitlist issue was resolved.

Likewise, the CLTS program was also undergoing administrative changes some of which dealt with the elimination of all waitlists. The CLTS position was requested due to the fact we had a waitlist of approximately 21 children and was expected to grow to 31 by the end of 2019. Both the CCS and CLTS positions were subsequently approved by the Board.

We currently find ourselves in a similar situation. For CCS, we were able to keep up with new admissions up until June of this year. We are seeing new admissions at an unprecedented rate averaging seven per month. This number had been consistent though out all of 2021. In fact, since July 2020, we have more than doubled the number of participants in the CCS program going from 45 to 115 (net) active cases. We currently have 15 children on the CCS waitlist and as previously indicated, it continues to grow each month. CCS staff are currently over capacity and this is not sustainable in the long run.

The CLTS program's waitlist was taken over by the state of Wisconsin in 2020. Counties were required to open up children as they came up on the list. Similar to CCS, we have nearly doubled the number of children enrolled in the program since last July going from 71 to 135 children, which again takes discharges into account. Our waitlist is currently at seven, and CLTS staff are over capacity and cannot take on any new cases despite the state demanding we open them. Our lead worker currently has 17 cases over what her position requires in order to ease the burden on other staff. As with CCS, the referrals are coming in at an unprecedented rate.

If we do not do anything at this point we will not be able to open additional children and the waitlist could be as high as 120 by July 2022. As previously noted, our workers are at capacity. Capacity is measured by productive hours. Staff are required to be at 90 hours per month and are currently averaging 95 hours per month.

The positions requested will allow for workers to have manageable caseloads while still being able to open children as they are found eligible for the programs. Again, these are fully funded positions through Medicaid. The forthcoming resolutions will also provide additional detail.

The goal is to bring the resolution to the Health and Human Services Board on September 23, 2021, to the Executive Committee on October 5, 2021, and then to the County Board on October 12, 2021.

The timeline for this request is challenging as I will be presenting the final proposed budget to the Executive Committee on October 5, 2021, but the resolution has not been approved yet. Therefore, the positions will not be included in the Executive Committee presentation. If the County Board approves the resolutions on October 12, 2021, then we will add that to the 2022 budget, highlight those changes and explain that at the November 4, 2021 budget hearing.

Sincerely,



Randy Scholz
County Administrator



Finance Update

2021 January-June (Pre-Audited)

Lori Zwiefelhofer, Finance Director
County Board – September 14, 2021

January – March 2021 (Pre-Audited) Financial Results

2021 Pre-Audited Financial Results

Attachment: Financial Update 2021 Pre-Audited Financials Jan-June (6569 : Finance Update - Lori Zwiefelhofer)

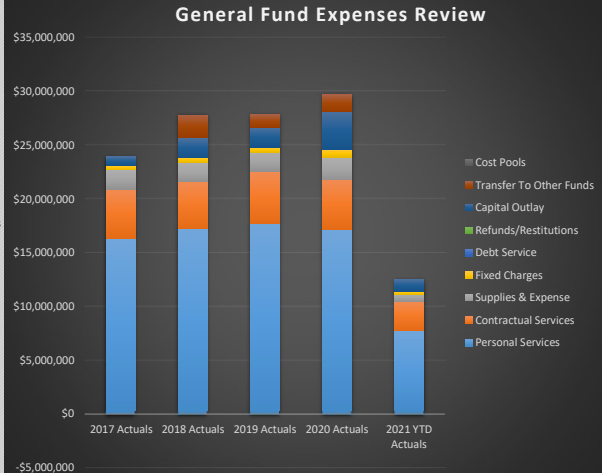
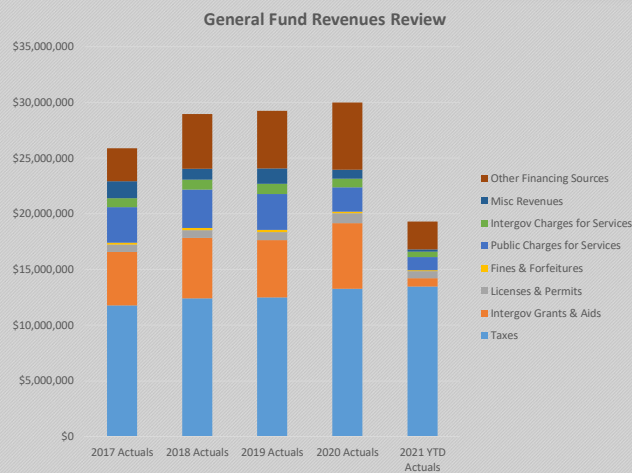
January – June 2021 (Pre-Audited) Financial Results: General Fund

Fund	Description	Revenue			Expense			Actuals
		Budget	Actual	% Collected	Budget	Actual	% Spent	Net Gain/Loss
02	County Board	\$ 185,886.00	\$ 185,586.00	99.8%	\$ 185,886.00	\$ 110,712.16	59.6%	\$ 74,873.84
03	General County	\$ 353,244.00	\$ (2,285,148.65)	-646.9%	\$ 353,244.00	\$ 169,770.97	48.1%	\$ (2,454,919.62)
04	Department of Administration	\$ 7,528,228.82	\$ 5,265,978.16	69.9%	\$ 7,528,228.82	\$ 2,880,913.12	38.3%	\$ 2,385,065.04
05	Insurances	\$ 883,400.00	\$ 600,128.40	67.9%	\$ 883,400.00	\$ 323,335.35	36.6%	\$ 276,793.05
06	County Clerk	\$ 1,099,620.00	\$ 1,091,208.78	99.2%	\$ 1,099,620.00	\$ 995,921.27	90.6%	\$ 95,287.51
10	County Treasurer	\$ 404,282.00	\$ (19,779.78)	-4.9%	\$ 404,282.00	\$ 191,837.25	47.5%	\$ (211,617.03)
11	Register of Deeds	\$ 417,280.00	\$ 246,211.32	59.0%	\$ 417,280.00	\$ 181,229.55	43.4%	\$ 64,981.77
12	District Attorney	\$ 792,766.00	\$ 669,982.23	84.5%	\$ 792,766.00	\$ 350,908.36	44.3%	\$ 319,073.87
14	Clerk of Courts	\$ 1,505,913.00	\$ 1,038,344.94	69.0%	\$ 1,505,913.00	\$ 645,077.73	42.8%	\$ 393,267.21
18	Register in Probate	\$ 216,849.00	\$ 192,811.12	88.9%	\$ 216,849.00	\$ 97,084.01	44.8%	\$ 95,727.11
20	Child Support	\$ 840,666.00	\$ 264,251.84	31.4%	\$ 840,666.00	\$ 358,845.71	42.7%	\$ (94,593.87)
24	Sheriff	\$ 12,497,627.34	\$ 8,525,916.48	68.2%	\$ 12,497,627.34	\$ 4,303,571.95	34.4%	\$ 4,222,344.53
26	Emergency Mgmt	\$ 297,822.00	\$ 225,038.15	75.6%	\$ 297,822.00	\$ 151,385.26	50.8%	\$ 73,652.89
27	Coroner	\$ 162,565.00	\$ 134,640.00	82.8%	\$ 162,565.00	\$ 62,671.79	38.6%	\$ 71,968.21
42	Housing Authority	\$ 1,150.00	\$ 1,150.00	100.0%	\$ 1,150.00	\$ -	0.0%	\$ 1,150.00
48	UW - Extension	\$ 344,573.00	\$ 291,597.05	84.6%	\$ 344,573.00	\$ 139,863.29	40.6%	\$ 151,733.76
50/52	Land Conservation & Forest Mgmt	\$ 3,544,635.00	\$ 1,202,236.21	33.9%	\$ 3,544,635.00	\$ 798,897.05	22.5%	\$ 403,339.16
53/54	Planning & Zoning	\$ 1,373,589.00	\$ 784,860.13	57.1%	\$ 1,373,589.00	\$ 513,366.96	37.4%	\$ 271,493.17
60	Veterans	\$ 226,554.00	\$ 226,554.00	100.0%	\$ 226,554.00	\$ 103,797.13	45.8%	\$ 122,756.87
68	Public Health	\$ 730,131.00	\$ 657,921.19	90.1%	\$ 730,131.00	\$ 105,556.02	14.5%	\$ 552,365.17
100	General Fund	\$ 33,406,781.16	\$ 19,299,487.57	57.8%	\$ 33,406,781.16	\$ 12,484,744.93	37.4%	\$ 6,814,742.64

January – June 2021 (Pre-Audited) Financial Summary: General Fund (cont.)

- Highlights Include:
 - **General County**
 - State Shared Revenues arrive in 4th Quarter
 - **County Clerk**
 - 90.6% of expenditures due to library reimbursement paid in February and Security equipment for elections
 - **County Treasurer**
 - Started year with (\$219,418) tax levy and earns revenues through interest income and interest on taxes
 - Current 2021 Interest income is at 37% of budgeted compared to the expected 50%
 - **Child Support**
 - Revenue comes from State quarterly
 - 91% of revenues are non-levy & generated during the year

January – June 2021 (Pre-Audited) Financial Summary: General Fund (cont.)



January – June 2021 (Pre-Audited) Financial Results: Special Revenue Funds

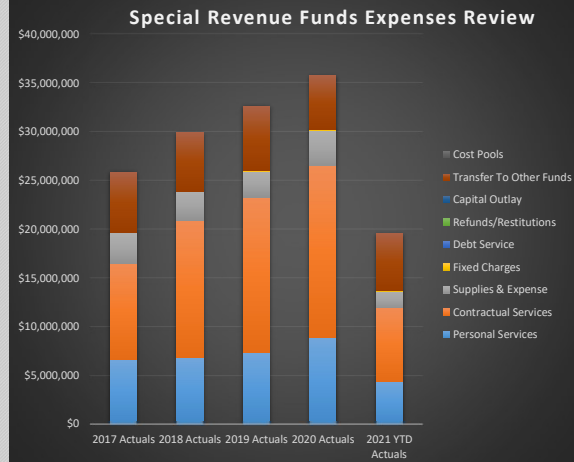
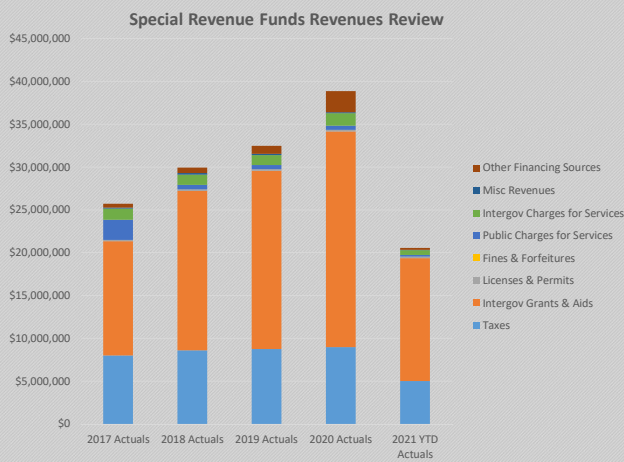
Fund	Description	Revenue			Expense			Actuals Net Gain/Loss
		Budget	Actual	% Collected	Budget	Actual	% Spent	
204	Public Health	\$ 1,836,205.00	\$ 1,113,321.57	60.6%	\$ 1,836,205.00	\$ 1,181,010.66	64.3%	\$ (67,689.09)
70	ADRC	\$ 818,344.00	\$ 173,377.76	21.2%	\$ 818,344.00	\$ 360,267.77	44.0%	\$ (186,890.01)
72	Aging	\$ 1,008,286.00	\$ 409,891.24	40.7%	\$ 1,008,286.00	\$ 404,774.15	40.1%	\$ 5,117.09
205	ADRC & Aging	\$ 1,826,630.00	\$ 583,269.00	31.9%	\$ 1,826,630.00	\$ 765,041.92	41.9%	\$ (181,772.92)
75	DHS-Administration	\$ 350.00	\$ 2,253.29	643.8%	\$ 611,030.00	\$ 244,272.54	40.0%	\$ (242,019.25)
77	DHS-Economic Support	\$ 186,536.00	\$ 87,633.42	47.0%	\$ 1,510,643.00	\$ 663,341.14	43.9%	\$ (575,707.72)
78	DHS-Child/Family	\$ 156,306.00	\$ 73,589.58	47.1%	\$ 2,019,786.00	\$ 835,853.04	41.4%	\$ (762,263.46)
79	DHS-Youth Services	\$ 74,653.00	\$ 33,806.04	45.3%	\$ 702,431.00	\$ 270,797.55	38.6%	\$ (236,991.51)
80	DHS-CWDA	\$ 109,269.00	\$ 59,539.66	54.5%	\$ 1,172,969.00	\$ 511,663.36	43.6%	\$ (452,123.70)
81	DHS-Placements	\$ 175,000.00	\$ 72,041.56	41.2%	\$ 1,379,760.00	\$ 903,316.67	65.5%	\$ (831,275.11)
89	Human Services	\$ 6,694,505.00	\$ 3,869,045.23	57.8%	\$ -	\$ -	0.0%	\$ 3,869,045.23
208	Human Services	\$ 7,396,619.00	\$ 4,197,908.78	56.8%	\$ 7,396,619.00	\$ 3,429,244.30	46.4%	\$ 768,664.48
84	DHS-RWC	\$ 3,366,498.00	\$ 517,949.03	15.4%	\$ 3,366,476.00	\$ 1,560,026.57	46.3%	\$ (1,042,077.54)
85	RWC-Comprehensive Comm Serv	\$ 12,258,255.00	\$ 4,441,114.18	36.2%	\$ 12,258,277.00	\$ 5,713,431.88	46.6%	\$ (1,272,317.70)
209	RWC	\$ 15,624,753.00	\$ 4,959,063.21	31.7%	\$ 15,624,753.00	\$ 7,273,458.45	46.6%	\$ (2,314,395.24)
213	Housing CDBG Revolving Loans	\$ 1,395,500.00	\$ 724,287.39	51.9%	\$ 1,395,500.00	\$ 984,566.88	70.6%	\$ (260,279.49)
215	Jail Assessment	\$ 57,500.00	\$ 18,244.12	31.7%	\$ 57,500.00	\$ 76,707.18	133.4%	\$ (58,463.06)
220	Land Records	\$ 331,237.00	\$ 222,924.50	67.3%	\$ 331,237.00	\$ -	0.0%	\$ 222,924.50
226	County Economic Development	\$ 4,504.00	\$ 32,523.24	722.1%	\$ 4,504.00	\$ 34,800.00	772.6%	\$ (2,276.76)
230	Sales Tax Property Tax Relief	\$ 5,804,466.00	\$ 2,406,392.58	41.5%	\$ 5,804,466.00	\$ 5,804,466.00	100.0%	\$ (3,398,073.42)

January – June 2021 (Pre-Audited) Financial Results: Special Revenue Funds (cont.)

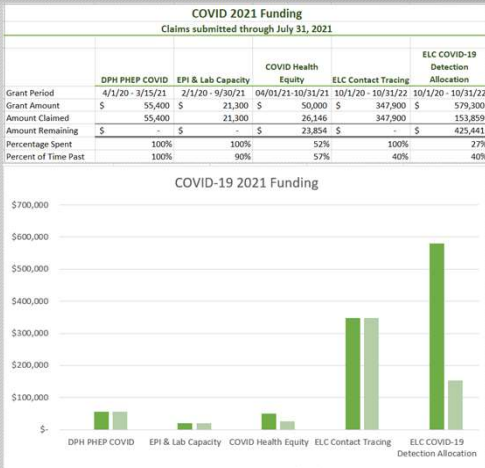
- Highlights Include:
 - **Public Health**
 - Billed to state grants one month later
 - **ADRC & Aging**
 - Billed to state grants one month later
 - **DHS - RWC**
 - Medicaid revenue two-three month delay
 - **Jail Assessment**
 - \$60,000 paid for the 2020 Jail Shower project which utilized fund balance
 - **Sales Tax**
 - Up 10.68% compared to April 2020, revenue reported with a two month delay

RWC Working Capital Pool	
Buffalo	\$ 49,073.46
Burnett	9,874.58
Dunn	425,775.00
Pepin	109,957.00
Pierce	313,289.00
Polk	280,453.03
Rusk	41,637.46
Washburn	153,032.03
6/30/2021 Balance	\$ 1,383,091.56

January – June 2021 (Pre-Audited) Financial Results: Special Revenue Funds (cont.)



January – June 2021 (Pre-Audited) Financial Results: COVID Funding & Sales Tax Review



2021 Sales Tax Review (Received through June 30, 2021)

Year	2016	2017	2018	2019	2020	2021	Change from Previous Year	(2016-2020) 5 Yr Average
January	320,975.63	354,102.19	364,493.73	364,507.60	412,672.62	397,205.20	-3.7%	363,350.35
February	417,795.31	332,465.19	286,199.33	358,875.60	454,060.14	541,612.30	19.3%	369,879.11
March	345,566.99	397,026.66	533,439.22	500,103.48	420,748.99	722,005.77	71.6%	439,377.07
April	490,711.84	488,626.19	534,863.65	461,263.80	453,068.14	744,409.84	64.3%	485,706.72
May	445,235.34	413,559.81	442,521.41	530,976.41	658,017.81	658,017.81	0.0%	499,862.12
June	426,464.21	552,063.91	723,863.22	705,994.86	561,287.51	561,287.51	0.0%	593,934.74
Subtotal	2,446,749.32	2,637,843.75	2,885,380.56	2,929,721.75	2,959,855.21	3,624,598.43	22.5%	2,751,910.12
July	471,082.07	523,682.52	399,173.73	469,074.82	543,813.92	543,813.92	0.0%	481,365.41
August	451,079.87	440,906.42	568,733.82	632,821.49	641,477.88	641,477.88	0.0%	547,003.90
September	468,619.67	526,900.44	676,879.59	583,429.73	468,174.47	468,174.47	0.0%	544,800.78
October	413,688.87	485,200.30	412,677.84	459,459.89	574,830.83	574,830.83	0.0%	469,171.55
November	330,583.39	335,030.41	452,141.21	541,553.94	532,374.54	532,374.54	0.0%	458,336.70
December	468,095.13	542,448.02	586,754.26	481,481.78	500,998.70	500,998.70	0.0%	515,955.58
Subtotal	2,603,149.00	2,854,168.11	3,096,360.45	3,167,821.65	3,261,670.34	3,261,670.34	0.0%	2,996,633.91
Totals	5,049,898.32	5,392,011.86	5,981,741.01	6,097,543.40	6,221,525.55	6,886,268.77	10.68%	5,748,544.03
% change	3.25%	6.77%	10.94%	1.94%	2.03%	10.68%		

January – June 2021 (Pre-Audited) Financial Results: Special Revenue Funds - American Rescue Plan Act Funds

Fund	Description	Revenue			Expense			Actuals Net Gain/Loss
		Budget	Actual	% Collected	Budget	Actual	% Spent	
235	American Rescue Plan Funds	\$ -	\$ 6,279,863.23		\$ -	\$ -		\$ 6,279,863.23

- We are still waiting for further clarification from the US Treasury with more details on what is considered “allowable expenses” and the verification of the amount available to Chippewa County. The US Treasury has given an Interim Final Rule but this isn’t the finalized guidance.
 - We are utilizing Wisconsin Counties Association (WCA) and National Association of Counties (NACo) for assistance.
 - Note: If funds are spent on projects that are not considered “allowable expenses” then the funds need to be repaid back.
- On May 19, 2021 we received the first transaction of \$6,279,529.50. We will receive the second half in May 2022. The funds must be obligated by December 31, 2024 and spent by December 31, 2026.
- On July 20, 2021, County Board adopted Guidelines & Procedures for Allocation (ARPA) Funds.

January – June 2021 (Pre-Audited) Financial Results: Debt Service Funds

Fund	Description	Revenue			Expense			Actuals Net Gain/Loss
		Budget	Actual	% Collected	Budget	Actual	% Spent	
306	Debt Service-Unfunded Liabilit	\$ -	\$ 257.62	0.0%	\$ -	\$ -	0.0%	\$ 257.62
314	2013 CIP Bonds	\$ 455,625.00	\$ 455,625.00	100.0%	\$ 455,625.00	\$ 455,625.00	100.0%	\$ -
315	2019 CIP Bonds	\$ 1,199,400.00	\$ 1,199,400.00	0.0%	\$ 1,199,400.00	\$ 1,084,200.00	0.0%	\$ 115,200.00
316	2020 CIP Bonds	\$ 145,000.00	\$ 145,000.00	0.0%	\$ 145,000.00	\$ 171,666.66	0.0%	\$ (26,666.66)

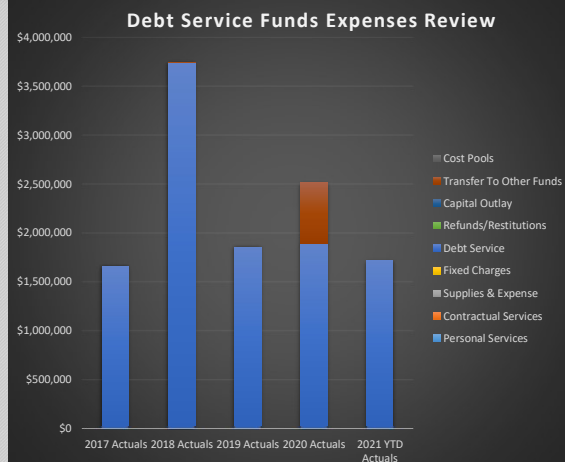
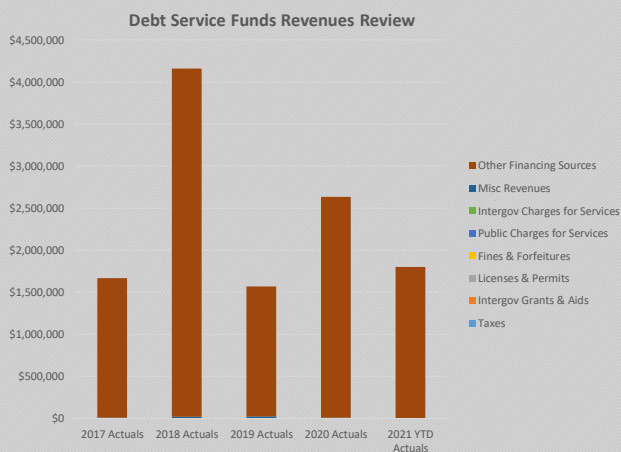
Payment Year	Total Debt Service			Year-end Outstanding Principal
	Principal	Interest	Total	
2020	\$ 1,565,000	\$ 302,038	\$ 1,867,038	\$ 10,160,000
2021	\$ 1,545,000	\$ 319,517	\$ 1,864,517	\$ 8,615,000
2022	\$ 1,575,000	\$ 278,800	\$ 1,853,800	\$ 7,040,000
2023	\$ 1,325,000	\$ 227,900	\$ 1,552,900	\$ 5,715,000
2024	\$ 1,015,000	\$ 185,075	\$ 1,200,075	\$ 4,700,000
2025	\$ 1,050,000	\$ 146,050	\$ 1,196,050	\$ 3,650,000
2026	\$ 1,090,000	\$ 105,575	\$ 1,195,575	\$ 2,560,000
2027	\$ 1,135,000	\$ 63,475	\$ 1,198,475	\$ 1,425,000
2028	\$ 1,175,000	\$ 22,250	\$ 1,197,250	\$ 250,000
2029	\$ 250,000	\$ 1,250	\$ 251,250	\$ -
Total	\$ 21,725,000	\$ 3,608,169	\$ 25,333,169	

Long-Term Bond Financing Plan

Year	Bonding Amount	Projects
2022	\$ 3,000,000	Transportation Projects
2024	\$ 3,500,000	Transportation Projects
2026	\$ 3,500,000	Transportation Projects
2028	\$ 3,500,000	Transportation Projects
2030	\$ 3,500,000	Transportation Projects

*This financing plan continues to maintain the \$1.8M annual debt payments to not negatively impact our state imposed tax levy limits.

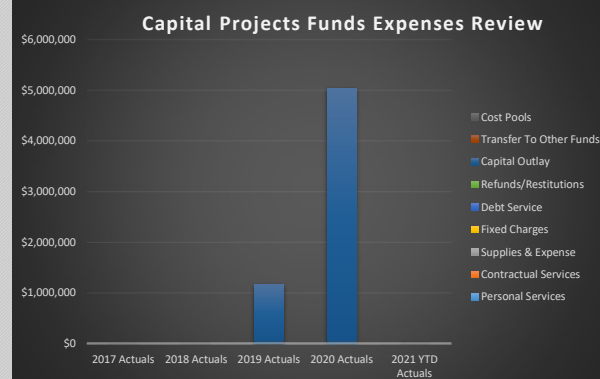
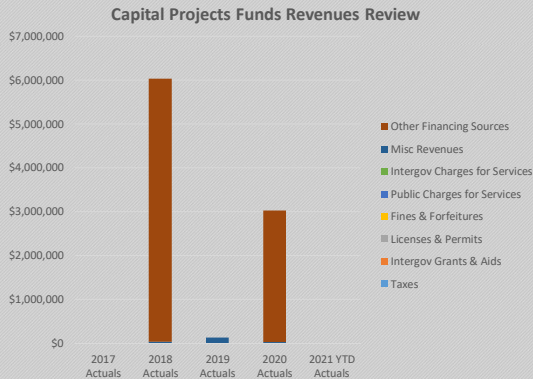
January – June 2021 (Pre-Audited) Financial Results: Debt Service Funds (cont.)



January – June 2021 (Pre-Audited) Financial Results: Capital Project Funds

Fund	Description	Revenue			Expense			Actuals Net Gain/Loss
		Budget	Actual	% Collected	Budget	Actual	% Spent	

416	2021 CIP for Bonding	\$ -	\$ 901.51	0.0%	\$ -	\$ -	0.0%	\$ 901.51
-----	----------------------	------	-----------	------	------	------	------	-----------



January – June 2021 (Pre-Audited) Financial Results: Internal Service Funds

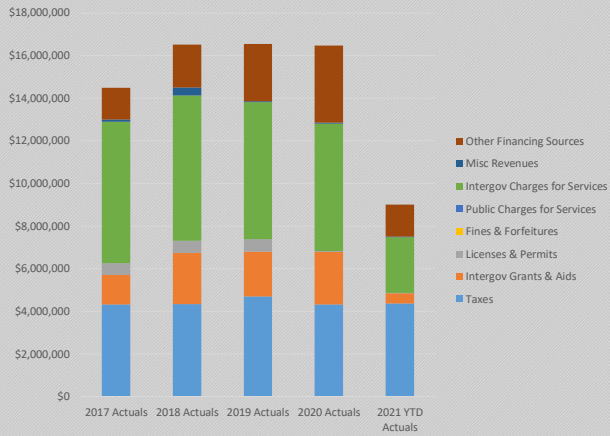
Fund	Description	Revenue			Expense			Actuals Net Gain/Loss
		Budget	Actual	% Collected	Budget	Actual	% Spent	

701	Highway	\$ 15,024,118.00	\$ 8,512,649.76	56.7%	\$ 15,024,118.00	\$ 6,699,388.31	44.6%	\$ 1,813,261.45
702	Worker's Comp Insurance	\$ 789,993.00	\$ 344,546.86	43.6%	\$ 789,993.00	\$ 204,872.20	25.9%	\$ 139,674.66
704	Self-funded Liability Insurance	\$ 292,000.00	\$ 1,717.97	0.6%	\$ 292,000.00	\$ 296,516.29	101.5%	\$ (294,798.32)
705	Section 125 Payroll Deduction	\$ 271,000.00	\$ 147,784.22	54.5%	\$ 271,000.00	\$ 117,507.57	43.4%	\$ 30,276.65

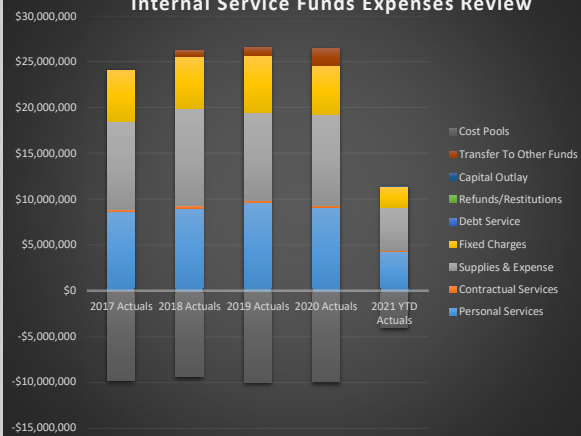
- Highlights Include:
 - Highway**
 - Transfer of \$1,000,000 for CTH F per Res. 21-21 (a) is occurring in July financials.
 - Self-funded Liability Insurance**
 - Annual Insurance Allocation charges to departments will be processed in October/November

January – June 2021 (Pre-Audited) Financial Results: Internal Service Funds (cont.)

Internal Service Funds Revenues Review



Internal Service Funds Expenses Review



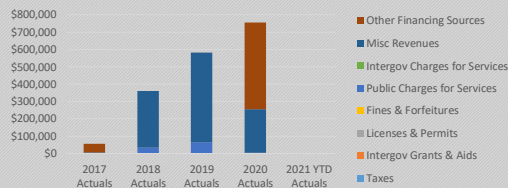
January – June 2021 (Pre-Audited) Financial Results:

Enterprise and Trust Agency Funds

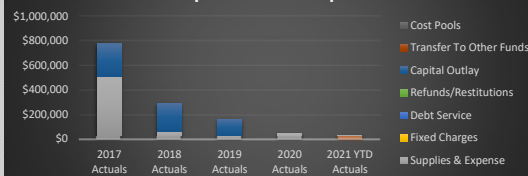
Fund	Description	Revenue			Expense			Actuals Net Gain/Loss
		Budget	Actual	% Collected	Budget	Actual	% Spent	
602	Land Development	\$ 436,116.00	\$ -	0.0%	\$ 436,116.00	\$ 24,000.00	5.5%	\$ (24,000.00)
804	Dog License Fund	\$ 56,300.00	\$ 3,258.55	5.8%	\$ 56,300.00	\$ 57.92	0.1%	\$ 3,200.63

January – June 2021 (Pre-Audited) Financial Results: Enterprise and Trust Agency Funds (cont.)

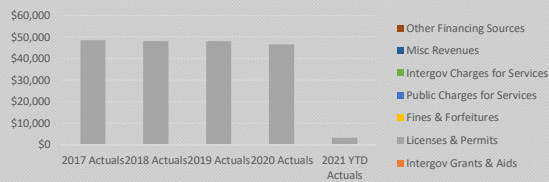
Enterprise Fund Revenues Review



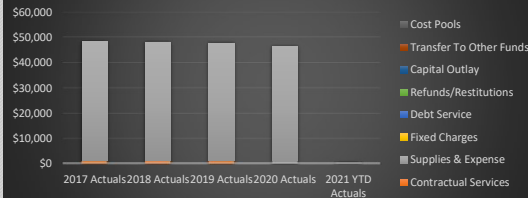
Enterprise Fund Expenses Review



Trust Funds Revenues Review



Trust Funds Expenses Review



Definitions

- **Fund** – A fiscal entity that is segregated for the purpose of accounting and budget reporting with a complete set of self balancing accounts to include assets, liabilities, equity/fund balance and revenues and expenditures/expenses
 - **General** – to account for all financial resources used to fund general government operations not accounted for in another fund
 - **Special Revenue** – are used to account for the proceeds of a specific revenue sources that are restricted or committed to specified purposes
 - **Debt Service** – to account for the accumulation of resources for, and the payment of, general long-term debt principal and interest
 - **Capital Projects** – to account for financial resources to be used for the acquisition or construction of major capital facilities or equipment
 - **Proprietary** – the category of funds used to account for ongoing activities similar to those also found in the private sector. Uses the accrual basis of accounting
 - **Enterprise** – to account for operations that are financed and operated similar to private business with the intention that the cost of providing goods or services to the general public is to be financed or recovered primarily through user charges
 - **Internal Service** – to account for the cost of providing goods or services by one department or agency to another department or agency on a cost-reimbursement basis
 - **Fiduciary Funds** – funds used to report assets held in a trust agency

Definitions (cont.)

- **Fund Balance** – The difference between assets and liabilities
 - If at the end of the year actual revenues exceed actual expenditures fund balance increases – it decreases if actual expenditures exceed actual revenues
 - When budgeting fund balance – you are anticipating that expenditures will exceed revenue by the amount budgeted and the budget plan is to reduce the amount of fund balance available
 - Non-spendable fund balance – amounts that are not in spendable form, such as inventory and prepaid expense.
 - Restricted fund balance – amounts that can be spent only for specific purposes by external providers, such as grant or bondholders as well as through legislation
 - Committed fund balance – amounts that are intended for specific purpose, as expressed by the governing body or authorized official
 - Unassigned fund balance – all amounts not contained in other categories

Definitions (cont.)

- **Lapsing Fund** – The difference between revenues and expenditures is closed out to the fund balance and not carried forward to be used for a specific purpose
- **Non-Lapsing Fund** – The difference between revenues and expenditures is carried forward to be used for a specific purpose
- **Contingency Fund** – A line item in the budget that is for unplanned expenditures

Questions, Comments, or Concerns

January – June 2021 (Pre-Audited) Financial Results





Expansion of CTH T

Chippewa County Highway Committee – August 25, 2021
 Chippewa County Executive Committee – September 7, 2021
 Chippewa County Board – September 14, 2021

Brian Kelley, Highway Commissioner
 Fred Anderson, Project Manager

Project History

- Stakeholders are Chippewa County, Eau Claire County, City of Eau Claire, Town of Union, Town of Wheaton
- Recognize the need for future expansion, planning and controlled access on CTH T
- Signed an intergovernmental agreement in 2020 to conduct the CTH T Corridor Planning and Mapping Project
- Submitted application for Federal RAISE grant funds in July 2021

Project Location & Limits

- Chippewa-Eau Claire Metropolitan Area
- South Limits: STH 312 (North Crossing) in Eau Claire
- North Limits: CTH X in Chippewa County
- Project Length: 3.5 miles
 - 2.3 miles in Chippewa County
 - 1.2 miles in Eau Claire County
 - Total of 1.7 miles within current Eau Claire City limits



Current Conditions

- CTH T is classified as a Minor Arterial
- CTH T has one of the highest daily traffic counts in Chippewa County (6,800)
 - the only County Highways that have more are CTH S (8,000) and CTH X (7,500)
- Increased growth and potential for commercial development
- Prospective businesses concerned with corridor infrastructure

Reasons for Planning & Mapping Study

- Safety
- Capacity
- Municipal Planning
- Future Development

Benefits of the Planning & Mapping Study

- Document and address corridor conditions (traffic volumes, constraints, land use, primary infrastructure)
- Document and address significant safety and operational concerns
- Document and address local concerns from citizens and officials
- Identify conceptual options for preserving corridor safety and function
- Assist local municipalities in long-range planning of land use and transportation
- Develop the preliminary design and right-of-way plat

Current Alternatives

- Three alternative layouts
- Proposed Improvements: 4-lane divided highway, shared use path, railroad overpass, controlled access, roundabouts and/or signals at 10th, 20th, and 30th Avenue.



Public Involvement for Planning & Mapping Study

- Public Involvement Meeting #1 – June 28, 2021
 - In person and online
 - Three alternate corridor layouts
 - One 'no-build' alternative
 - Attendees were invited to comment
- Public Involvement Meeting #2 – September 20, 2021
- Future public involvement will also be sought prior to construction

From Planning to Construction

- There is no current funding for construction
- Project Team continues to seek out Federal and State funding
- Anticipated design and construction may be 10 or more years out

RAISE Grant Application

- Opportunity for federal funding
- Eau Claire County is the lead agency on RAISE Grant Application
- Grant application submitted on July 12, 2021
- Awards are anticipated on November 22, 2021
- Anticipated schedule if awarded
 - Design 2023 thru 2026
 - Right-of-Way Acquisition 2025 thru 2026
 - Construction Phase 1 in Eau Claire County 2027
 - Construction Phase 2 in Chippewa County 2028 thru 2029

Stakeholders and Cost Sharing

- Planning & Mapping Project Cost Share
 - Chippewa County, Eau Claire County, and City of Eau Claire - 30% each
 - Town of Wheaton and Town of Union - 5% each

- Design, Right-of-Way & Construction Project – PROPOSED Cost Share
 - Chippewa County, Eau Claire County, and City of Eau Claire – 1/3 each

Funding Strategy with RAISE Grant

If Awarded

Estimated Total Project Cost = \$33,143,746

Chippewa County Share of Cost = \$2,804,303

Phased Cost Estimates

Design & Right-of-Way Acquisition 2023-2026 = \$834,569

Construction 2027-2029 = \$1,969,734

Funds for County's share of project costs will be from bonding, sales tax or levy

Next Steps

- Adopt the official corridor plat map once complete (late 2021)
- If awarded, accept the RAISE Grant funds
 - Budget County funds for the local match
 - Sign agreements to proceed with design and construction

Questions





STATEMENT OF EXPLANATION

Resolution No. 36 - 21

RESOLUTION TO APPROVE TENTATIVE SUPERVISORY REDISTRICTING PLAN - DOUG CLARY AND DENNIS FALKENBERG

This resolution approves the attached Tentative Redistricting Plan as proposed by the Redistricting Committee (the “Committee”). The Committee put this plan together under the compressed redistricting timeline that has been necessitated with the recent decennial census. The Committee considered all of its options and put this plan together based upon the County Board directing that a redistricting plan be developed to increase the size of the County Board from 15 Supervisors to 21 Supervisors, effective in April 2022.

If this resolution is approved, the Tentative Plan will then be forwarded to the municipalities to create wards. The municipalities would then meet to create wards or adjust ward lines under the compressed timeline. After the municipalities create wards or adjust ward lines, the municipalities would adopt an ordinance or resolution adopting those wards in accordance with the Tentative Plan. The municipal clerk in each affected municipality would then forward the ward plan to the County for final adoption of the redistricting plan. Currently, the County is requesting that those municipal ward plans be received by October 18, 2021.

After the county receives the ward plan or plans, the county would be required to have one more public hearing on the redistricting plan incorporating the ward plans. That hearing is currently scheduled to be held at the November 9, 2021 regular County Board meeting. After the public hearing, the County Board would then vote to adopt the final supervisory redistricting plan in the form of a resolution and an ordinance amendment to Article I, Supervisory Districts, of the County Board of Supervisors section of Chapter 2 of the Chippewa County Code of Ordinances.

Resolution No. 36 - 21

**RESOLUTION TO APPROVE TENTATIVE SUPERVISORY REDISTRICTING PLAN - DOUG CLARY
AND DENNIS FALKENBERG**

WHEREAS, pursuant to Sec. 59.10(3)(b), of the Wisconsin Statutes, Chippewa County is required to create a redistricting plan for the supervisory districts of the County Board following each decennial census; and

WHEREAS, the County Board approved the formation of a Redistricting Committee on August 10, 2021, with direction to create a redistricting plan to present to the County Board for approval; and

WHEREAS, the Redistricting Committee was directed to create a tentative redistricting plan based on a County Board size of 21 supervisors; and

WHEREAS, because of the condensed timelines that the 2021 redistricting process is under, due in part to the COVID-19 pandemic, the Redistricting Committee began meeting on August 25, 2021; and

WHEREAS, the Redistricting Committee considered all of its options in creating the attached tentative redistricting plan by trying to maintain municipal boundaries where possible to reduce the number of ballot styles, attain substantially equal population in each district, and achieve compactness and contiguity of districts where possible; and

WHEREAS, it is the recommendation of the Redistricting Committee that the attached Tentative Supervisory Redistricting Plan Option 1 be approved and forwarded to the county municipalities to allow the affected municipalities and towns to create wards or adjust existing ward lines;

NOW, THEREFORE BE IT RESOLVED, that ~~the attached~~ Tentative Supervisory Redistricting Plan option 2 is hereby approved and the County Clerk is directed to forward this plan to the municipalities and towns within Chippewa County to determine whether wards are to be created or adjusted; and

BE IT FURTHER RESOLVED, that the municipalities and towns are requested to develop, approve and forward their ward plans to the County by October 18, 2021 so that the final redistricting plan can be presented for public hearing and approval by the County Board on November 9, 2021.

Forwarded to the County Board by the Redistricting Committee.

FINANCIAL IMPACT:

There is no fiscal impact by passage of this resolution.

09/14/2021 County Board

RESULT: APPROVED AS AMENDED [10 TO 1]

MOVER: Mechele Shipman, District 9

SECONDER: Kari Ives, District 12

AYES: Gullickson, Sikorski, Schmitt, McMenemy, Hauser, Mickelson, Shipman, Ives, Hull, McGill

NAYS: Harold Steele

ABSENT: David Eisenhuth

EXCUSED: Tom Thornton, Charlene Kervina, Annette Hunt

Approved as to Form:

Todd A. Pauls

Todd A. Pauls, Corporation Counsel

9/9/2021

Lori Zwiefelhofer

Lori Zwiefelhofer, Finance Director

9/9/2021

Randy B. Scholz

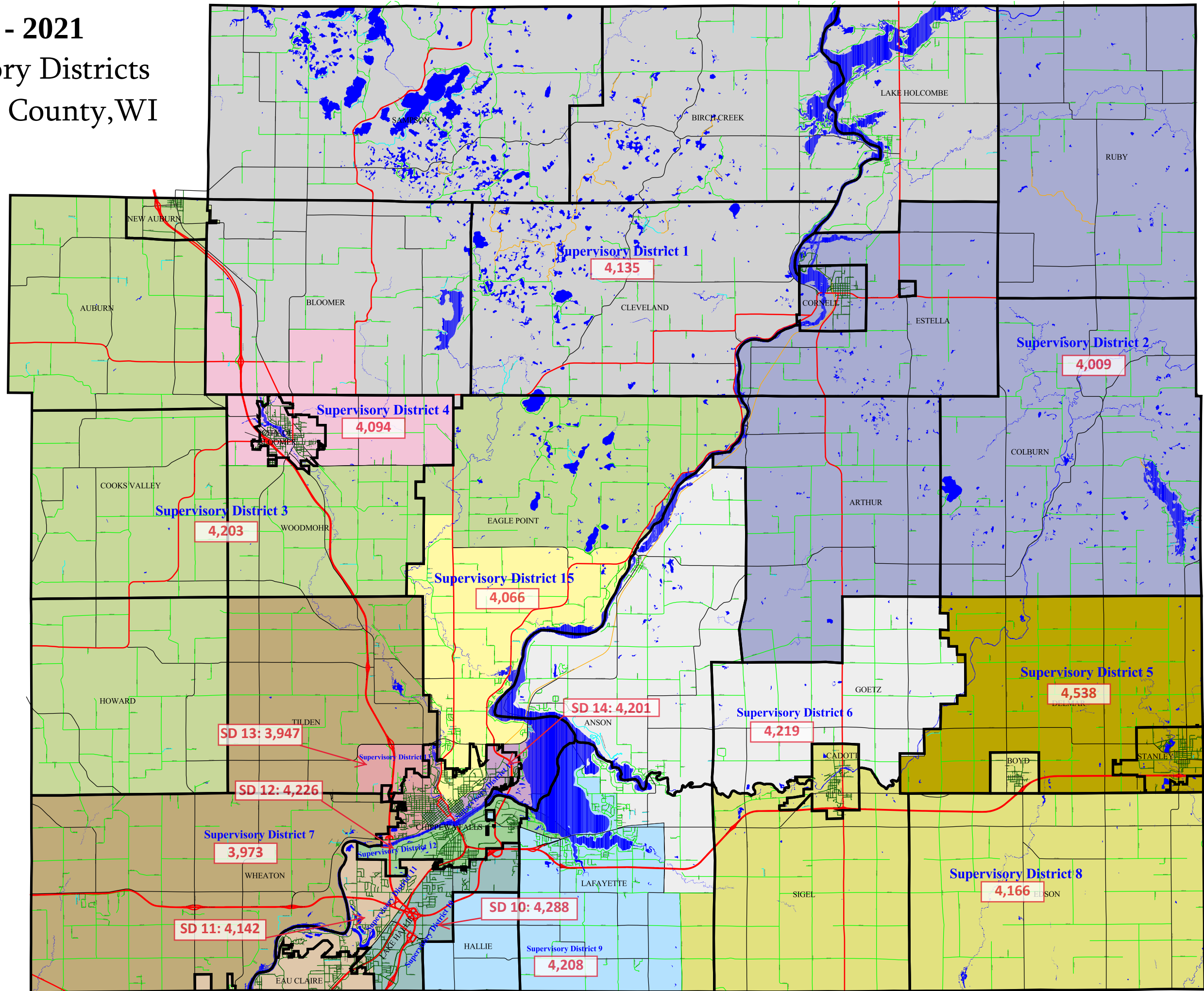
Randy B. Scholz, County Administrator

9/9/2021

2012 - 2021

Supervisory Districts

Chippewa County, WI

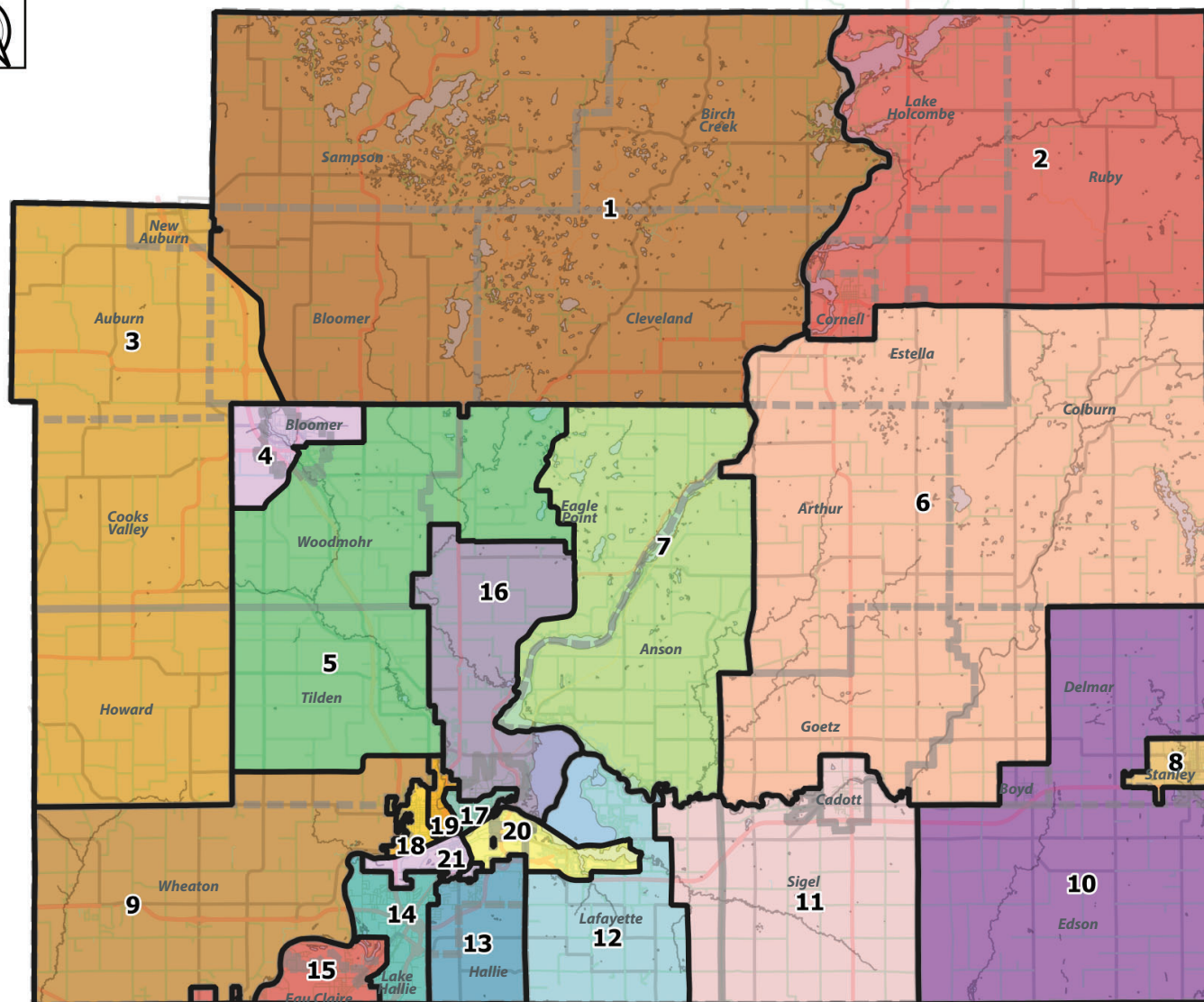


Updated: 09-10-2021 with SD Numbers
Douglas Clary

Map created courtesy of
Ryan Brown - County Planner
Planning and Zoning Department
Plan Adopted - August 9, 2011

Tentative County Supervisory Districts - Option 2

2021 Redistricting Cycle - Stanley Correctional Institution
(Reapportionment of population within two Census Blocks)



Supervisory District Number	Supervisory District Population	Percent of Deviation from 3,157
01	3,237	+2.53%
02	3,157	+0.00%
03	3,056	-3.20%
04	3,087	-2.22%
05	3,043	-3.61%
06	3,050	-3.39%
07	3,181	+0.76%
08	3,170	+0.41%
09	3,076	-2.57%
10	3,067	-2.85%
11	3,219	+1.96%
12	3,309	+4.66%
13	3,055	-3.23%
14	3,252	+3.01%
15	3,199	+1.33%
16	3,125	-1.01%
17	3,067	-2.85%
18	3,139	-0.57%
19	3,303	+4.62%
20	3,300	+4.53%
21	3,205	+1.52%

Ideal District Population is 3,157

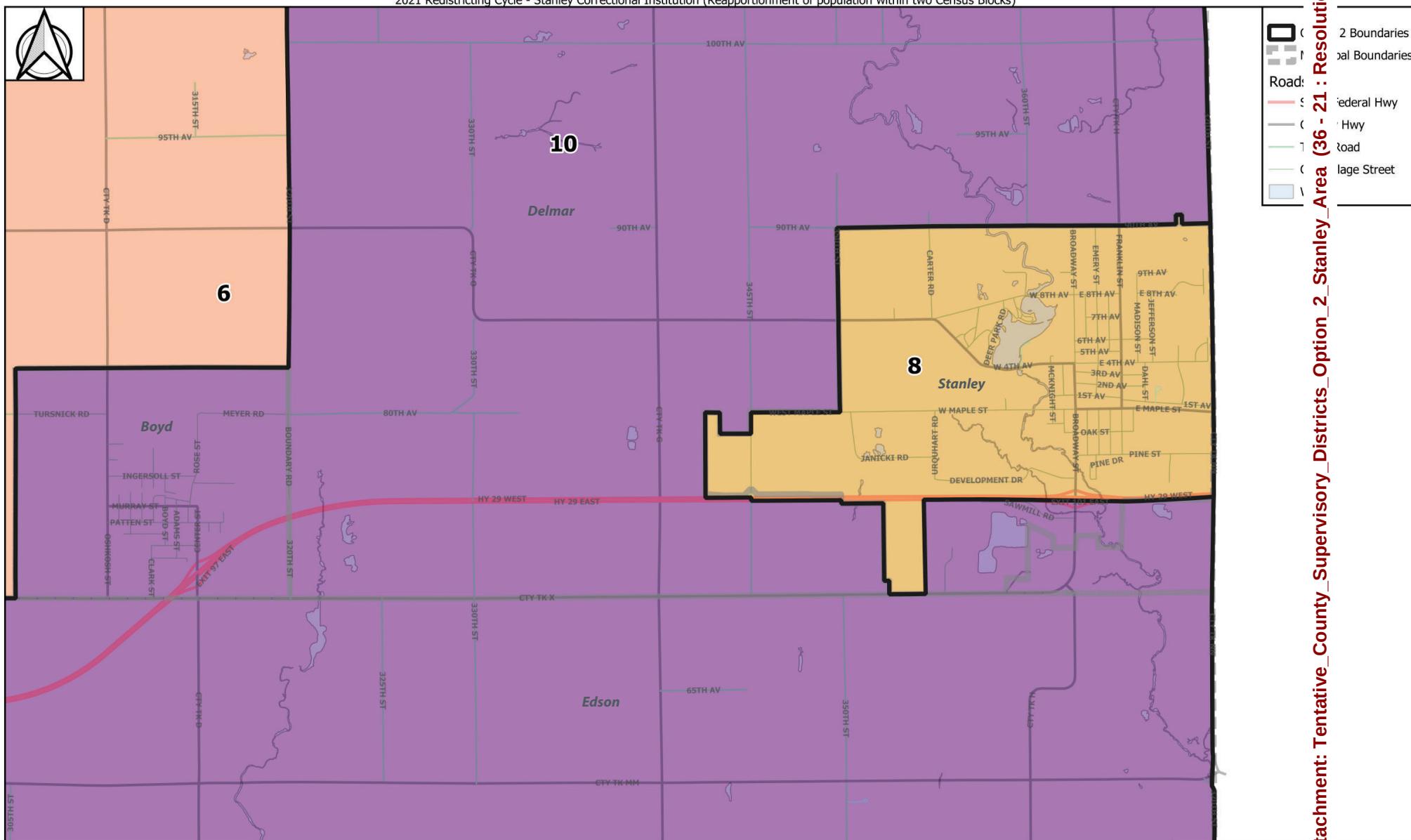
Legend:
 2 Boundaries
 3al Boundaries
 Road: Federal Hwy
 Hwy
 road
 lage Street

Attachment: Tentative County Supervisory Districts Option2 (36 - 21 : Resolution to Approve Tentative

Map produced by the Chippewa County Planning & Zoning Department and is for reference purposes only

Tentative County Supervisory Districts - Option 2 Stanley Area	
---	--

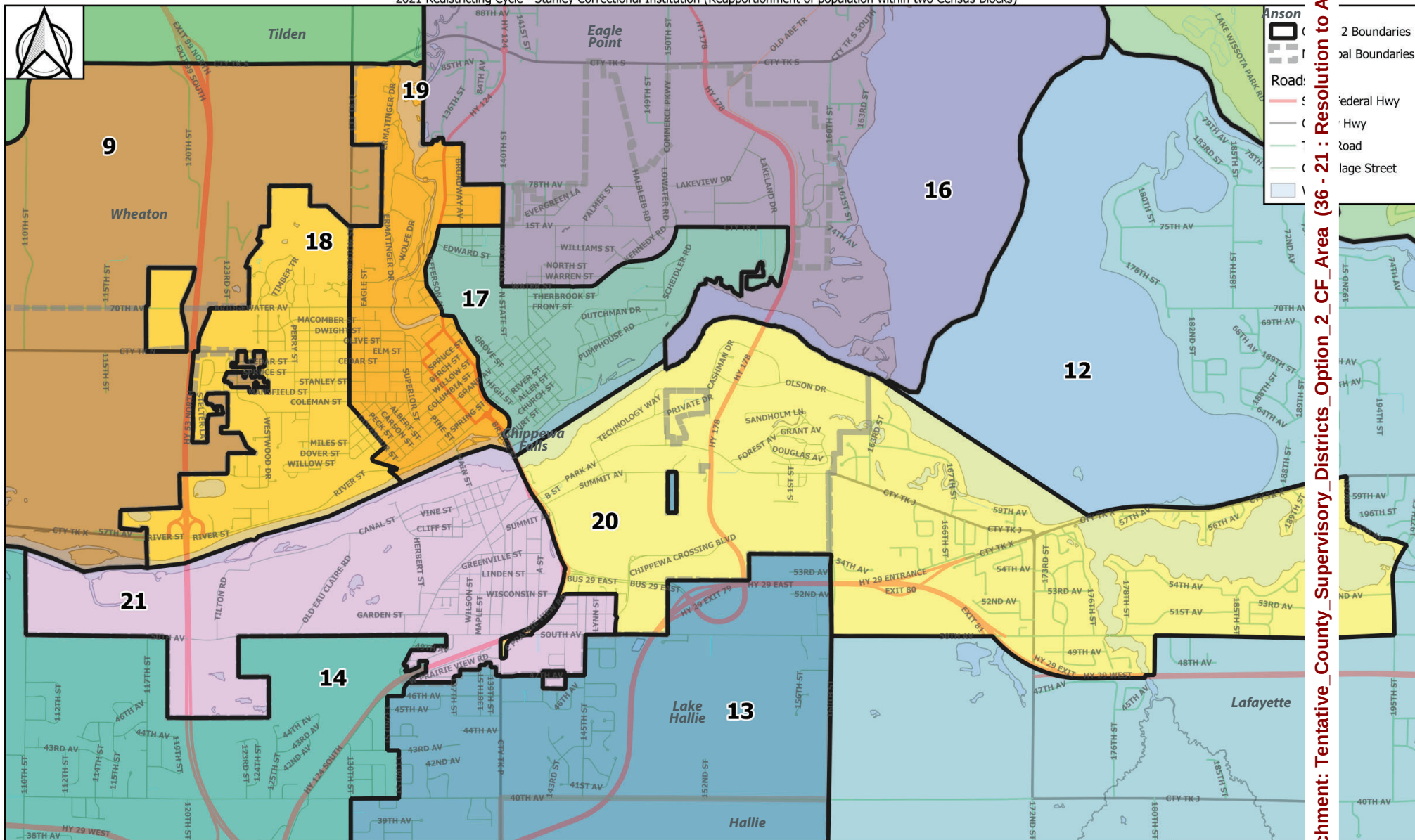
2021 Redistricting Cycle - Stanley Correctional Institution (Reapportionment of population within two Census Blocks)



Map produced by the Chippewa County Planning & Zoning Department and is for reference purposes only

Tentative County Supervisory Districts - Option 2 Chippewa Falls Area

2021 Redistricting Cycle - Stanley Correctional Institution (Reapportionment of population within two Census Blocks)



Map produced by the Chippewa County Planning & Zoning Department and is for reference purposes only

Attachment: Tentative County Supervisory Districts Option 2 CF Area (36 - 21 : Resolution to Approve

CHIPPEWA COUNTY DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone: 715.726.7940 • Fax: 715.726.4596 • www.co.chippewa.wi.us •

Land Management

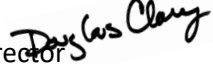
Land Planning

Land Records & G.I.S.

POWTS & Wells

Date: September 13, 2021

To: Mechele Shipman, Redistricting Committee Chair & County Board Supervisor – District 9

From: Douglas Clary, Director 

Re: Redistricting – Revised Option 2 based on Prison Population Split between Census Blocks

On September 8th, 2021, the Chippewa County Redistricting Committee approved a Tentative County Supervisory District to be forwarded to the County Board for approval. We contacted the State Legislative Technical Services Bureau (LTSB) office on how to properly assign a “ward”, which would be larger than allowed per the Wisconsin State Statutes. The ward in question was comprised of the Stanley Correctional Institution (SCI) with the prison resident population of 1,537 which was assigned to one Census Block. However, there were two (2) Census Blocks covering the SCI property.

On, September 10th, 2021, we received guidance from the LTSB of an option for reallocating the prison resident population between the two Census Blocks. Three (3) of the dorms are located in the western Census Block, while two are located in the eastern Census Block. Thus, the proposed western Census Block prison population would be 922 and the eastern Census Block prison population would be 615. These numbers were derived from dividing 1,537 divided by 5 and then the result times the number of dorms in each Census Block.

By allowing the prison population to be split within two Census Blocks, we were able to redesign the eastern and the northern County Board Supervisory Districts to meet some concerns that were present with the Tentative County Supervisory District Option 1.

One of the concerns or actually a request was from the City of Stanley. Stanley requested an adjustment of the proposed Supervisory Districts, so that the City could be represented by one vs. two County Board Supervisors. This would be a problem because of Stanley’s overall population.

With the revision, we were able to have a significant resident population of the City represented by one County Board Supervisor with the prison Census Block including approximately 922 of the prison population. The prison Census Block of approximately 615 prison population, would be associated with another Supervisory District (10) which includes the Town of Edson and Village of Boyd, in their entirety, and a portion of Delmar.

The second concern was raised about the compactness of County Board Supervisory District 6. As you may recall, this particular district was long and extended from the NE corner of the County down to Highway 29. With the reapportioning of the prison population, we were able to adjust the proposed County Supervisory Districts of 1, 2, 6, 8, and 10. This allowed for District 6, 8 and 10 to be more compacted.

The final concern was that tentative County Supervisory District had a deviation of 11.66%. Option 2 brings our overall plan deviation to 8.43% from a perfect population equality. This percentage is below the 10% guideline which presumptively complies with the one-person, one-vote rule.

**STATEMENT OF EXPLANATION**

Resolution No. 37 - 21

**RESOLUTION TO PROCLAIM SEPTEMBER 2021 AS “RECOVERY MONTH
IN CHIPPEWA COUNTY” - TIM EASKER**

1 Passage of this resolution will formally declare September 2021 as “Recovery Month in
2 Chippewa County” to bring awareness to those in the community in mental health and
3 substance abuse recovery. National Recovery Month is now in its 32nd year and the theme in
4 2021 is *“Recovery is for Everyone: Every Person, Every Family, Every Community”*. The goal of
5 this national organization is to celebrate the gains made by those in recovery, just as those who
6 are managing other health conditions such as hypertension, diabetes, asthma, and heart
7 disease are celebrated for improvements in their physical health.

8 Each September, National Recovery Month works to promote and support new
9 evidence-based treatment and recovery practices, the emergence of a strong and proud
10 recovery community, and the dedication of service providers and community members across
11 the nation who make recovery in all its forms possible.

12

Resolution No. 37 - 21

**RESOLUTION TO PROCLAIM SEPTEMBER 2021 AS “RECOVERY MONTH IN CHIPPEWA COUNTY”
- TIM EASKER**

WHEREAS, there are many residents of Chippewa County that struggle with mental health and/or substance abuse issues and are in recovery to address those issues to gain control of their lives; and

WHEREAS, celebrating those among us who have made personal gains in their lives through recovery will help to end a negative stigma that some may feel, while also encouraging others to enter recovery; and

WHEREAS, National Recovery Month (Recovery Month) is a national observance held every September to educate Americans that substance use treatment and mental health services can enable those with a mental and/or substance use disorder to live a healthy and rewarding life; and

WHEREAS, this annual observance reinforces the positive message that behavioral health is essential to overall health, prevention works, treatment is effective, and people can and do recover; and

WHEREAS, the 2021 National Recovery Month theme is “*Recovery for Everyone: Every Person, Every Family, Every Community*” to remind people in recovery and those family and friends that support them that recovery belongs to all of society; and

WHEREAS, there are millions of Americans whose lives have been transformed through recovery and since these successes often go unnoticed by the broader population, Recovery Month provides an opportunity for everyone to celebrate these accomplishments; and

WHEREAS, supporting the residents of Chippewa County that have had success in recovery for mental health and/or substance abuse issues will send a message that the County supports them in their efforts to address some of society’s most complex and challenging issues;

NOW, THEREFORE BE IT RESOLVED, that the Chippewa County Board of Supervisors does hereby proclaim the month of September 2021 as Recovery Month in Chippewa County and encourages all of our County residents to support those in recovery for mental health and/or substance abuse issues.

Forwarded to the County Board by the Health and Human Services Board.

FINANCIAL IMPACT:

There is no fiscal impact by passage of this resolution.

09/14/2021 County Board

RESULT: APPROVED [UNANIMOUS]

MOVER: Kari Ives, District 12

SECONDER: Harold Steele, District 1

AYES: Gullickson, Sikorski, Steele, Schmitt, McMenamin, Hauser, Mickelson, Shipman, Ives, Hull, McGill

ABSENT: David Eisenhuth

EXCUSED: Tom Thornton, Charlene Kervina, Annette Hunt

History:

08/19/21 Health & Human Services Board FORWARD TO COUNTY BOARD

Approved as to Form:

Todd A. Pauls

Todd A. Pauls, Corporation Counsel

8/2/2021

Lori Zwiefelhofer

Lori Zwiefelhofer, Finance Director

8/3/2021

Randy B. Scholz

Randy B. Scholz, County Administrator

8/3/2021



RECOVERY IS FOR EVERYONE: Every Person, Every Family, Every Community

2021 National Recovery Month Observance

Recovery is for everyone because it benefits everyone. In recovery, we build new connections to ourselves, our families, and our communities. The 2021 **National Recovery Month** theme, ***“Recovery is for Everyone: Every Person, Every Family, Every Community”*** reminds people in recovery and those who support them, that recovery belongs to all of us. We are all called to end gatekeeping and welcome everyone to recovery by lowering barriers to recovery support, creating inclusive spaces and programs, and broadening our understanding of what recovery means for people with different experiences.

While it may be tempting to characterize recovery as a universal experience or single journey, our community is proof that there are as many pathways to and of recovery as there are people. Our strength is our diversity and because of who we are, the recovery community has unique opportunities to learn, challenge, grow, and dream. By expanding traditional, limited conceptions of recovery, which center white, heterosexual, cisgender, religious, wealthy perspectives, we enrich everyone’s experience. Mental health and substance use disorder are not one-size-fit all conditions, nor do they affect everyone equally. Culturally competent multilingual resources and gender-expansive programs acknowledge and include LGBTQ+ (lesbian, gay, bisexual, transgender, and questioning), BIPOC (Black, Indigenous, and people of color), and other historically marginalized community members.

Looking beyond our individual experiences strengthens and supports recovery in all its forms. The recovery community has a powerful foundation of mutual aid, peer support, and adaptability. **As we grow in empathy and understanding, we save lives by adding protective factors and building resiliency.** We honor the incredible contributions from communities within recovery as groups connect and implement resources that serve their unique needs. The powerful bonds built in recovery are life-altering. To honor those bonds, in every form they take, is a significant factor in sustaining recovery as well as building bridges between our communities. When we connect with open minds and hearts, we learn from one another and create life-saving opportunities.

To heal ourselves, our communities must also heal. Recovery Research Institute conducted a **nuanced, five-year study** that explored the ways in which substance use disorder impacted families, communities, and cultures, and how recovery in those spaces created opportunities to rebuild. The study affirmed that people in distressed communities need opportunities to share their experiences, therefore, personal recovery can translate into collaborative recovery when the individual begins to see their story as part of a larger story. The shift from “I” to “we” is transformative. We call to nurture this “we.” We find new ways of connecting the recovery community. We call to rejuvenate struggling communities and families. At the same time, we work to empower communities who grapple with inequitable conditions, including the effects of systemic racism, homophobia, transphobia, generational poverty, adverse childhood experiences, and other forces. Social connections, family

support, and neighborhood relationships are **directly linked** to wellness and recovery. We must ensure that everyone has the same chance at recovery. ***Our “I” must become our “we.”***

National Recovery Month educates others about recovery from mental health, substance use, and co-occurring disorders, the effectiveness of treatment and recovery support services, and that recovery is possible. All of us, from celebrities and sports figures to our co-workers, neighbors, friends, and family members, throughout our lives have experienced peaks and valleys, both big and small. And, with strength, support and hope from the people we love, ***we are resilient.***

The focus areas of the 2021 **National Recovery Month** materials include the impact of communities, families, and social groups on the prevalence and recovery of mental health, substance use, and co-occurring disorders. The **National Recovery Month** messaging emphasizes the importance of inclusive programs, language, and treatment that lower barriers to recovery for everyone; by challenging traditional structures, we create the foundation that so many people need for their recovery journey.

By asserting that ***“Recovery is for Everyone,”*** we reduce the stigma surrounding people with substance use or mental health disorders, especially when complicated by oppressive forces like white supremacy, systemic racism, punitive criminal justice systems, and policy that excludes less privileged people. Recovery is always person-first. “Meeting people where they are at” translates into acknowledging their unique experiences and needs, including people of different cultures, identities, backgrounds, and communities.

OBJECTIVES

The **National Recovery Month** observance serves as a reminder that when we empower communities and families, we are engaging in healing that extends beyond the individual. ***“Recovery is for Everyone”*** means we are **proud of our diversity**, and we are committed to sharing our personal accomplishments and struggles, reaching across barriers to support one another, and actively dismantling systems that harm our recovery neighbors.

The 2021 **National Recovery Month** observance and theme, ***“Recovery is for Everyone”*** works to inspire people across the country to transform the **“I” into “we”** and **build bridges** between families, communities, and groups. We celebrate our diversity and seek to develop deeper understanding, caring, and connection that nurtures recovery.

AUDIENCES

- People affected by substance use, mental health, and co-occurring disorders and their families
- Health Care Providers (including Medical Schools)
- Community Institutions (e.g., Educators, Faith Leaders, Social Service Providers)
- Peer Support Systems



STATEMENT OF EXPLANATION

Resolution No. 38 - 21

RESOLUTION TO CREATE A FULL-TIME SHARED POSITION IN THE HUMAN RESOURCES AND FACILITIES & PARKS DIVISIONS OF THE DEPARTMENT OF ADMINISTRATION ENTITLED HUMAN RESOURCES ASSISTANT/ADMINISTRATIVE ASSISTANT III - TONI HOHLFELDER AND LARRY RITZINGER

1 Passage of this resolution will create one full-time shared position in the Department of
2 Administration shared by the Human Resources Division (75% - approximately 1560 hours
3 annually) and Facilities & Parks Division (25% - approximately 536 hours annually). This Human
4 Resources Assistant/Administrative Assistant III would be created effective September 20,
5 2021, and will initially be dedicated to the Human Resources Division through December 31,
6 2021, to assist with the increased workload due to the transition to a self-funded health
7 insurance plan effective January 1, 2022.

8 Effective January 1, 2022, the Human Resources Assistant/Administrative Assistant III
9 will be shared between the Divisions and will work 75% (approximately 1,560 hours) in the
10 Human Resources Division and 25% (approximately 520-536 hours) in the Facilities & Parks
11 Division, due to the increased workload in the Facilities & Parks Division. Passage of this
12 resolution will also eliminate the LTE position currently budgeted in the Human Resources
13 Division working 975 hours annually.

14 The County Board approved that the County transition from a fully insured health
15 insurance plan to a self-funded health insurance plan, effective January 1, 2022. The Human
16 Resources Division will be tasked with researching, administering and communicating all
17 changes associated with transitioning to a self-funded health insurance plan. The Human
18 Resources Division will also work with the County's broker to recommend solutions that align
19 with the County's goals related to recruitment, retention and employee engagement, while also
20 seeking to reduce costs due to the large increases that the healthcare market places on
21 organizations annually. Some of the extra Human Resources Division tasks will include research
22 and administration of an onsite / near-site clinic, improved network steerage, improved
23 network access, ability to do direct contracting with employee/County cost savings, to better
24 leverage current and new benefit technologies, improve pharmacy benefit design, discover
25 better health or wellness strategies, education and communication due to better claims data

26 available, and researching and implementing health incentives to improve the health and
27 wellbeing of employees and also reduce costs for employees and the County.

28 A Human Resources Generalist gave a notice to terminate employment with Chippewa
29 County effective August 31, 2021. That generalist has been intimately involved in the transition
30 to a self-funded health insurance plan. The current Human Resources Assistant Limited Term
31 Employee (LTE) is fully trained in the areas of payroll, recruitment and preparing documents for
32 onboarding employees. The Human Resources Director and County Administrator are
33 recommending transitioning the Human Resources Assistant LTE to full-time status effective
34 upon passage of this resolution to fill this newly created position. As a result, the Human
35 Resources LTE position would be eliminated from the Human Resources budget in 2022.

36 With open enrollment in October and the county transitioning to a self-funded health
37 insurance plan, it is critical to provide the best service possible to our employees. This increase
38 to full-time hours will allow for lower anxiety and a smooth transition for our employees during
39 this time. The Human Resources Budget will be able to absorb the cost of this full-time position
40 from September 20 to December 31, 2021, with the funds currently in its 2021 budget.

41 The Facilities & Parks Division has seen a 68% increase in camping reservations since
42 2013. Camping reservations have increased 12.8% from 2018 to 2019 and increased 25.7%
43 from 2019 to 2020, and continue to increase in 2021. As a result, this has increased the
44 workload as well as revenue for the Division. In 2014, the County purchased and installed a
45 Maintenance Management System (MMS) to assist the Division with work orders and to
46 manage the schedule for preventative maintenance. Since then, the Division has experienced
47 continued growth and workload in the office, leveling off at approximately 3,900 work orders in
48 2019 and 2020. The Chippewa County Public Firearms Range has also experienced continued
49 growth since it opened in 2006. The range had 71 members in 2009 and increased to 539 in
50 2020 and this too has increased workload in the office, as well as revenue for the Division. The
51 Facilities & Parks Division Director requested additional administrative assistant support of 520
52 hours annually to assist the current full-time Administrative Assistant III with the increase in
53 workload.

54 Effective January 1, 2022, the Human Resources Assistant/Administrative Assistant III

55 shared position will begin working approximately 520-536 hours in the Facilities & Parks
56 Division to address the workload issues in that Division of the Department of Administration.
57

Resolution No. 38 - 21

RESOLUTION TO CREATE A FULL-TIME SHARED POSITION IN THE HUMAN RESOURCES AND FACILITIES & PARKS DIVISIONS OF THE DEPARTMENT OF ADMINISTRATION ENTITLED HUMAN RESOURCES ASSISTANT/ADMINISTRATIVE ASSISTANT III - TONI HOHLFELDER AND LARRY RITZINGER

WHEREAS, there is an increased need for administrative support in both the Human Resources Division and Facilities & Parks Division of the Department of Administration; and

WHEREAS, the County Board authorized the transition of the County's health insurance program from a fully insured health insurance plan to a self-funded health insurance plan effective January 1, 2022; and

WHEREAS, transitioning the County's health insurance plan from a fully insured plan to a self-funded health insurance plan will allow the County to research and take advantage of many of the following options or features primarily available or recommended to self-funded health insurance plans including:

- Onsite / near-site clinics
- Improve network steerage
- Improve network access
- Direct contracting and employee/County cost savings
- Leveraging current and new benefit technologies
- Improve pharmacy benefit design
- Better health or wellness strategies, education and communication due to better claims data available
- Ability to research and implement health incentives to improve health and wellbeing of employees and also reduce cost for employees and the County; and

WHEREAS, Chippewa County's strategic plan states that one of the County's goals is to, "Effectively communicate information about programs, services and resources to all residents and employees"; and

WHEREAS, transitioning Chippewa County's health insurance plan from a fully insured model to a self-funded health insurance model may include many new features, which will require additional research and administration, and will increase the need for better employee communication and education due to the changes that may occur; and

WHEREAS, one of the Human Resources Generalists provided notice to terminate employment with Chippewa County effective August 31, 2021, and that Generalist was intimately involved in the transition from a fully funded health insurance plan to a self-funded

101 plan; and

102
103 WHEREAS, that soon to be vacant Human Resources Generalist position is also
104 responsible for processing bi-weekly payroll, administering Chippewa County recruitments,
105 managing all onboarding and bi-weekly new employee orientations, managing employee
106 separations, administering County benefits and the annual open enrollment benefit process
107 each fall; and

108
109 WHEREAS, the current Human Resources Assistant Limited Term Employee (LTE) is fully
110 trained in the areas of payroll, recruitment and preparing documents for onboarding
111 employees; and

112
113 WHEREAS, increasing the hours available for the Human Resources Assistant LTE to full-
114 time hours would allow the Division to continue to provide all Human Resources services to
115 Chippewa County Department Heads, managers and employees without delay and would also
116 allow the Human Resources Division adequate time to recruit and train a new full-time Human
117 Resources Generalist by the end of the year; and

118
119 WHEREAS, the Human Resources Division is in the process of recruiting to replace the
120 Human Resources Generalist and estimates the start date for a new employee to be October 4,
121 2021; and

122
123 WHEREAS, the Chippewa County Facilities & Parks Division manages multiple boat
124 landings and 4 County Parks with 98 campsites; and

125
126 WHEREAS, the Chippewa County Facilities & Parks Division maintains the Government
127 Center Campus, Public Firearms Range and multiple Communication Tower sites; and

128
129 WHEREAS, the Chippewa County Parks revenue and camping reservations have realized
130 continual growth for the last several years, experiencing a 68% increase in revenue between
131 2014 and 2020, and a 54% increase in campsite reservations between 2013 and 2020; and

132
133 WHEREAS, the Chippewa County Facilities & Parks Division purchased and installed a
134 Maintenance Management Software (MMS) in 2014; and

135
136 WHEREAS, the MMS generated about 2,500 work orders in 2014, and has experienced
137 continual growth - leveling off at about 3,900 work orders in 2019 and 2020; and

138
139 WHEREAS, the Chippewa County Public Firearms Range was opened to the public in
140 2006, and has experienced continual growth in usage such that the Range annual membership
141 has increased from 71 annual members in 2009 to 539 in 2020 and the range revenue has
142 grown from \$5,990 in 2010 to \$18,273 in 2020; and

143
144 WHEREAS, the Facilities & Parks Division Director has requested that an LTE

Administrative Assistant III be hired to work 520 hours annually to provide support for the additional work load that has developed over time; and

WHEREAS, the County Administrator has the authority to approve a request for a new LTE position, however, due to the difficulty in filling LTE positions and the increase in turnover in LTE positions, the County Administrator recommends creating a full-time shared position between the Human Resources Division and Facilities & Park Division to address their increased workloads; and

WHEREAS, a local employment recruitment agency has stated that “part-time workers usually have less commitment to the organization because they spend less time at the organization and they find it easier to leave because of lack of full-time income and benefits”; and

WHEREAS, the Human Resources Division confirmed that most LTE positions are not only extremely difficult to recruit for, requiring multiple advertisements and delays in filling the positions, but also have a higher than average turnover rate due to the limited or part time nature of the position and offers no benefits; and

WHEREAS, it is believed that an increase of 525 hours to the current Human Resources Assistant LTE position in the Human Resources Division would allow the current Human Resources Generalist to reduce other tasks to allow for better communication that is more frequent and detailed regarding the plan design options that will allow the County and employees to save money in health care costs; and

WHEREAS, the Human Resources Director, Facilities & Parks Director and the County Administrator recommend that the current Human Resources LTE position be eliminated and replaced by a full-time shared position, entitled “Human Resources Assistant/Administrative Assistant III” where the employee would work 75% (approximately 1,560 hours) in the Human Resources Division and 25% (approximately 536 hours) in the Facilities & Parks Division; and

WHEREAS, both positions require similar job skills, including several office or administrative tasks and customer service skills; and

WHEREAS, it is also recommended that the Human Resources Assistant/Administrative Assistant III initially be dedicated to the Human Resources Division for 40 hours per week until December 31, 2021, to assist in the transition to a self-funded health insurance plan and with other duties necessary during the recruitment and training of the next Human Resources Generalist; and

WHEREAS, commencing in 2022, the increased cost from 975 hours up to 1,560 hours in the Human Resources Division along with 75% of the benefit costs will be fully funded by the health insurance plan and other Human Resources expenditure reductions in advertising; and

WHEREAS, the increase of up to 536 hours in the Facilities & Parks Division along with 25% of the benefits will be fully funded by the increase in revenue generated by the Parks;

NOW, THEREFORE BE IT RESOLVED, that effective September 20, 2021, the current Human Resources LTE position is hereby eliminated; and

BE IT FURTHER RESOLVED, that effective September 20, 2021, the current Human Resources Assistant LTE position will be replaced by a full-time position, entitled Human Resources Assistant/Administrative Assistant III, that will initially work 40 hours per week in the Human Resources Division until December 31, 2021; and

BE IT FURTHER RESOLVED, that the current Human Resources Assistant LTE shall become the new Human Resources Assistant/Administrative Assistant III, effective September 20, 2021; and

BE IT FURTHER RESOLVED, that effective January 1, 2022, the Human Resources Assistant/Administrative Assistant III will begin working as a shared position and will work 75% (approximately 1,560 hours) in the Human Resources Division and 25% (approximately 520-536 hours) in the Facilities & Parks Division; and

BE IT FURTHER RESOLVED, that Human Resources Assistant/Administrative Assistant III will have job duties and responsibilities as set out in the attached draft job descriptions from the Human Resources Division and Facilities & Parks Division.

Forwarded to the County Board by the Executive Committee.

FINANCIAL IMPACT:

2021 – Total Wages and Benefits Fiscal Impact for HR Assistant moving from LTE to Full Time in Human Resources Division

\$19,307	Tax Levy Funded within 2021 HR Budget
----------	---------------------------------------

2022 – Total Wages and Benefits Fiscal Impact for one (1) shared Full Time position in Human Resources Division and Facilities and Parks Division

\$70,967	Total Wages and Benefits for shared position
(\$22,729)	Tax Levy Funded with HR LTE and Advertising funding
(\$15,496)	Reallocation Workers Comp for HR Generalist
(\$15,000)	Self-Funded Health Insurance
(\$17,742)	Park Revenues

09/14/2021 County Board

RESULT: APPROVED [UNANIMOUS]

MOVER: James Mickelson, District 8

SECONDER: Lee McMenamin, District 4

AYES: Gullickson, Sikorski, Steele, Schmitt, McMenamin, Hauser, Mickelson, Shipman, Ives, Hull, McGill

ABSENT: David Eisenhuth

EXCUSED: Tom Thornton, Charlene Kervina, Annette Hunt

History:

09/07/21 Executive Committee FORWARD TO COUNTY BOARD

Approved as to Form:

Todd A. Pauls

Todd A. Pauls, Corporation Counsel

8/23/2021

Lori Zwiefelhofer

Lori Zwiefelhofer, Finance Director

8/23/2021

Randy B. Scholz

Randy B. Scholz, County Administrator

8/23/2021



Department of Administration

Randy B. Scholz, County Administrator

August 17, 2021

TO: County Board Supervisors

FR: Randy Scholz

RE: Update on July 16, 2021 Memo: Recommendation to Transition to Self-Funded Health Insurance for 2022 and Request for Additional Staff Hours in the Human Resources and Facilities & Parks Divisions

In a memo dated July 16, 2021, (see attached) I talked about Chippewa County possibly moving to self-funded health insurance. I also informed you of the request from the Human Resources Division and Facilities & Parks Division for additional support staff hours. The Human Resources Division's need was based on Chippewa County moving to self-funded health insurance. At the August 10, 2021 County Board meeting the Board voted to transition to self-funded health insurance.

Since the August 10, 2021, County Board meeting, the Human Resources Generalist responsible for benefits and open enrollment each fall submitted a notice to terminate employment with Chippewa County effective August 31, 2021. The current Human Resources Assistant LTE is fully trained in the areas of payroll, recruitment and preparing document for onboarding employees. Both the Human Resources Director and I are recommending that we increase the HR Assistant LTE to full-time status effective upon passage of a resolution that will go to the Executive Committee on September 7, 2021 and the County Board on September 14, 2021.

With open enrollment coming soon and the county transitioning to a self-insured health insurance plan, it is critical to provide the best service possible to our employees. This will allow for lower anxiety and a smooth transition for our employees during this time. The Human Resources 2021 budget will be able to absorb the cost for the 2021 budget.

The Human Resources Director requests that the Human Resources Assistant LTE be approved to increase hours from 19 hours per week to 40 hours per week effective September 20, 2021 and through December 31, 2021. This will allow the department to continue to provide all Human Resources services to Chippewa County Department Heads, managers and employees without delay and would also allow the Human Resources Division adequate time to train a new full time Human Resources Generalist by the end of the year.

It is my intent to bring forward a resolution to the Facilities & Parks Committee on August 31, 2021, to the Executive Committee on September 7, 2021, and then to the County Board on September 14, 2021. There will be one resolution to approve the following:

1. Increase the current HR Assistant LTE from 19 hours per week to 40 hours per week effective September 20, 2021 through December 31, 2021. The current HR Assistant LTE position will be eliminated. The current HR Assistant LTE will become the new full-time employee.
2. Create a shared position between the HR Division and the Facilities & Parks Division effective January 1, 2022. The full-time HR Assistant will be replaced by a full-time shared position where the employee works 75% (approximately 1,560 hours) in the Human Resources Division and 25% (approximately 520-536 hours) in the Facilities & Parks Division. The current HR Assistant will become the new shared full-time employee.

Sincerely,

Randy Scholz
County Administrator

Attachment



CHIPPEWA COUNTY

Department of Administration

Personnel Administration Change Form

Action Requested: ☒ New Position ☐ Fill Vacancy ☐ Other (ex: increased hours)

Department: Administration

Division: Human Resources / Facilities & Park

Current Job Description Title: Human Resources Assistant LTE

Anticipated Start Date: 9/20/2021

Proposed Job Description Title: (if different) Human Resources Assistant / Administrative Assistant III

Direct Supervisor: Toni Hohlfelder / Larry Ritzinger

Current/Past Employee Name (blank if new position): Kathy Zawacki

No. of Years Served in Position: 4 years

Current Status: ☐ FT ☐ PT ☐ LTE/Seasonal ☒ LTE/Annual ☐ Paid Intern ☐ Unpaid Intern ☐ Volunteer ☐ Other

Proposed Status: ☒ FT ☐ PT ☐ LTE/Seasonal ☐ LTE/Annual ☐ Paid Intern ☐ Unpaid Intern ☐ Volunteer ☐ Other

Reason for vacancy or new position (if due to vacancy - please indicate the last day of work for the employee in the position):

HR - 2021 request is due to the HR Generalist resigning on 8/31/21. Request is to have the HR Asst move from an LTE to FT effective 9/20/21 until 12/31/21 to assist with recruitment and payroll until the new HR Generalist is hired and fully trained.

HR - 2022 request is for an additional 520 hours (move from an LTE at 975 hours to PT at 1500 hours) effective 1/1/22 due to increase in workload in the HR Division due to moving the County's health insurance plan from a fully insured plan to a self funded plan.

F&P - 2022 Request is for an Admin Asst III to work 520 hours due to the increase in park attendance, fire arms range attendance & work orders

Bargaining Unit: ☐ LAW-Nurses ☐ WPPA-Patrol Officers/Investigators ☒ Non-Represented

FLSA Status: ☐ Exempt ☐ Non-Exempt

Is the position mandated? ☐ Yes ☒ No

If yes, provide statute, regulation, etc.

Position Justification Description (Why is the position needed?):

HR - Effective 9/20/21 to 12/31/21 is due to the Human Resources Generalist resigning on 8/31/21. Effective 1/1/22 is due to changes resulting from the County moving from a fully insured health insurance plan to a fully insured health insurance plan.

F&P - Effective 1/1/22 is due to an increase in park attendance, fire arms attendance and work orders.

Measurement of Job Performance (e.g. clients, caseload, work output, etc.)

Payroll processed every two weeks, handling County recruitments timely and managing the on-going Human Resources Division office administration duties.

Managing the increase in park attendance, increase in fire arms range attendance and increase in facility work orders.

Attachment: PAC Form for HR Assist-FP Admin Assist SIGNED (38 - 21 : Resolution to Create a Full-Time Shared Position in the Human

Are there opportunities to consolidate, eliminate and/or outsource the job responsibilities?

☐ Yes ☒ No

Please explain:

We are suggesting to combine a request for a Part Time employee and a request for an LTE into a Full Time position. This will eliminate the need for the current LTE.

Is this a new position? ☒ Yes ☐ No

Would its creation cause the future elimination of another position? ☒ Yes ☐ No

If yes, please explain:

This new full time position would eliminate an LTE position in the Human Resources Division.

For new positions, are there alternatives to the services that this individual would provide (temporary help, part-time vs. full-time, help from other county departments, use of overtime, eliminating unnecessary work)? ☐ Yes ☒ No

Please explain:

PLEASE ANSWER BOTH QUESTIONS (for WRS & ACA purposes)

In the first twelve months from the new position or refill position start date:

Do you intend to work this position 600 or more hours? ☒ Yes ☐ No

Do you intend to work this position 1200 or more hours? ☒ Yes ☐ No

Requested Annual Hours: ☒ 2088 ☐ 1500 ☐ 1044 ☐ 975 ☐ Other: _____

Description of Anticipated Work Schedule Mon - Fri 8:00am to 4:30pm

(i.e. 8 hrs/5 days per week, 8 hrs/4 days per week)

What are the consequences of **not** taking this personnel action?

HR - Poor quality and communication when transitioning to a self funded health insurance plan. Poor quality and administration of the new self funded health insurance plan. Reduced ability to recruit timely for positions that vacate at the end of 2021, increased risk of errors while processing payroll for employees and increase risk in errors during open enrollment.

FP - Division will continue to struggle with providing good customer service, responding timely to requests and carrying out the F&P mission.

What is the impact of not filling the position in:

3 months: Same as above - most importantly, the transition to self funding health insurance

6 months: Same as above

12 months: Same as above

Not at all: Same as above

For new positions, is there office space available for this position? ☒ Yes ☐ No

Will this require an office move/relocation? ☐ Yes ☒ No

Can the position costs be offset by eliminating or reducing a lower priority function? ☐ Yes ☒ No

Please explain:

How does this position fit into the long-range and strategic plans of the Department and/or the County?

Strategic Plan - 1) Effectively communicate information about programs, services and resources to all residents and employees. AND 2) Develop additional sources of revenue and funding to meet emerging needs.

Theses two items on our strategic plan will be improved with the additional hours in both the HR and F&P Divisions. This will allow HR to communicate better about the transition to a self funded health insurance plan as well the new features the County will be able to offer. This will also allow the F&P Division to provide better communication about its services and resources to the public.

TOTAL FISCAL IMPACT/FUNDING SOURCES

Will be verified by Finance Division

2021 BUDGETED AMOUNT FOR POSITION

\$17,715.75 (HR LTE) + \$1,975.31 (HR LTE) = \$19,691.06 (HR LTE)
 Per Personnel Cost Report Per Benefit Estimate Report **Total Budgeted for Position**

Number of Hours Budgeted for Position per 2021 Personnel Cost Report: 975 (HR LTE)

General Ledger Account Number to Charge Salary to: 100-04-51430-511100 (HR LTE)
 (If more than 1 account number please attach a separate document with the associated percentages)

ANNUAL FISCAL IMPACT

Minimum Fiscal Impact Starting Wage/Hire (WPPA) _____ of Pay Grade _____
 _____ X _____ = _____
 Starting Hourly Rate Maximum Hours (2088, 1500, 1044 or 975) Total Wages Minimum Impact
 _____ + _____ + _____ = _____
 Total Wages Minimum Impact Fringe Benefits* (Use percentage below) Health Insurance ** **Total Minimum Fiscal Impact 2021**

Actual
Position Point Fiscal Impact Position Point Wage/Max Step (WPPA) \$19.03 of Pay Grade I
 18.72 (Kathy's wage) X 600 = 11,232.00
 Position Point Hourly Rate Maximum Hours (2088, 1500, 1044 or 975) Total Wages Maximum Impact
 11,232.00 + 2,077.92 + 5,997.00 (3 months) = 19,306.92
 Total Wages Position Point Impact Fringe Benefits* (Use percentage below) Health Insurance ** **Total Maximum Fiscal Impact 2021**

* Percentages to Use: General WRS Position: 18.5% Current LTE: 17.9%
 Protective WRS Position: 24% New LTE: 11.5%

**Health Insurance Annual Premium: Full Time = \$23,988 WPPA = \$21,589

2021 ACTUAL YEAR-TO-DATE EXPENDED FOR POSITION (To be completed by Finance Division)

14,146.89 + 1,577.40 = 15,724.29
 Wage Less Overtime Fringe Benefits Less Overtime **Total YTD Expended for Position**

Retirement/Resignation Pay out Amount: N/A Budgeted Amount: N/A

OTHER COSTS

Please define and breakdown "other" costs here:

***"Other" includes, but is not limited to: equipment, office space, vehicle, on-call pay etc.

Personal equipment (tools, uniforms, safety equipment)	\$	0
Mileage and meals	\$	0
Training expenses (including memberships)	\$	0
Computer equipment	\$	0
Office furniture and supplies	\$	0
Other operating expenses	\$	0
Renovation/relocation costs	\$	0
Total Other Costs	\$	0

2021 FUNDING SOURCES

☐ Federal/State (Specify) _____	_____ %	\$ _____
☒ County Tax Levy <u>Within the 2021 HR Budget</u>	100 %	\$ 19,306.92
☐ County Other (Specify) _____	_____ %	\$ _____
☐ Grant (Specify) _____	_____ %	\$ _____
☐ Grant (Specify) _____	_____ %	\$ _____
☐ Other (Specify) _____	_____ %	\$ _____

TOTAL

100%

\$ 19,306.92 *

*Must match above total maximum fiscal impact and other costs

Will any of the listed funding sources expire during the duration of the position? ☐ Yes ☒ No

If yes, please indicate what sources will expire, with expiration dates:

If yes, please indicate where the funding will come from after the sources of funding have expired:

NOTE: Attach an updated organizational chart and the approved job description located on the K:drive/Human Resources. All recommended changes for consideration should be indicated with highlights and strikeouts. Positions will not be considered absent job descriptions.

1. [Signature] 8/18/21
Department Head Recommendation Date

4. [Signature] 8-20-21
County Administrator Approval Date
☒ Approved ☐ Denied

2. [Signature] 8/18/21
Human Resources Division Review Date
☒ Recommend ☐ Not Recommend

5. _____
County Board Approval Date
☐ Approved ☐ Denied
Resolution No. _____
** New Positions Only **

3. [Signature] 8/20/21
Finance Division Review Date
☒ Recommend ☐ Not Recommend

Comments: _____

2022

TOTAL FISCAL IMPACT/FUNDING SOURCES

Will be verified by Finance Division

2021 BUDGETED AMOUNT FOR POSITION

\$18,252 (HR LTE) + \$3,303.61 (HR LTE) = \$21,555.61 (HR LTE)

Per Personnel Cost Report Per Benefit Estimate Report **Total Budgeted for Position**

Number of Hours Budgeted for Position per 2021 Personnel Cost Report: 975 (HR LTE)

General Ledger Account Number to Charge Salary to: 100-04-51430-511100 (HR LTE)

(If more than 1 account number please attach a separate document with the associated percentages)

ANNUAL FISCAL IMPACT

Minimum Fiscal Impact Starting Wage/Hire (WPPA) \$17.30 of Pay Grade I

17.30 X 2088 = 36,122.40

Starting Hourly Rate Maximum Hours (2088, 1500, 1044 or 975) Total Wages Minimum Impact

36,122.40 + 6,682.64 + 24,648 = 67,453.04

Total Wages Minimum Impact Fringe Benefits* (Use percentage below) Health Insurance ** **Total Minimum Fiscal Impact 2021**

Actual Position Point Fiscal Impact Position Point Wage/Max Step (WPPA) \$19.03 of Pay Grade I

18.72 (Kathy's wage) X 2088 = 39,087.36

Position Point Hourly Rate Maximum Hours (2088, 1500, 1044 or 975) Total Wages Maximum Impact

39,087.36 + 7,231.16 + 24,648 = 70,966.52

Total Wages Position Point Impact Fringe Benefits* (Use percentage below) Health Insurance ** **Total Maximum Fiscal Impact 2021**

* Percentages to Use:

General WRS Position: 18.5%

Current LTE: 17.9%

Protective WRS Position: 24%

New LTE: 11.5%

**Health Insurance Annual Premium:

2022 24,648

Full Time = \$23,988

WPPA = \$21,589

2021 ACTUAL YEAR-TO-DATE EXPENDED FOR POSITION (To be completed by Finance Division)

0 + 0 = 0

Wage Less Overtime Fringe Benefits Less Overtime **Total YTD Expended for Position**

Retirement/Resignation Pay out Amount: Budgeted Amount:

OTHER COSTS

Please define and breakdown "other" costs here:

***"Other" includes, but is not limited to: equipment, office space, vehicle, on-call pay etc.

Personal equipment (tools, uniforms, safety equipment)	\$	0
Mileage and meals	\$	0
Training expenses (including memberships)	\$	0
Computer equipment	\$	0
Office furniture and supplies	\$	0
Other operating expenses	\$	0
Renovation/relocation costs	\$	0
Total Other Costs	\$	0

2021 FUNDING SOURCES

☐ Federal/State (Specify) _____	_____ %	\$ _____
☒ County Tax Levy <u>HR LTE & Advertising</u>	32 %	\$ 22,728.89
☒ County Other (Specify) <u>Reallocation W/C for HR Generalist</u>	22 %	\$ 15,496.00
☒ Grant ^{other} (Specify) <u>Self-Funding Health Insurance</u>	21 %	\$ 15,000
☐ Grant (Specify) _____	_____ %	\$ _____
☒ Other (Specify) <u>Park Revenue</u>	25 %	\$ 17,741.62

TOTAL

100%

\$ 70,966.52 *

*Must match above total maximum fiscal impact and other costs

Will any of the listed funding sources expire during the duration of the position? ☐ Yes ☒ No

If yes, please indicate what sources will expire, with expiration dates:

If yes, please indicate where the funding will come from after the sources of funding have expired:

NOTE: Attach an updated organizational chart and the approved job description located on the K:drive/Human Resources. All recommended changes for consideration should be indicated with highlights and strikeouts. Positions will not be considered absent job descriptions.

- | | |
|---|--|
| <p>1. <u>[Signature]</u> <u>8/18/21</u>
Department Head Recommendation Date</p> <p>2. <u>[Signature]</u> <u>8/18/21</u>
Human Resources Division Review Date
☒ Recommend ☐ Not Recommend</p> <p>3. <u>[Signature]</u> <u>8/20/21</u>
Finance Division Review Date
☒ Recommend ☐ Not Recommend</p> | <p>4. <u>[Signature]</u> <u>8.23.21</u>
County Administrator Approval Date
☒ Approved ☐ Denied</p> <p>5. _____
County Board Approval Date
☐ Approved ☐ Denied
Resolution No. _____
** New Positions Only **</p> |
|---|--|

Comments: _____

CHIPPEWA COUNTY JOB DESCRIPTION

Job Title: Human Resources Assistant

FLSA: Non-Exempt

Salary Range: I

Reports To: Human Resources Director

Date: January ~~2022~~2021

Department: Administration – Human Resources Division

JOB SUMMARY

The job duties of the Human Resources Assistant are to perform office related tasks for the Department of Administration – Human Resources Division while providing responsive, courteous and efficient service to County employees and the general public.

DUTIES AND RESPONSIBILITIES

The duties described below are indicative of what the Human Resources Assistant in the Human Resources Department might be asked to perform. This job description is to incorporate any county ordinances created for the position of Human Resources Assistant. This is not an exhaustive list of job responsibilities and therefore; other duties may be assigned:

Administrative Functions:

- Responsible for performing general administrative duties such as: word processing, typing, filing, indexing, data entry, creating Excel spreadsheets, faxing, scanning, emailing and photocopying.
- Responsible for entering, maintaining, and updating department databases and other programs as directed.
- Compose routine correspondence.
- Maintain correspondence in appropriate files for accessibility.

Human Resource Functions:

- Responsible for greeting and/or directing employees or community members when they enter Human Resources Division office.
- Answer Human Resources phone line and routing calls as needed.
- Administer and track all Human Resource invoices/bills and submit to HR Director and Finance department for processing.
 - Conduct Purchasing Card charge allocations and month-end processing
- Assist Human Resources department in managing all confidential records including filing, scanning and recording data in HRIS or internal database.
- Assist Human Resources Generalist (Leave Management) with:
 - ID card processing
 - Creating employee medical files and removal upon termination
 - Collecting BID forms to assist in Caregiver Background Checks every four years
 - County's Wellness Work Group coordination (newsletters, meeting agendas/minutes and other wellness communication, etc.)
 - Manage the process and communication regarding County-issued immunizations (flu, Hepatitis B, etc.)

- Assist Human Resources Generalist (Onboarding) with:
 - Recruitment, scheduling of drug/alcohol testing, employment verifications, background checks, physical and psychological testing for newly hired employees
 - Payroll processing
 - Developing offer packets
 - Assembling new employee files
 - Preparing paperwork for new employee orientation
 - Completing and submitting new employee paperwork to Finance
 - Processing volunteer paperwork
 - Scanning interview notes, PAC forms and recruitment documents
 - Entering recruitment data into NeoGov (applicant tracking software)
 - Entering or updating employee data into Springbrook (accounting and HR information system)
 - Process address and name changes
 - Provide contractor and unpaid intern orientations
- Perform regular file or data audits as needed such as I9 Audits, HR labor poster audits, etc.
- Human Resource project management as assigned.

Customers:

- All County employees and managers the Human Resources Division serves
- Applicants or citizens that the Human Resources Division comes into contact with

Team Members:

- Employee members of the HR Division
- Employee members of the Department of Administration (DOA)

QUALIFICATION REQUIREMENTS

To perform this job successfully, an individual must be able to perform each duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required at the time of hire or for the continuation of employment.

EDUCATION AND/OR EXPERIENCE:

- High school diploma required.
- Four (4) years relevant office experience required.
- One (1) year of relevant Human Resources Assistant level experience preferred.

-OR-

- Currently enrolled in a secondary school in-for an Administrative Assistant or Human Resources Management discipline required.
- One (1) year relevant office experience required.
- One (1) year of relevant Human Resources Assistant level experience preferred.
- A valid driver's license required.

SKILLS AND ABILITIES

- Ability to maintain a professional demeanor when dealing with the public.
- Ability to take control of situations in a responsible manner.
- Ability to comprehend, retain and apply County, State, and Federal policies and legislation, i.e. local ordinances, procedure manuals, codes, etc.

EQUIPMENT KNOWLEDGE REQUIRED

- Ability to operate various types of equipment – standard office equipment, computer and intermediate knowledge of Microsoft Office software.
- Other equipment could be required.

LANGUAGE SKILLS

- Ability to communicate effectively with other members of the staff, supervisor, and the public.
- Ability to communicate in both written and verbal form.

MATHEMATICAL SKILLS

- Ability to perform basic mathematical calculations.

REASONING ABILITY

- Ability to respond to complaints and grievances posed by the public.
- Ability to define problems and deal with a variety of situations.
- Ability to think quickly, maintains self-control, and adapt to stressful situations.
- Ability to use good judgment and effectively solve problems.

PHYSICAL AND WORK ENVIRONMENT

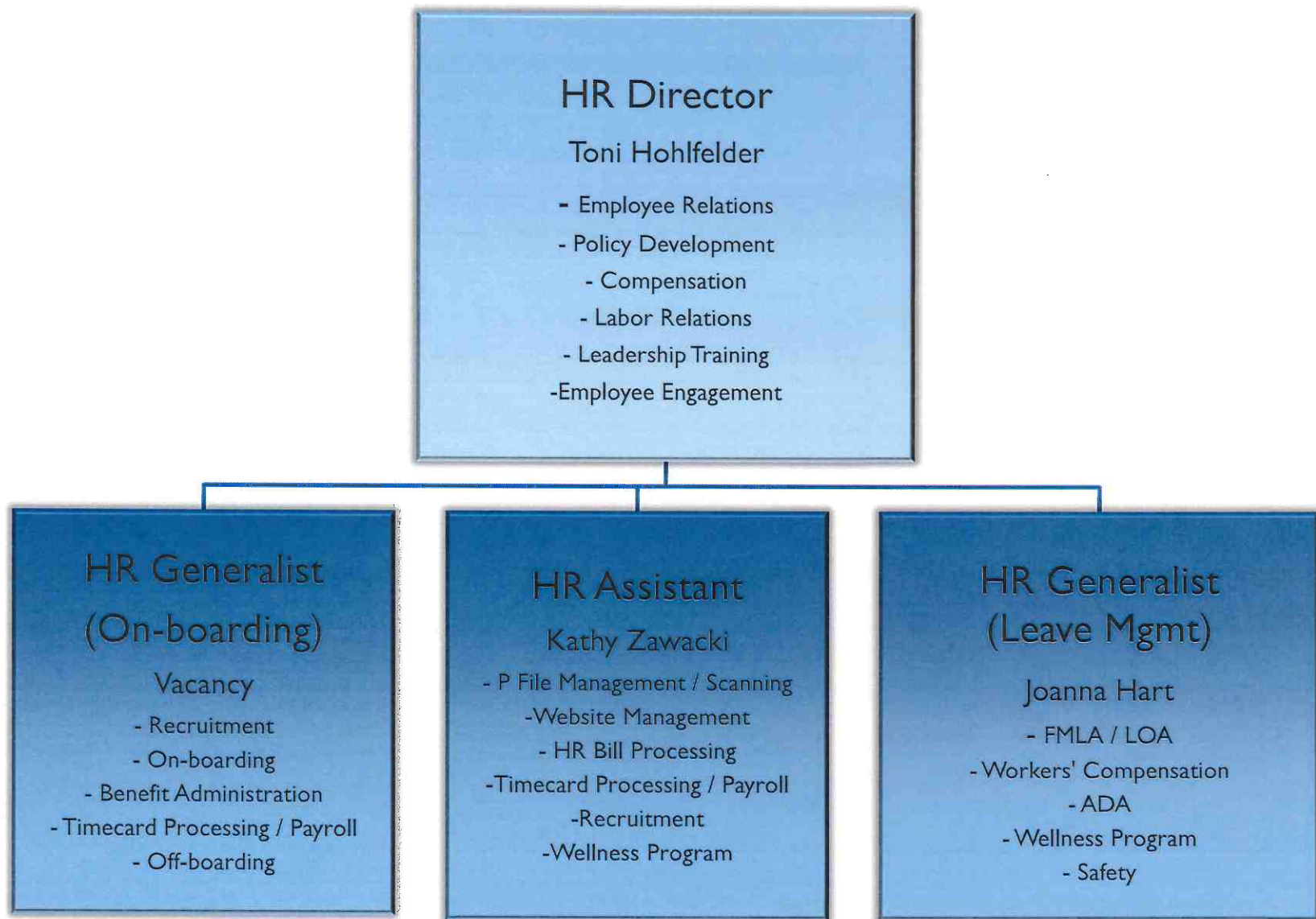
The physical and work environments described are representative of those that must be met by an employee to successfully perform the functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform these functions.

Physical Environment:

- The duties of this job include physical activities such as stooping, kneeling, standing, reaching, walking, lifting and/or move (up to 10 pounds), grasping, talking, hearing/listening, seeing/observing, sitting and repetitive motions.
- Specific vision abilities required by this job include close, distance and peripheral vision; depth perception; and the ability to adjust focus.

Work Environment:

- Works primarily in an office setting.



CHIPPEWA COUNTY JOB DESCRIPTION

Job Title: Administrative Assistant III-~~LTE~~

FLSA: Non-Exempt

Salary Range: I

Reports To: Facilities & Parks Director

Department: Department of Administration
Facilities & Parks Division

Date: ~~March 2019~~ January 2022

JOB SUMMARY

The job duties of the Administrative Assistant III-~~LTE~~ include but are not limited to provide administrative support functions with some clerical duties under the supervision of the Facilities and Parks Director; and to provide responsive, courteous and efficient service to County residents and the general public.

DUTIES AND RESPONSIBILITIES

The duties described below are indicative of what the Administrative Assistant III-~~LTE~~ might be asked to perform. This job description is to incorporate any county ordinances created for the position of Administrative Assistant III-~~LTE~~. This is not an exhaustive list of job responsibilities and therefore other duties may be assigned:

Administrative Functions:

- Oversee online park reservation website to include: making reservations via the phone or in person, maintain pictures and alerts for all campgrounds and day parks, inputting opening and closing days, and editing current reservations as needed.
- ~~Reconcile daily fees collected online via Point and Pay with daily settlement report and receipts from Chippewa County Treasurer.~~
- ~~Request directly from park financial institutions or directly deposit caretaker revenues from on-site park reservations.~~
- ~~Support park caretakers including phone support, updating yearly caretaker manuals, scheduling training, and other various duties relating to campground openings.~~
- ~~Complete year end duties including reconciling park caretaker receipt books, compiling reservation information for yearly occupations report, and gathering data from Google analytics for general customer data reports.~~
- Create and maintain Chippewa County Facilities & Parks website pages on main County site and also maintain a separate reservation website. Including weekly updates during the camping season.
- Create and maintain all county park maps, brochures, and shelter informational pamphlets. Including, but not limited to: Chippewa County Activities Guide, Chippewa Falls city maps, Chippewa County Road maps and other applicable geographic brochures around each park.
- ~~Monitor and acknowledge Building Automation System (BAS) alarms. Generate work orders as required.~~
- Receive, enter, and close out all work orders into the Maintenance Management Software (MMS) system.
- Issue and generate monthly preventative maintenance work orders.
- Create weekly and monthly report for review of open work orders.

- Create other MMS reports as needed or requested from Director and Maintenance Supervisor.
- Manage facility keys by producing key forms and assist in completion of all Courthouse key requests.
~~Assist in maintaining the existing key record books and maintain and organize all key cabinets. Maintain a tracking database for all keys issued.~~
- ~~Backup support for HR in creating, editing, or altering badges in the card access system to also include any requested reports.~~
- ~~Work with Director in creating agendas in IQM2 meeting minute software and distribute as required. Create, produce, and project various documents for the Facilities & Parks Committee, the Public Firearms Range Subcommittee, and the Security Committee meetings — or other committee's as required.~~
- Provide overall support for the Public Firearms Range Training Building, Hand Gun, and Long Gun range, including, but not being limited to:
 - Issuing Rifle Range passes and receipts.
 - Retrieve envelopes from the range.
 - Deposit revenues from pass sales and handle routine correspondence.
 - Maintain database for yearly members.
 - Maintain website for online permit purchases.
- Receive, enter, and verify all Rifle Range reservations for the Training Building, Hand Gun, and Long Gun range for all law enforcement and private parties on the online Chippewa County Rifle Range calendar. Create, issue, and receive all range billings for private parties.
- ~~With direction from the Facilities & Parks Director, create documents for Capital projects to include:~~
 - ~~Project Tracking spreadsheet~~
 - ~~Contract documents and requirements including prevailing wage applicability~~
 - ~~Newspaper advertisements and online postings~~
 - ~~Vender notifications~~
 - ~~Pre-bid meeting coordination~~
 - ~~Project table of contents~~
 - ~~All project templates as required~~
- Coordinate with contractors, engineer/architects, and service agents in completing work for the Chippewa County Government Campus, County Parks, Public Firearms Range, and all Tower sites. Issue secure keys, ID cards, sign confidentially agreements (if applicable) and assist with work order completion (if applicable).
- Support and assist Director, architects and engineers, both in-house and outsourced, and other customers with grant research primarily for parks.
- ~~Assist in yearly budget entry and support in Springbrook accounting software.~~
- ~~Assist Director as requested with vendor contracts and invoice research as requested.~~
- Act as office receptionist, providing oral and written information on various department functions and referring inquires to other agencies or departments when pertinent.
- Perform a variety of clerical support functions for the department as directed; ~~maintain time card records and enter payroll information for staff into Springbrook accounting software; maintain adequate inventory of office supplies;~~ handle creating of department correspondence and other items including:
 - Spreadsheets including graphs as requested
 - Signs in Publisher for parks and facilities
 - Letters and other general correspondence in Word
- ~~Schedule appointments/meetings including the scheduling for all job posting applicants for open positions.~~
- Type forms, contracts, etc., draft letters and memos from rough drafts and/or oral direction from the department staff. Photocopy materials as needed and complete office filing as required.

Community Relations Functions:

- Act as office receptionist, providing oral and written information on various department functions and referring inquires to other agencies or departments when pertinent.

Customers:

- All elected officials and County employees
- All citizens that have business with and / or visit any of the County facilities that we manage
- User Groups, WI-DNR and / or any other agencies or officials that have a need or question

Team Members:

- F&P Committee, Public Firearms Range Advisory Committee, -County Board
- Employees of the F&P Division
- Architects, engineers and contractors (professional services)
- Employee members of the Department of Administration
- Numerous other County, City and state offices and / or departments (Zoning, LC&FM, Sheriff's Dept. CFPD, CFFD, WI-DNR)
- Peers from other County departments
- Multiple User Groups and Organizations (-Hunters Education, NRA, Otter Lake Booster Club, Stanley School System, Lake Holcombe Improvement Ass., Xcel Energy, etc.
- Volunteers

QUALIFICATION REQUIREMENTS

To perform this job successfully, an individual must be able to perform each duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required at the time of hire or for the continuation of employment.

EDUCATION AND/OR EXPERIENCE:

- Associate Degree in the Administrative Professionals field required.
- Two (2) years recent related work experience required.
- A valid driver's license required.

SKILLS AND ABILITIES

- Ability to maintain a professional demeanor when dealing with the public.
- Ability to take control of situations in a responsible manner.
- Ability to provide expert advice without formal supervisory responsibility.
- Ability to comprehend, retain and apply County, State, and Federal policies and legislation, i.e. local ordinances, procedure manuals, codes, etc.
- Ability to be thorough and detail orientated in regard for project procurement process.

EQUIPMENT KNOWLEDGE REQUIRED

- Ability to operate various types of equipment – standard office equipment, computer and intermediate knowledge of Microsoft Office software, ~~IQM2 meeting software~~, Springbrook accounting software, Point and Pay website software, Vision Live website software, and also the Park dmi studios website software.
- Ability to use a computerized Maintenance Management Software (MMS) system.
- ~~Ability to monitor and acknowledge Building Automation System (BAS) alarms.~~
- Other equipment could be required.

LANGUAGE SKILLS

- Ability to communicate effectively with other members of the staff, supervisor, and the public.
- Ability to provide exceptional customer service and communication in both written and verbal form.
- Ability to develop, interpret and implement local policies and procedures; written instructions, general correspondence; Federal, State, and local regulations; MSDS sheets, safety manuals; and warning labels.

MATHEMATICAL SKILLS

- Ability to perform basic mathematical calculations.

REASONING ABILITY

- Ability to respond to complaints and grievances posed by the public.
- Ability to define problems and deal with a variety of situations.
- Ability to think quickly, maintain self-control, and adapt to stressful situations.
- Ability to use good judgement and effectively solve problems.

PHYSICAL AND WORK ENVIRONMENT

The physical and work environments described are representative of those that must be met by an employee to successfully perform the functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform these functions.

Physical Environment:

- The duties of this job include physical activities such as stooping, kneeling, sitting, standing, reaching, walking, lifting and/or move (up to 10 pounds), grasping, talking, hearing/listening, seeing/observing, and repetitive motions.
- Specific vision abilities required by this job include close, distance and peripheral vision; depth perception; and the ability to adjust focus.

Work Environment:

- Works primarily in an office setting.

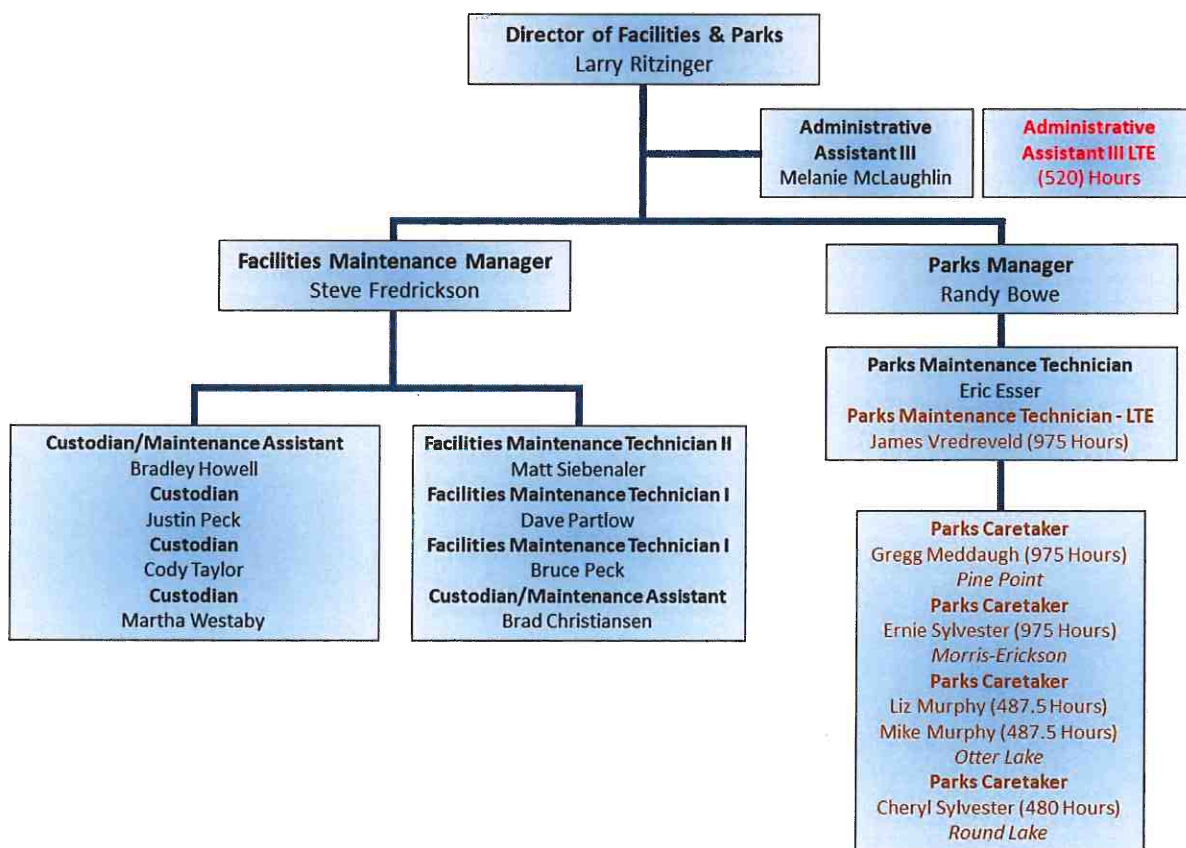
Department of Administration Facilities and Parks Division

Larry Ritzinger, Director

Mission Statement

The Facilities and Parks Division will always strive to be good stewards of the public property entrusted to our care, to be fiscally responsible in our duties as we work to maintain a clean, safe, comfortable and aesthetically pleasing environment for employees and the public we serve, and to promote appropriate recreational opportunity within our county park system.

Facilities & Parks Division



Attachment: PAC Form for HR Assist-FP Admin Assist SIGNED (38 - 21 : Resolution to Create a Full-Time Shared Position in the Human



STATEMENT OF EXPLANATION

Resolution No. 39 - 21

RESOLUTION TO APPROVE AN INTERGOVERNMENTAL COOPERATIVE AGREEMENT TO IMPLEMENT A JOINT STORM WATER PROGRAM FOR THE CHIPPEWA FALLS URBAN AREA - DAN MASTERPOLE

1 Passage of this resolution will formally adopt a Cooperative Agreement to Implement a
 2 Joint Storm Water Program for the Chippewa Falls Urban Area. Chippewa County, the Village of
 3 Lake Hallie, the Town of Anson, the Town of Eagle Point and the Town of Lafayette are required
 4 to implement a storm water management program to comply with Wisconsin Administrative
 5 Rule NR 216, and the Wisconsin Pollution Discharge Elimination System under WPDES Permit
 6 #WI- S050075. To meet this requirement, Chippewa County and several of the affected
 7 municipalities conducted a formal planning process and completed a joint storm water
 8 management plan for designated areas within the Chippewa Falls Urban Area. The resulting
 9 *Chippewa Falls Urban Area Storm Water Plan (10/10/07)*, set out a joint storm water
 10 management program which meets permit requirements.

11 In 2007, the Chippewa County Board of Supervisors adopted Resolution #35-07 to
 12 approve the Chippewa Falls Urban Area Storm Water Management Plan and to authorize the
 13 County Board Chair and County Administrator to sign an intergovernmental agreement on
 14 behalf of the County. The intergovernmental agreement was executed and a joint storm water
 15 program has been successfully implemented. The intergovernmental agreement has now
 16 expired and the WPDES Permit structure has now changed.

17 On February 10, 2021, the Land Conservation and Forest Management (LCFM)
 18 Committee reviewed the status of the existing joint storm water agreement and a proposed
 19 revised intergovernmental agreement, developed to meet the requirements of the new WPDES
 20 permit structure. On March 3, 2021, the LCFM Committee considered a motion to continue
 21 with the joint storm water plan which failed. In response to that failed motion, the Department
 22 of Land Conservation & Forest Management developed a work plan and schedule of program
 23 activities to meet the County's obligations under WPDES permit #WI S050075. This plan was
 24 developed independently from, but while in communication with the other affected
 25 municipalities in the Chippewa Falls Urban Area.

26 On May 19, 2021, the LCFM Committee discussed the public costs of administering the
 27 Chippewa Falls Urban Area Storm Water Management Program, as incurred by the

28 municipalities and County departments, and the best available approaches toward County
29 program budgeting, including methods for tracking time and program costs. On July 13, 2021,
30 the Department of Land Conservation & Forest Management provided a Power Point report to
31 the Chippewa County Board that summarized the current storm water management program
32 status. The County Board took action to direct the County Administrator and LCFM Director to
33 negotiate a new agreement to implement a joint storm water agreement for the Chippewa Falls
34 Urban Area and to bring it to the August County Board meeting.

35 A new cooperative agreement to implement a joint storm water program for the
36 Chippewa Falls Urban Area has now been negotiated with the affected municipalities. This
37 agreement has been reviewed by the DNR Storm Water Program Coordinator, who has
38 determined that the agreement meets requirements for intermunicipal cooperation program
39 delegation and contracting under Section 2.10 of WPDES Permit #WI-S050075-3. This new
40 agreement was considered and acted upon by the Village of Lake Hallie, Town of Eagle Point,
41 and Town of Lafayette on August 2, 2021, and by the Town of Anson on August 12, 2021.

42 This new proposed intergovernmental agreement was placed as a business item on the
43 August 10, 2021, County Board meeting agenda, where a motion to suspend the rules of the
44 Board to consider the agreement failed, which resulted in no discussion or action by the County
45 Board. The County Board Chair/LCFM Committee Chair, however did support placement of the
46 same item on the August 18, 2021, LCFM Committee agenda for review and recommendation
47 to the County Board on September 14, 2021.

48

Resolution No. 39 - 21

**RESOLUTION TO APPROVE AN INTERGOVERNMENTAL COOPERATIVE AGREEMENT TO
IMPLEMENT A JOINT STORM WATER PROGRAM FOR THE CHIPPEWA FALLS URBAN AREA -
DAN MASTERPOLE**

WHEREAS, Chippewa County, the Village of Lake Hallie, the Town of Anson, the Town of Eagle Point and the Town of Lafayette (the "Municipalities") are required to implement a storm water management program to comply with Wisconsin Administrative Rule NR 216, and the Wisconsin Pollution Discharge Elimination System (WPDES) under WPDES Permit #WI- S050075; and

WHEREAS, to meet this requirement, Chippewa County and the affected municipalities conducted a formal planning process and developed a joint storm water management plan for designated areas within the Chippewa Falls Urban Area; and

WHEREAS, the resulting *Chippewa Falls Urban Area Storm Water Plan*, dated October 10, 2007, established the administrative framework of a joint storm water management program to meet WPDES permit requirements; and

WHEREAS, in 2007, the Chippewa County Board of Supervisors adopted Resolution #35-07 to approve the Chippewa Falls Urban Area Storm Water Management Plan and to authorize the County Board Chair and County Administrator to sign an intergovernmental agreement to implement this program; and

WHEREAS, that intergovernmental agreement was subsequently signed and the associated joint storm water program was successfully implemented with the Municipalities; and

WHEREAS, the WPDES Permit structure has now changed and the intergovernmental agreement has expired; and

WHEREAS, on February 10, 2021, the Land Conservation and Forest Management Committee (the "LCFM Committee") reviewed the status of the existing joint storm water program and a revised intergovernmental agreement developed with the affected municipalities, to meet the requirements of the new WPDES permit; and

WHEREAS, on March 3, 2021, the LCFM Committee considered a motion to continue with the joint storm water plan, which subsequently failed in Committee; and

WHEREAS, in response to that failed motion, the Department of Land Conservation & Forest Management developed a work plan and schedule of program activities to meet the County's obligations under WPDES permit #WI S050075, working independently from, while in

93 communication with, the affected municipalities; and

94
95 WHEREAS, on May 19, 2021, the LCFM Committee discussed the public costs of
96 administering the Chippewa Falls Urban Area Storm Water Management Program, as incurred
97 by the municipalities and County departments, and the best available approaches toward
98 County program budgeting, including methods for tracking time and program costs; and
99

100 WHEREAS, on July 13, 2021, the County Board received a report on the status of the
101 program, and acted to direct the County Administrator and LCFM Director to negotiate a new
102 intergovernmental agreement with the Municipalities to implement a joint storm water
103 agreement for the Chippewa Falls Urban Area, and to bring it to the August 10, 2021 County
104 Board meeting; and
105

106 WHEREAS, a new proposed intergovernmental agreement was placed as a business item
107 on the August 10, 2021 County Board meeting agenda, where a motion to suspend the rules of
108 the Board to consider the agreement failed, which resulted in no discussion or action by the
109 County Board; and
110

111 WHEREAS, the County Board Chair/LCFM Committee Chair, however did support
112 placement of the same item on the August 18, 2021, LCFM Committee agenda for review and
113 recommendation to the County Board on September 14, 2021; and
114

115 WHEREAS, on August 18, 2021, the LCFM Committee reviewed the new agreement, as
116 negotiated with the affected municipalities;
117

118 NOW, THEREFORE BE IT RESOLVED, that the County Board does hereby approve the
119 attached Cooperative Agreement to Implement a Joint Storm Water Program for the Chippewa
120 Falls Urban Area; and
121

122 BE IT FURTHER RESOLVED, that the County Board Chair and County Administrator are
123 hereby authorized to sign this intergovernmental agreement, to implement and maintain a joint
124 storm water program to meet WPDES permit requirements in the Chippewa Falls Urban Area.
125

126 Recommended for Approval by the Land Conservation & Forest Management
127 Committee.
128

129 **FINANCIAL IMPACT:**

130 The estimated fiscal impact to Chippewa County is \$7,750 and is more particularly set out on
131 page 6 of the attached Agreement.
132

09/14/2021 County Board

RESULT: APPROVED [UNANIMOUS]

MOVER: Kari Ives, District 12

SECONDER: Harold Steele, District 1

AYES: Gullickson, Sikorski, Steele, Schmitt, McMenamin, Hauser, Mickelson, Shipman, Ives, Hull, McGill

ABSENT: David Eisenhuth

EXCUSED: Tom Thornton, Charlene Kervina, Annette Hunt

History:

08/18/21 Land Conservation & Forest Management Committee FORWARD TO
COUNTY BOARD

Approved as to Form:

Todd A. Pauls

Todd A. Pauls, Corporation Counsel

8/12/2021

Lori Zwiefelhofer

Lori Zwiefelhofer, Finance Director

8/12/2021

Randy B. Scholz

Randy B. Scholz, County Administrator

8/12/2021

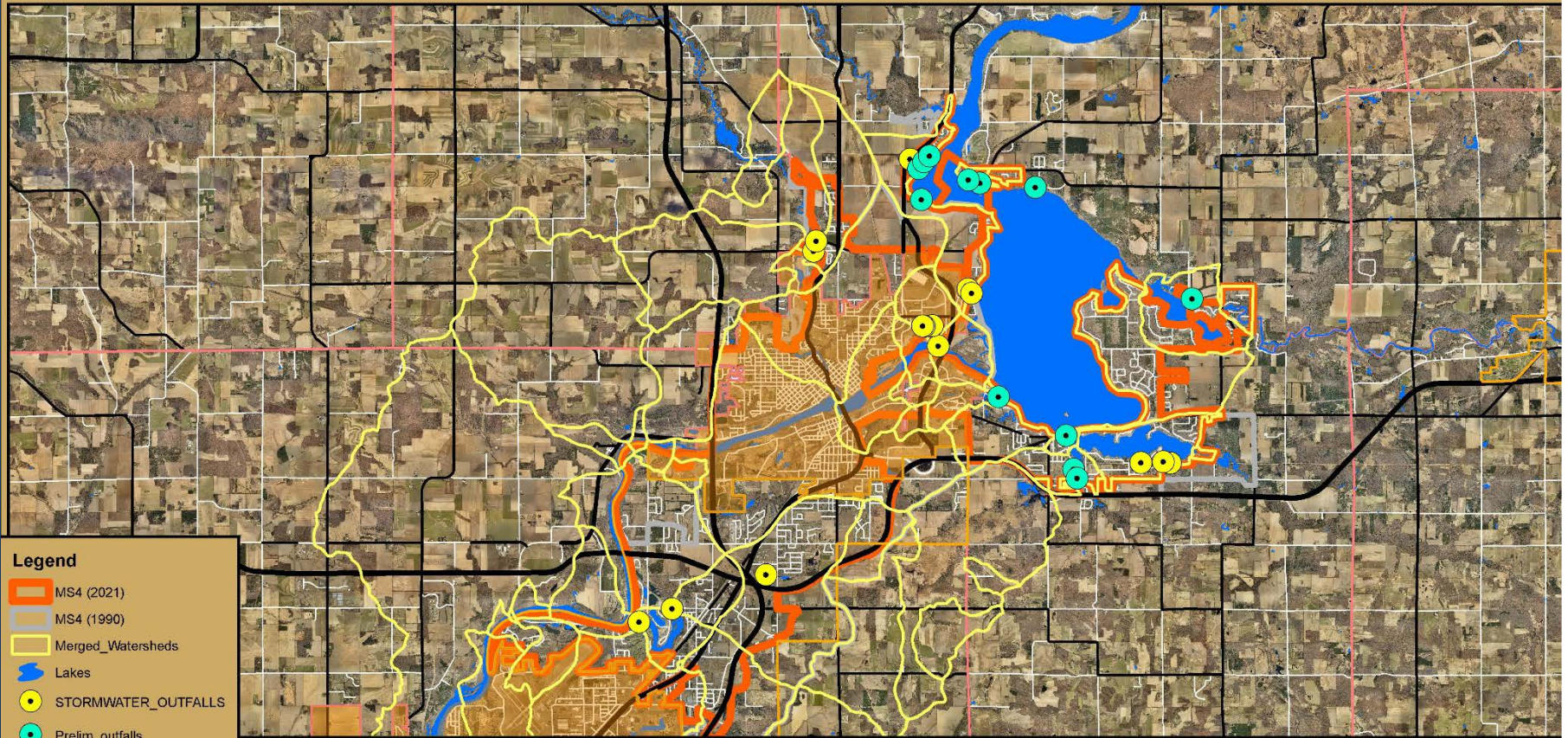
Overview of Key Changes to the Chippewa Falls Urban Area Storm Water Intermunicipal Agreement

What Changed?

August, 2021

Chippewa County Land Conservation &
Forest Management

Updated MS4, Municipal Boundaries, Sub-Watershed Boundaries, Stormwater Outfalls and Roads



Legend

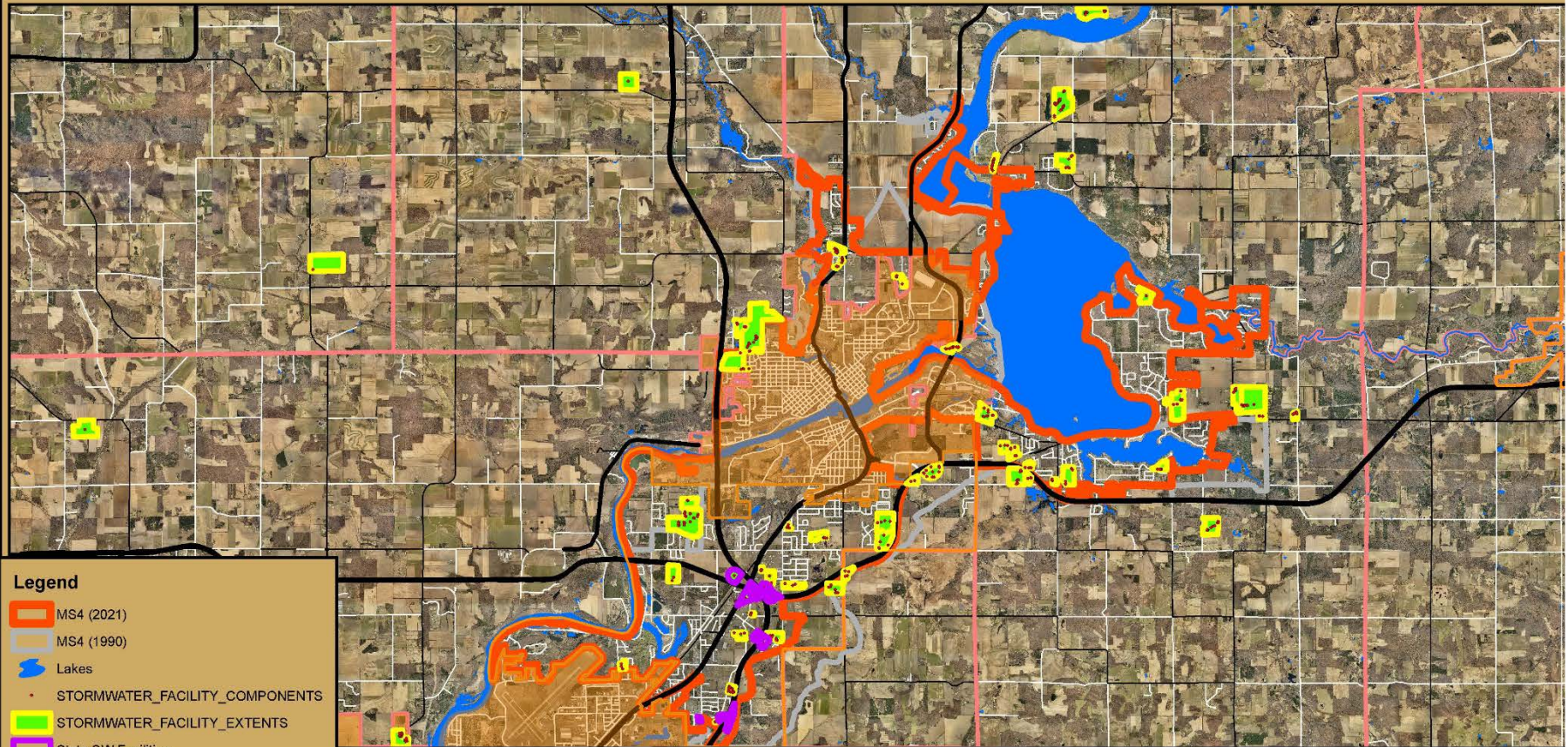
- MS4 (2021)
- MS4 (1990)
- Merged_Watersheds
- Lakes
- STORMWATER_OUTFALLS
- Prelim_outfalls
- CITY
- VILLAGE
- TOWN
- MunicipalRoads
- CountyRoads
- StateRoads



Photobase: 201

Date: 7/7/20

Updated MS4, Municipal Boundaries, Stormwater Systems, and Roads



Legend

- MS4 (2021)
- MS4 (1990)
- Lakes
- STORMWATER_FACILITY_COMPONENTS
- STORMWATER_FACILITY_EXTENTS
- State SW Facilities
- CITY
- VILLAGE
- TOWN
- MunicipalRoads
- CountyRoads
- StateRoads



0 1 2 4 6 8 Miles
1 in = 2 miles

Photobase:

Date: 7/7

What Changed?



10.4.a

What changed?

- New WPDES storm water permit places higher expectations, is more prescriptive, & requires higher level of dedicated programming
- New agreement more clearly defines roles/responsibilities of the County & each municipality

What Changed?

Worksheet 8: SUMMARY OF CORE RESPONSIBILITIES OF COOPERATING MUNICIPALITIES AND AGENCIES UNDER THE JOINT PERMIT AND ASSOCIATED STORMWATER MANAGEMENT PROGRAM		LCFM 7/27/21							
X - Mandatory ① - Discretionary to Augment County Activities		COUNTY				MUNICIPALITIES			
		Planning & Zoning	LCFM	Highway	Lake Hattie	Anson	Engle Point	Lafayette	
PROGRAM AREA AND ACTIVITY									
2.1 Public Education and Outreach									
2.1.1 Topic		X							
2.1.2 Delivery Mechanism		X							
2.1.3 Target Audience		X							
2.2 Public Involvement & Participation									
2.2.1 Permit Activities		X							
2.2.2 Delivery Mechanism		X							
2.2.3 Volunteer Activities		X							
2.2.4 Target Participants		X							
2.3 Storm Discharge Detection & Elimination									
2.3.1 IDEC Ordinance		X							
2.3.2 IDEC Field Inspections			X						
2.3.3 IDEC Source Investigation & Elimination									
2.3.4 Remove Known Spot Discharges From MS4 System		X			X	X	X		
2.3.5 In Case of Interconnected MS4, Permittee Shall Notify Appropriate Municipality if Spot Discharge Originated from Permittee's Permitted Area or Has Been Tracked Upstream to Interconnected Point			X		X		X		
2.3.6 Name, Title, & Phone Number of Individual Responsible for Responding to Reports Included in Response Procedure			X		X	X	X		
2.4 Construction Site Pollutant Control									
2.4.1 Construction Site Ordinance		X							
2.4.2 Erosion & Sediment Control Plan Review			X						
2.4.3 Administrative Procedures									
2.4.4 Construction Site Inspections & Enforcement		X							
2.5 Post-Construction Storm Water Management									
2.5.1 Post-Construction Storm Water Ordinance		X			X	X	X		
2.5.2 Administrative Procedures			X						
2.5.3 Storm Water Management Plan Review			X						
2.5.4 Long-Term Maintenance, Inspections, & Enforcement		X			X	X	X		
2.6 Pollution Prevention									
2.6.1 Storm Water Management Facilities				X	X	X	X		
2.6.2 Maintenance Plan				X	X	X	X		
2.6.3 Municipality Owned Public Works Facilities					X	X	X		
2.6.4 Source Water Protection Areas				X	X	X	X		
2.6.5 Collection Services/Storm Sewer System Maintenance Activities				X	X	X	X		
2.6.6 Winter Road Management				X	X	X	X		
2.6.7 Nutrient Management				X	X	X	X		
2.6.8 Environmentally Sensitive Development				X	X	X	X		
2.6.9 Internal Training & Education				X	X	X	X		
2.7 Storm Water Quality Management									
2.7.1 Implement & Maintain all Storm Water Management Practices				X	X	X	X		
2.8 Storm Sewer System Map									
2.8.1 Identify Waters of the State			X						
2.8.2 Identify Known Wetlands, Endangered, Threatened Resources, & Historical Property									
2.8.3 Identify All Known MS4 Outfalls									
2.8.4 Location of Any Known MS4 Discharge									
2.8.5 Location of Municipality Owned or Operated Structural Storm Water Management Facilities			X						
2.8.6 Identification of Publicly Owned Parks, Recreational Areas, & Other Open Lands									
2.8.7 Location of Municipal Garages, Storage Areas, & Other Public Works Facilities			X						
2.8.8 Identification of Streets									
2.9 Annual Report									
2.9.1 Status of Implementing Permit Requirements			X						
2.9.2 Fiscal Analysis for Reporting Year & Budget for Next Year						X	X	X	
2.9.3 Summary of Number & Nature of Inspections & Enforcement Actions					X	X	X		
2.9.4 Identification of Any Known Water Quality Improvements or Degradation					X	X	X	X	
2.9.5 Evaluation of Program Compliance			X			X	X	X	
2.9.6 Notice that Permittee is Relying on Another Municipality to Satisfy Permit Requirements, if Applicable					X	X	X	X	
2.9.7 Representative of Permittee Sign & Certify Annual Report			X		X	X	X	X	
2.9.8 Annual Report & Required Reports Submitted Electronically			X						
2.10 Cooperation									
2.10.1 Municipality or Entity Implements Required Control Measure or Permit Requirement		X	X		X	X	X	X	
2.10.2 Particular Control Measure is at Least as Stringent as Corresponding Permit Requirements		X	X		X	X	X	X	
2.10.3 Other Municipality or Entity Agrees to Implement Control Measure or Permit Requirement on the Permittee's Behalf		X	X		X	X	X	X	
2.11 Amendments					X	X	X	X	
2.12 Reapplication for Permit Coverage					X	X	X	X	

•Table attached to agreement provides detail by WPDES permit element, as tentatively agreed & delegated

What Changed?



10.4.a

Attachment: Stormwater Agreement Presentation 8-3-2021 (39 - 21 : Resolution to

LCFM 7/27/21

X - Mandatory

(X) - Discretionary to Augment
County Activities

SUMMARY OF CORE RESPONSIBILITIES OF COOPERATING MUNICIPALITIES AND AGENCIES UNDER THE JOINT PERMIT AND ASSOCIATED STORMWATER MANAGEMENT PROGRAM

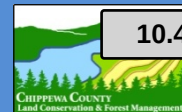
PROGRAM AREA AND ACTIVITY	COUNTY			MUNICIPALITIES			
	Planning & Zoning	LCFM	Highway	Lake Hallie	Anson	Eagle Point	Lafayette
2.1 Public Education and Outreach		X					
2.1.1 Topics		X		(X)	(X)	(X)	(X)
2.1.2 Delivery Mechanism		X		(X)	(X)	(X)	(X)
2.1.3 Target Audience		X		(X)	(X)	(X)	(X)
2.2 Public Involvement & Participation							
2.2.1 Permit Activities		X		(X)	(X)	(X)	(X)
2.2.2 Delivery Mechanism		X		(X)	(X)	(X)	(X)
2.2.3 Volunteer Activities		X		(X)	(X)	(X)	(X)
2.2.4 Target Participants		X		(X)	(X)	(X)	(X)
2.3 Illicit Discharge Detection & Elimination							
2.3.1 IDDE Ordinance	X						X
2.3.2 IDDE Field Screening		X					
2.3.3 IDDE Source Investigation & Elimination		X					
2.3.4 Remove Known Illicit Discharges From MS4 System	X			X	X	X	X
2.3.5 In Case of Interconnected MS4s, Permitted Shall Notify Appropriate Municipality if Illicit Discharge Originated from Permitt's Permitted Area or has Been Tracked Upstream to Interconnected Point		X		X	X	X	X
2.3.6 Name, Title, & Phone Number of Individuals Responsible for Responding to Reports Included in Response Procedure		X		X	X	X	X
2.4 Construction Site Pollutant Control							
2.4.1 Construction Site Ordinance	X	X					
2.4.2 Erosion & Sediment Control Plan Review		X					
2.4.3 Administrative Procedures		X					
2.4.4 Construction Site Inspections & Enforcement	X	X					
2.5 Post-Construction Storm Water Management							
2.5.1 Post-Construction Storm Water Ordinance	X	X		X	X	X	X
2.5.2 Administrative Procedures		X					
2.5.3 Storm Water Management Plan Review		X					
2.5.4 Long-Term Maintenance, Inspections, & Enforcement	X	X		X	X	X	X

- New agreement establishes a Storm Water Coordinating Work Group
 - Formed by municipalities for program oversight & structured communication
 - Meets 2x/yr to monitor required activities & exchange information
 - *Recordkeeping & reporting
 - *Cost accounting & budgeting

What changed?

- New agreement will be implemented by the County using annual storm water activity work planning
- Time tracking will be used to provide basis for:
 - Annual storm water fee adjustments charged to developers
 - * Plan reviews & construction inspection
 - Annual municipal service fee adjustments for technical & administrative services

What Changed?



10.4.a

Draft 4/5/2021

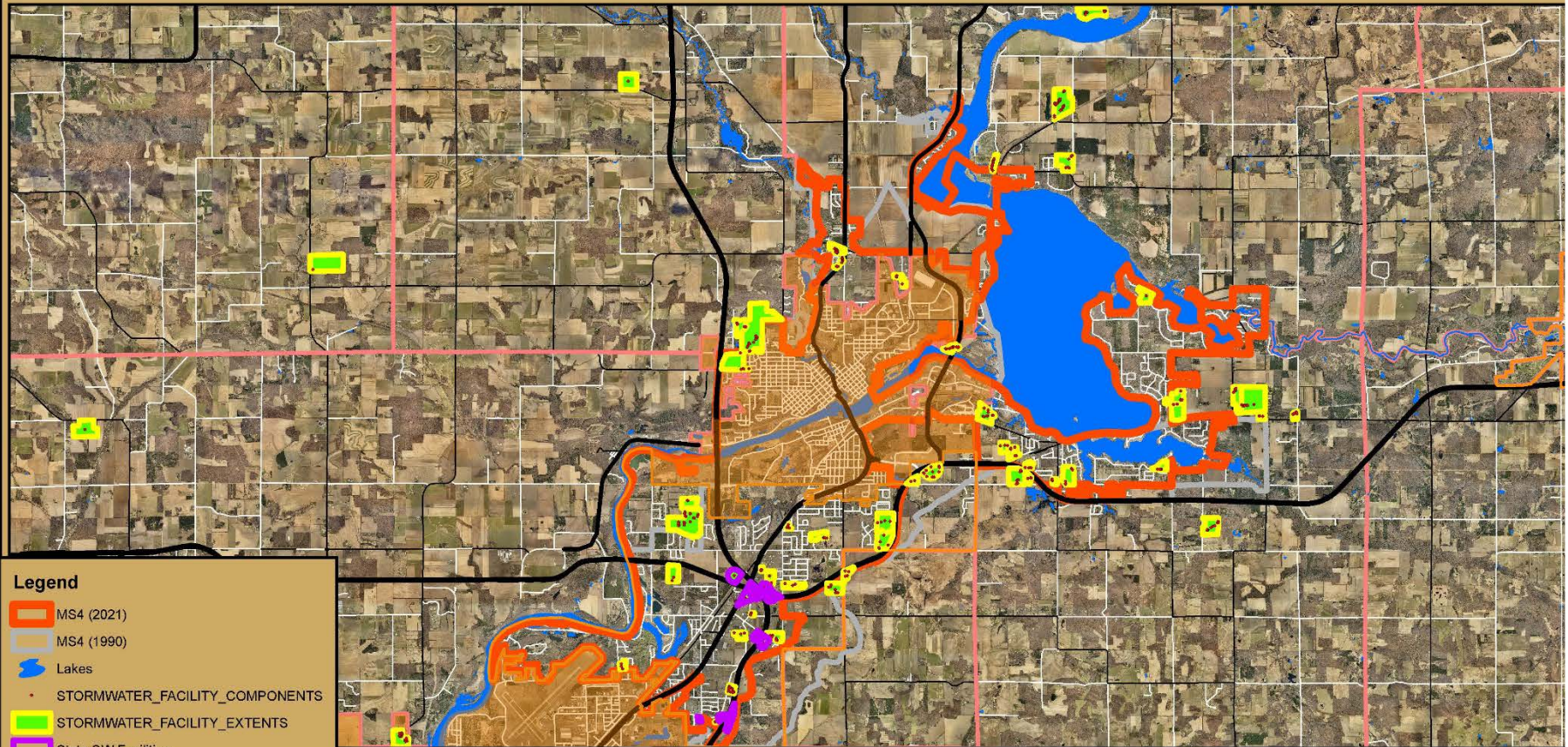
2021 ANNUAL WORK PLAN; CHIPPEWA FALLS URBAN AREA STORM WATER MANAGEMENT PROGRAM

I. PUBLIC EDUCATION AND OUTREACH	January	February	March	April	May	June	July	August	September	October	November	December
Schedule and implement planned outreach and information activities, as outlined in the <u>Chippewa Falls Urban Area Storm Water Management Plan</u> , (2007). Targeted audiences and activities planned in 2021 are highlighted in Table X, 2021, (Attached).	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
Assign/Schedule resources to participate in regional "Rain to Rivers".												
II. PUBLIC PARTICIPATION	January	February	March	April	May	June	July	August	September	October	November	December
Conduct public meetings & hearings, as necessary, to:	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
-Review & evaluate <u>Chippewa Falls Urban Area Storm Water Plan</u> , (2007).												
-Consider plan/policy changes and roles/responsibilities												
-Review, amend, and renew (?) 66.03 Intermunicipal agreement.												
-Change ordinances.												
III. ILLICIT DISCHARGE DETECTION AND ELIMINATION	January	February	March	April	May	June	July	August	September	October	November	December
Inform municipalities of MS4 boundary changes, made by DNR, that reflect most recent changes (Date).	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
Re-inventory ditch line conveyances and associated storm water outfalls subject to WPDES requirements that are located within newly established MS4 boundary.												
Amend and create new sets Pacer/Illicit Discharge Inspection Maps. Distribute to County and municipal road patrol/maintenance teams.												
Schedule & conduct illicit discharge training.												
Schedule & conduct bi-annual illicit discharge inspections.												
IV. CONSTRUCTION SITE/STORMWATER ORDINANCE	January	February	March	April	May	June	July	August	September	October	November	December
Assign/Schedule resources to amend the <u>Stormwater Management - Construction Site Erosion Control and Post-Construction Ordinance</u> to add provisions to regulate and enforce illicit discharge.	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
V. POLLUTION PREVENTION/WATER QUALITY MODEL	January	February	March	April	May	June	July	August	September	October	November	December
Determine methods to segregate pollutant loading analysis by municipal jurisdiction	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
Conduct GIS analysis to reflect changes in MS4 boundary, storm water system watersheds, and storm water outfalls.												
Assign pollution loads and 20% TSS reduction limits												
VI. STORM SEWER SYSTEM MAP	January	February	March	April	May	June	July	August	September	October	November	December
Schedule & conduct annual storm water facility inspections	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
Update and amend storm water management plan map and GIS databases to reflect changes in MS4 boundary, storm water system watersheds, and storm water outfalls.												
Conduct GIS analysis to segregate separate municipal storm water systems based upon municipal boundaries as watersheds and identify interconnecting municipal conveyances.												
VII. PERMIT REPORTING AND ADMINISTRATION	January	February	March	April	May	June	July	August	September	October	November	December
Review and evaluate <u>Chippewa Falls Urban Area Storm Water Plan</u> , (2007).	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
Consider plan/policy changes and roles/responsibilities.												
Conduct 2021 WPDES benchmark & SWMP reporting												
Review, amend, and renew (?) 66.03 Intermunicipal agreement.												
Apply County budget process to restructure storm water program budget to better account for program revenues and expenses by storm water program element.												

Attachment: Stormwater Agreement Presentation 8-3-2021 (39 - 21 : Resolution to

- Shift in assigned Enforcement Authority for long term maintenance of the storm water facilities
 - Private sector owners are currently responsible to maintain facilities via operation & maintenance agreements
 - County & municipalities will now begin to track inspections & records filed by private sector
 - Municipalities will now begin to enforce operations & maintenance agreements via their own ordinances

Updated MS4, Municipal Boundaries, Stormwater Systems, and Roads



Legend

- MS4 (2021)
- MS4 (1990)
- Lakes
- STORMWATER_FACILITY_COMPONENTS
- STORMWATER_FACILITY_EXTENTS
- State SW Facilities
- CITY
- VILLAGE
- TOWN
- MunicipalRoads
- CountyRoads
- StateRoads



0 1 2 4 6 8 Miles
1 in = 2 miles

Photobase:

Date: 7/7

We would be pleased to address any questions.

LCFM 7/27/21

COOPERATIVE AGREEMENT TO IMPLEMENT A JOINT STORM WATER PROGRAM FOR THE CHIPPEWA FALLS URBAN AREA

This Cooperative Agreement to Implement a Joint Storm Water Program for the Chippewa Falls Urban Area (the “Agreement”) is entered into pursuant to Wis. Stat. § 66.0301 to specify those certain responsibilities of the parties hereto in the implementation of a joint intergovernmental storm water program during the term of this Agreement.

I. PARTIES

This Agreement is between Chippewa County, Wisconsin, a quasi-municipal corporation (the “County”), located at 711 N. Bridge Street, Chippewa Falls, WI 54729 and the Village of Lake Hallie, Wisconsin, a municipal corporation located at 13033 30th Avenue, Chippewa Falls, WI 54729; the Town of Anson, a municipal corporation located at 13836 County Hwy S, South, Jim Falls, WI 54748; the Town of Eagle Point, a municipal corporation located at 14802 State Hwy 124, Chippewa Falls, WI 54729; and the Town of Lafayette, a municipal corporation located at 5765 197th Street, Chippewa Falls, WI 54729 (each a “Municipality” and collectively the “Municipalities”). Each of the County and the Municipalities may also be referred to as a “Party” and collectively as the “Parties.”

II. TERM OF AGREEMENT

This Agreement shall commence upon the signature of all Parties and shall extend through the term of WPDES Permit #S050075-3, a copy of which is attached hereto as Attachment I, which expires on 4/30/24. This Agreement may be terminated by any of the Parties on thirty (30) days written notice to all other Parties, subject only to the payment of any obligations due to the other Parties under this Agreement up to the point of said termination.

This Agreement shall automatically renew to coincide with and extend through the term of any subsequent municipal storm water WPDES permit(s) issued to the Parties, unless cancelled or modified by the Parties under Section XV.

III. PURPOSE OF AGREEMENT

The purpose of this Agreement is to establish and implement a single joint storm water management program which meets the requirements of Wis. Admin. Code Section § NR 216.07. This Agreement will enable the parties to:

- A. Manage storm water runoff and to meet requirements of WPDES Permit #WI- S050075-3.
- B. Implement the Chippewa Falls Urban Area Storm Water Management Plan.

This Agreement establishes the administrative framework necessary to establish a joint storm water program and defines the roles and responsibilities of the cooperating parties. This Agreement will allow the Parties to share resources and work together to avoid redundancy, limit duplication of effort, and achieve public cost savings.

IV. PROGRAM SUMMARY

The activities that will be conducted to implement the joint storm water management program contemplated under this Agreement include all of those which are necessary to meet WPDES permit WI- S050075-3. The elements of the joint storm water program, which are required to comply with the permit, are as follows:

- A. Public Involvement and Participation.
- B. Public Education and Outreach.
- C. Storm Sewer System Map.
- D. Storm Water Quality Management Modeling.
- E. Illicit Discharge and Elimination.
- F. Construction Site Pollution Control and Post Construction Storm Water Management.
- G. Pollution Prevention.

A listing of the permit activities that have been established as permit conditions under Section 2 of the WPDES permit, are listed in Table Attachment II.

The table shows the permit conditions and activities under this agreement that:

- A. Are to be conducted by the County to meet the County's obligation under its MS4 jurisdiction, and those to be conducted on behalf of the municipalities to meet obligations under their respective MS4 jurisdictions.
- B. Are to be conducted by each municipality to meet permit obligations under their respective MS4 jurisdictions.
- C. May be conducted at the discretion of the municipalities, to augment the activities that have been delegated to the County.

V. SCOPE OF SERVICES

- A. The County agrees to perform the following duties:
 - 1. Establish procedures and institute routine opportunities for ongoing public participation, associated with joint storm water management plan and program review, through use of public notices and scheduled program reviews, conducted under the Wisconsin Open Meetings Law.
 - 2. Develop and implement a public education and outreach program for storm water management to comply with Wis. Admin. Code § NR 216.07.
 - 3. Actively participate in meetings and provide financial support to implement and periodically evaluate a public education and outreach program. This program will be conducted in cooperation with other municipalities in the Eau Claire/Chippewa Falls urban area, also subject to WPDES storm water permit requirements, working in collaboration with "Rain to Rivers", a 501(c)3 nonprofit organization and regional storm water education service provider.
 - 4. Actively maintain and routinely update the storm water system map and associated GIS data base. The map will show the location of public and private roads, storm water facilities, storm water conveyances, and storm water outfalls in the designated program area, and will be used to support all joint program efforts.
 - 5. Participate in an illicit discharge program to detect and remove illicit discharges to the County and State road ditch network by conducting annual dry weather inspections of mapped ditch lines draining to designated storm water outfalls.

6. Actively conduct routine annual inspections of major storm water outfalls.
7. Upon certifying storm water facility permit compliance, place the facility on the storm sewer map and file the “as-built” construction plans of all storm water facilities that are permitted under the Chippewa County Stormwater Management - Construction Site Erosion Control and Post- Construction Ordinance and WI Storm Water WPDES system.

Provide a copy of the as-built construction plans directly to the parties with assigned responsibilities for storm water facility maintenance and inspections, and to each Municipality with regulatory jurisdiction, to assure these permitted storm water facilities are routinely inspected and properly maintained in accordance with any required storm water facility operation and maintenance agreements.

Conduct annual quality control inspections and records audits of all storm water facilities, and provide a copy of the associated records to the assigned enforcement authority responsible for assuring compliance with storm water permit requirements and zoning conditional use permit conditions.

8. Maintain a construction site pollution control and storm water management ordinance to be administered in the storm water management program area.
9. Maintain a nonpoint source runoff pollution prevention program in the designated program area, including procedures for routine street sweeping, storm water facility maintenance, application of road salt and deicers, the management of leaves and grass clippings, and storm water pollution planning for municipal garages and storage areas.
10. Actively conduct individual and combined annual reporting for all Municipalities subject to this Agreement, using the prescribed reporting system and procedures established by the WI Dept. of Natural Resources.

Provide to each Municipality an electronic copy of the individual and combined annual reporting, as filed.

11. Assist in the formation of an intermunicipal Storm Water Coordinating Work Group.
12. Appoint one or more County administrative and/or technical representatives to serve on an intermunicipal Storm Water Coordinating Work Group to assure structured communication between the County and Municipalities.
13. Amend the Chippewa County Stormwater Management - Construction Site Erosion Control and Post- Construction Ordinance to clarify the direct responsibilities of the County as they apply to processes to be used to detect, resolve, and enforce illicit discharges.
14. Amend the Chippewa County Stormwater Management - Construction Site Erosion Control and Post- Construction Ordinance, and the standard language and provisions of storm water facility operation and maintenance agreements, to clarify the direct responsibilities of the County as they apply to the administration and enforcement of operation and maintenance agreements.

- B. The Village of Lake Hallie, Town of Anson, Town of Eagle Point, and Town of Lafayette agree to the following:
1. Actively participate in and support opportunities for ongoing public participation through use of public notices and scheduled program reviews, conducted under the Wisconsin Open Meetings Law.
 2. Actively participate in meetings and provide financial support to implement and periodically evaluate a joint public education and outreach program. This program will be conducted in cooperation with other municipalities in the Eau Claire/Chippewa Falls urban area, also subject to WPDES storm water permit requirements.
 3. Routinely compile and provide information regarding the location of new public and private roads, storm water facilities, storm water conveyances, and storm water outfalls in the designated program area, to facilitate the maintenance of a common storm water system map.
 4. Actively participate in an illicit discharge program to detect and remove illicit discharges to the town and village road ditch network, by conducting annual dry weather inspections of mapped ditch lines draining to designated storm water outfalls.
 5. Financially support the routine inspections of major storm water outfalls.
 6. Financially support the routine inspection of designated storm water facilities, to document their condition and functional efficiency.
 7. To assure consistency, participate in any future processes to amend the County Stormwater Management - Construction Site Erosion Control and Post- Construction Ordinance in the storm water management program area.
 8. Develop and implement a nonpoint source runoff pollution prevention program in the designated program area, including procedures for routine street sweeping, storm water facility maintenance, application of road salt and deicers, the management of leaves and grass clippings, and storm water pollution planning for municipal garages or storage areas.
 9. Authorize the County to conduct individual reporting on behalf of each municipality subject to this agreement, under a combined annual reporting approach using the prescribed reporting system and procedures established by the WI Dept. of Natural Resources.
 10. On or before January 31 of each calendar year, provide to the County on forms provided by the County, the information and data required to conduct the reporting identified under Section V.B.9, for each designated stormwater program element.
 11. Appoint a lead Municipality to form an intermunicipal Storm Water Coordinating Work Group, which shall meet during February and May of each calendar year to monitor the terms of this Agreement.
 12. Appoint a municipal representative from each Municipality to serve on the Storm Water Coordinating Work Group to assure structured communication among the parties to this agreement.

13. Assume municipal responsibility to detect and remove illicit connections and discharges to each individual municipality's respective MS4 jurisdiction, under WPDES Permit, Section 2.3.

Develop and implement an illicit discharge detection and elimination ordinance that meets the requirements of WPDES Permit Section, 2.3.1.

14. Assume municipal responsibility to administer and enforce storm water facility operation and maintenance agreements, under WPDES Permit, Section 2.5.

Develop a Post-Construction Storm Water Management Ordinance that meets the requirements of WPDES Permit, Section 2.5.1, to augment and to be administered in conjunction with the Chippewa County Stormwater Management - Construction Site Erosion Control and Post- Construction Ordinance, to facilitate direct municipal enforcement of storm water facility tracking and maintenance requirements under WPDES Permit, Section 2.5.2 and 2.5.4.

VI. PROGRAM FINANCING AND DISTRIBUTION OF COSTS

The Parties have evaluated the costs of implementing a joint storm water management program, and have determined how these costs will be distributed under a management approach described in the Chippewa Falls Urban Area Storm Water Management Plan.

Under the proposed management approach, the direct and indirect costs of meeting program requirements will be distributed between the public and private sectors.

A. Private Sector Costs

The Parties agree that the direct costs of planning and installing storm water best management practices will be incurred solely by the private sector, unless other arrangements are made between the developer and the municipality in which the development occurs. Under this management scenario, all storm water related permitting, engineering, and construction costs will be recognized as business expenses and will be incurred by the developer. It is assumed that the developer will add these business expenses to other development costs and attempt to recoup these costs through the market-driven real estate process.

Custodial responsibility for storm water facilities constructed by the developer will be assigned to the developer unless the responsible Municipality agrees to accept management responsibility. Under this arrangement, the costs of maintaining privately-owned storm water facilities will ultimately be transferred by deed title to the end-owners of the parcels that are served by the storm water facilities.

B. Public Sector Costs

The Parties agree that the public costs of implementing this joint storm water program will be defined as either capital expenses or operational expenses.

Capital expenses will include those associated with planning and installing publicly owned storm water infrastructure, including the costs of land acquisition, engineering, and site improvements. Capital expenses will be incurred solely by the Municipality that intends to acquire the land or develop storm water facilities to control storm water within its boundaries.

Operational expenses will include the costs of activities, which are conducted to implement the joint storm water program and comply with WPDES Permit number #WI-S050075-3.

In assuming these new operational costs, the County will seek to limit property tax impacts by establishing service fees that will be charged directly to permit applicants subject to requirements of the Chippewa County Stormwater Management - Construction Site Erosion Control and Post- Construction Ordinance. Service fees will be charged by the County to offset the full public costs of storm water ordinance administration, plan review, and the County's storm water construction inspection.

The remaining operational expenses will be distributed between the Parties based upon the program duties and responsibilities, as defined in "Section V – Scope of Services" of this Agreement.

The costs of WPDES permit administration, maintaining the storm water system map, and implementing the public education and community outreach components of the storm water program will be distributed between the County and the Municipalities. The Municipalities' share of their program costs will be distributed proportionately on a per capita basis.

The public costs of implementing an illicit discharge detection and elimination ordinance and a joint storm water facility inspection program will be assumed fully by each of the Municipalities.. Annual payments will be made to the County by each Municipality for annual inspections of storm water facilities and storm water outfalls, based upon the location of inspections and the number of inspections conducted. The County will bill each Municipality on an annual basis.

Using these assumptions, the proposed distribution of annual program operation costs for 2022 can be estimated as follows:

**Estimated Annual Operating Expenses of
Core WPDES Program Elements, Excluding Construction Site Erosion Control
and Storm Water Ordinance Expenses**

<u>Municipality</u>	<u>Proportion of Program Costs</u>	<u>Operating Expenses</u>	-
Village of Lake Hallie	38%	\$ 6,935	
Town of Anson	12%	\$ 2,190	
Town of Lafayette	33%	\$ 6,023	
Town of Eagle Point	<u>17%</u>	<u>\$ 3,102</u>	
	100%	\$18,250	
Chippewa County		\$ 7,750	

To further refine this initial budget, the County shall develop and implement an ongoing time and expense tracking system to record the expenses incurred by the County under each WPDES permit and program element defined in Section IV.

This information will be used to develop an annual County joint storm water program budget, and to determine and adjust annual municipal service fees, and storm water plan review and construction inspections fees. These fees will be established to as closely as possible to equal the County's anticipated expenses and service costs under the annual program financing and management approach, described in this Section IV.

VII. LIAISONS

For Chippewa County: County Conservationist, Chippewa County

For the Village of Lake Hallie: Village President

Town of Anson: Chair

For the Town of Eagle Point: Chair

For the Town of Lafayette: Chair

VIII. NOTICES

Notices required or deemed advisable under this Agreement shall be placed in writing and delivered personally or by registered or certified mail to the municipal clerks of each Municipality that is a Party to this Agreement.

IX. INSURANCE

Each Party to this Agreement shall maintain its own liability insurance sufficient to insure against the risks arising from each Party's responsibilities under this Agreement.

X. MUTUAL INDEMNIFICATION.

The Parties agree fully to indemnify and hold one another harmless from and against all claims, actions, judgments, costs, and expenses, arising out of damages or injuries to third persons or their property, caused by the fault or negligence of the said Party, its agents, or employees, in the performance of this Agreement. The Parties shall give to each other prompt and reasonable notice of any such claims or actions and the other Party shall have the right to investigate, compromise, and defend the same.

XI. WAIVER OF BREACHES

No waiver of any breaches of this Agreement shall be held to be a waiver of any other or any subsequent breaches. All remedies afforded in this Agreement shall be considered to be cumulative and in addition to any other remedies provided by law.

XII. APPLICABLE LAW

This Agreement shall be governed by the State of Wisconsin. Venue for any dispute hereunder shall be in Chippewa County Circuit Court.

XIII. SECTION HEADINGS

The headings of the several sections, and any table of contents appended hereto, shall be solely for convenience of reference and shall not affect the meaning, construction or effect hereof.

XIV. NON-ASSIGNMENT OF AGREEMENT

The Parties agree that there shall be no assignment or transfer of this Agreement, nor of any interests, rights or responsibilities herein contained, except as agreed to in writing.

XV. MODIFICATIONS TO AGREEMENT

There shall be no modifications to this Agreement, except in writing, signed by all Parties.

XVI. INTEGRATION OF AGREEMENT

The entire agreement of the Parties is contained herein, and this Agreement supersedes all previous agreements, whether written or oral and all negotiations as well as any previous agreements presently in effect between the Parties relating to the subject matter.

All Parties hereto having read and understood the entirety of this Agreement consisting of eight (8) typewritten pages hereby affix their duly authorized signatures.

CHIPPEWA COUNTY BY:

Dean Gullickson, Chair
County Board of Supervisors

(Date)

Randy Scholz
Chippewa County Administrator

(Date)

VILLAGE OF LAKE HALLIE BY:

Gary Spilde
Village President

(Date)

TOWN OF ANSON BY:

Gary Lazarz, Chairman
Town of Anson

(Date)

TOWN OF EAGLE POINT BY:

Dennis Ferstenou, Chairman
Town of Eagle Point

(Date)

TOWN OF LAFAYETTE BY:

David Staber, Chairman
Town of Lafayette

(Date)



**STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES**

**GENERAL PERMIT TO DISCHARGE UNDER THE WISCONSIN
POLLUTANT DISCHARGE ELIMINATION SYSTEM
WPDES PERMIT NO. WI-S050075-3**

In compliance with the provisions of ch. 283 Wis. Stats., and chs. NR 151 and 216, Wis. Adm. Code, owners and operators of municipal separate storm sewer systems are permitted to discharge storm water from all portions of the

MUNICIPAL SEPARATE STORM SEWER SYSTEM

owned or operated by the municipality to waters of the state in accordance with the conditions set forth in this permit.

With written authorization by the Department, this permit will be used to cover a municipal separate storm sewer system initially covered under a previous version of a municipal separate storm sewer system general permit. The **Start Date** of coverage under this permit is the date of the Department letter sent to the municipality authorizing coverage under this permit. The Department is required to charge an annual permit fee to owners and operators authorized to discharge under this permit in accordance with s. 283.33(9), Wis. Stats., and s. NR 216.08, Wis. Adm. Code.

State of Wisconsin Department of Natural Resources
For the Secretary

By

Michael C. Thompson, Director
Bureau of Watershed Management
External Services Division

5/1/19

Date Permit Signed

PERMIT EFFECTIVE DATE: May 1, 2019

EXPIRATION DATE: April 30, 2024

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1. APPLICABILITY CRITERIA	3
1.1 Permitted area	3
1.2 Authorized Discharges	3
1.3 Water Quality Standards	3
1.4 Outstanding and Exceptional Resource Waters	3
1.5 Impaired Waterbodies and Total Maximum Daily Load Requirements	4
1.6 Wetlands	5
1.7 Endangered and Threatened Resources	5
1.8 Historic Property	5
1.9 General Storm Water Discharge Limitations	5
1.10 Obtaining Permit Coverage	6
1.11 Transfers	6
1.12 Exclusions	6
1.13 Compliance with Permit Requirements	7
2. PERMIT CONDITIONS	8
2.1 Public Education and Outreach	8
2.2 Public Involvement and Participation	10
2.3 Illicit Discharge Detection and Elimination	10
2.4 Construction Site Pollutant Control	13
2.5 Post-Construction Storm Water Management	15
2.6 Pollution Prevention	17
2.7 Storm Water Quality Management	22
2.8 Storm Sewer System Map	23
2.9 Annual Report	23
2.10 Cooperation	24
2.11 Amendments	25
2.12 Reapplication for Permit Coverage	25
3. COMPLIANCE SCHEDULE	26
4. GENERAL CONDITIONS	30
5. DEFINITIONS USED IN THIS PERMIT	34
APPENDICES	
Appendix A: MS4 Permittees Subject to a TMDL Approved Prior to May 1, 2014 including Applicable Updates	37
Appendix B: MS4 Permittees Subject to Milwaukee River Basin TMDL	49
Appendix C: MS4 Permittees Subject to the Wisconsin River Basin TMDL or a TMDL Approved After May 1, 2019	59

1. APPLICABILITY CRITERIA

1.1 Permitted Area

This permit covers all areas under the ownership, control or jurisdiction of the permittee that contribute to discharges from a municipal separate storm sewer system (MS4) that receives runoff from any of the following:

1.1.1 An urbanized area, adjacent developing areas and areas whose runoff is connected or will connect to a municipal separate storm sewer regulated under subch. I of NR 216, Wis. Adm. Code; or

1.1.2 An area associated with a municipal population of 10,000 or more and a population density of 1,000 or more per square mile, adjacent developing areas and areas whose runoff is connected or will connect to an MS4 regulated under subch. I of NR 216, Wis. Adm. Code; or

1.1.3 An area that drains to an MS4 that is designated for permit coverage pursuant to s. NR 216.02(2) or 216.025, Wis. Adm. Code.

1.2 Authorized Discharges

This permit authorizes storm water point source discharges from the MS4 to waters of the state in the permitted area. This permit also authorizes the discharge of storm water co-mingled with flows contributed by process wastewater, non-process wastewater, and storm water associated with industrial activity, provided the discharges are regulated by other WPDES permits or are discharges which are not considered illicit discharges pursuant to section 2.3.1 of this permit.

1.3 Water Quality Standards

1.3.1 This permit specifies the conditions under which storm water may be discharged to waters of the state for the purpose of achieving water quality standards contained in chs. NR 102 through 105, NR 140, and NR 207, Wis. Adm. Code. For the term of this permit, compliance with water quality standards will be addressed by adherence to the requirements in this permit.

1.3.2 This permit does not authorize discharges that the Department determines will cause or have reasonable potential to cause or contribute to an excursion above any applicable water quality standards. Where such determinations have been made, the Department may notify the municipality that an individual permit is necessary. However, the Department may authorize coverage under this permit where the storm water management programs required under this permit will include appropriate controls and implementation procedures designed to bring the storm water discharge into compliance with water quality standards.

1.4 Outstanding and Exceptional Resource Waters

1.4.1 The permittee shall determine whether any part of its MS4 discharges to an outstanding resource water (ORW) or exceptional resource water (ERW). ORWs and ERWs are listed in ss. NR 102.10 and 102.11, Wis. Adm. Code.

Note: An unofficial list of ORWs and ERWs may be found on the Department's Internet site at: <https://dnr.wi.gov/topic/SurfaceWater/orwerw.html>

1.4.2 The permittee may not establish a new MS4 discharge of a pollutant to an ORW or an ERW unless the storm water management programs required under this permit are designed to ensure that any new MS4 discharge of a pollutant to an ORW or ERW will not exceed background concentration levels within the ORW or ERW.

1.4.3 If the permittee has an existing MS4 discharge to an ORW, it may increase the discharge of pollutants, either at the existing point of discharge or a new location, provided all of the following are met:

- a. The pollutant concentration within the receiving water and under the influence of the existing discharge would not increase as compared to the level that existed prior to coverage under this permit.
- b. The increased discharge would not result in a violation of water quality standards.

1.4.4 If the permittee has an existing MS4 discharge to an ERW, it may increase the discharge of pollutants if the increased discharge would not result in a violation of water quality standards.

1.5 Impaired Waterbodies and Total Maximum Daily Load Requirements

1.5.1 By March 31 of each odd-numbered year, the permittee shall determine whether any part of its MS4 discharges to an impaired waterbody listed in accordance with section 303(d)(1) of the federal Clean Water Act, 33 USC § 1313(d)(1)(C), and the implementing regulation of the US Environmental Protection Agency, 40 CFR § 130.7(c)(1). For a permittee that determines that any part of its MS4 does discharge to a listed impaired waterbody but for which there is no United States Environmental Protection Agency (USEPA) approved Total Maximum Daily Load (TMDL) for the pollutant of concern, the permittee shall include a written section in its storm water management program that discusses the management practices and control measures it will implement as part of its program to reduce, with the goal of eliminating, the discharge of pollutants of concern that contribute to the impairment of the waterbody. This section of the permittee's program shall specifically identify control measures and practices that will collectively be used to try to eliminate the MS4's discharge of pollutants of concern that contribute to the impairment of the waterbody and explain why these control measures and practices were chosen as opposed to other alternatives.

Note: Every two years, the Department updates and publishes a list of waters considered impaired under the Clean Water Act. The list is updated in even-numbered years. A list of Wisconsin impaired waterbodies may be found on the Department's Internet site at: <http://dnr.wi.gov/topic/impairedwaters/>

1.5.2 For a permittee with an MS4 discharge of a pollutant of concern to a waterbody subject to an USEPA approved TMDL under which the permittee is assigned a Wasteload Allocation (WLA), the permittee shall meet the following requirements, in addition to the minimum control measures described within Section 2 of the permit:

- a. Appendix A provides the permit conditions for permittees subject to the Rock River Basin TMDL, Lower Fox River Basin and Lower Green Bay TMDL, Lake St. Croix Nutrient

TMDL, Red Cedar River (Tainter Lake, Menomin Lake) TMDL, or Beaver Dam Lake TMDL. For a permittee subject to any of these TMDLs, the permittee shall comply with the provisions in Appendix A: MS4 Permittees Subject to a TMDL Approved Prior to May 1, 2014 including Applicable Updates.

b. Appendix B provides the permit conditions for permittees subject to the Milwaukee River Basin TMDL. For a permittee subject to this TMDL, the permittee shall comply with the provisions in Appendix B: MS4 Permittees Subject to Milwaukee River Basin TMDL.

c. Appendix C provides the permit conditions for permittees subject to the Wisconsin River Basin TMDL or any other TMDL approved on or after May 1, 2019. For a permittee subject to any of these TMDLs, the permittee shall comply with the provisions in Appendix C: MS4 Permittees Subject to the Wisconsin River Basin TMDL or a TMDL Approved After May 1, 2019.

Note: The reports for Department and USEPA approved TMDLs are available from the Department's Internet site at: <https://dnr.wi.gov/topic/TMDLs/tmdlreports.html>

1.5.3 After the effective date of this permit, the permittee may not establish a new MS4 discharge of a pollutant of concern to an impaired waterbody or increase the discharge of a pollutant of concern to an impaired waterbody unless the new or increased discharge causes the receiving water to meet applicable water quality standards, or the USEPA has approved a TMDL for the impaired waterbody.

1.6 Wetlands

The permittee's MS4 discharge shall comply with the applicable wetland water quality standards provisions in ch. NR 103, Wis. Adm. Code.

1.7 Endangered and Threatened Resources

The permittee's MS4 discharge shall comply with the endangered and threatened resource protection requirements of s. 29.604, Wis. Stats., and ch. NR 27, Wis. Adm. Code.

1.8 Historic Property

The permittee's MS4 discharge may not affect any historic property that is listed property, or on the inventory or on the list of locally designated historic places under s. 44.45, Wis. Stats., unless the Department determines that the MS4 discharge will not have an adverse effect on any historic property pursuant to s. 44.40(3), Wis. Stats.

1.9 General Storm Water Discharge Limitations

In accordance with s. NR 102.04, Wis. Adm. Code, practices attributable to municipal, industrial, commercial, domestic, agricultural, land development or other activities shall be controlled so that all surface waters including the mixing zone meet the following conditions at all times and under all flow and water level conditions:

1.9.1 Substances that will cause objectionable deposits on the shore or in the bed of a body of water, shall not be present in such amounts as to interfere with public rights in waters of the state.

1.9.2 Floating or submerged debris, oil, scum or other material shall not be present in such amounts as to interfere with public rights in waters of the state.

1.9.3 Materials producing color, odor, taste or unsightliness shall not be present in such amounts as to interfere with public rights in waters of the state.

1.9.4 Substances in concentrations or combinations which are toxic or harmful to humans shall not be present in amounts found to be of public health significance, nor shall substances be present in amounts which are acutely harmful to animal, plant or aquatic life.

1.10 Obtaining Permit Coverage

1.10.1 The owner or operator of an MS4 covered under a previous version of an MS4 permit before the effective date of this permit shall be covered by this permit pursuant to written authorization by the Department.

Note: The Department will notify in writing the owner or operator of an MS4 covered under a previous version of an MS4 permit that this permit has been reissued and that the MS4 is covered under it. However, the City of Madison and the City of Milwaukee are not eligible for coverage under this permit.

1.10.2 Coverage under this permit does not become effective until the Department sends the owner or operator a letter expressly authorizing coverage under this permit.

1.11 Transfers

Coverage under this permit is not transferable to another municipality without the express written approval of the Department. If the permittee's MS4 is annexed into another municipality, the permittee shall immediately notify the Department by letter of the change. If the permittee ceases to own or operate any MS4 regulated under this permit, the Department may terminate its coverage under this permit.

1.12 Exclusions

The following are excluded from coverage and are not authorized under this permit:

1.12.1 Combined Sewer and Sanitary Sewer Systems

Discharges of water from a sanitary sewer or a combined sewer system conveying both sanitary and storm water. These discharges are regulated under s. 283.31, Wis. Stats, and require an individual permit.

1.12.2 Agricultural Facilities and Practices

Discharges from agricultural facilities and agricultural practices. "Agricultural facility" means a structure associated with an agricultural practice. "Agricultural practice" means beekeeping; commercial feedlots; dairying; egg production; floriculture; fish or fur farming; grazing; livestock raising; orchards; poultry raising; raising of grain, grass, mint and seed crops; raising of fruits, nuts and berries; sod farming; placing land in federal programs in return for payments in kind; owning land, at least 35 acres of which is enrolled in the conservation reserve program under 16 USC § 3831 to 3836; and vegetable raising.

1.12.3 Other Excluded Discharges

Storm water discharges from industrial operations or land disturbing construction activities that require separate coverage under a WPDES permit pursuant to subchs. II or III of ch. NR 216, Wis. Adm. Code. For example, while storm water from industrial or construction activity may discharge to an MS4, this permit does not satisfy the need to obtain any other permits for those discharges. This exclusion does not apply to the permittee's responsibility to regulate construction sites within its jurisdiction in accordance with sections 2.4 and 2.5 of this permit.

1.12.4 Indian Country

Storm water discharges within Indian Country. The federal Clean Water Act requires owners and operators of storm water discharges within Indian Country in Wisconsin to obtain permit coverage directly from the USEPA.

1.12.5 Non-MS4 Discharge

Storm water discharges that do not enter an MS4.

1.13 Compliance with Permit Requirements

Compliance with the requirements contained in this permit including the applicable appendices shall not be contingent upon receiving financial assistance from the Department or any other public or private grant or loan program.

2. PERMIT CONDITIONS

This permit establishes the following measurable goals, with a compliance schedule in section 3, for the permittee to maintain compliance with the minimum control measures for their storm water management program described under sections 2.1 through 2.6. The following permit conditions apply to the permittee, unless the Department issues a written determination that a condition is not appropriate under the circumstances. The permittee shall have a written storm water management program that describes in detail how the permittee intends to comply with the permit requirements for each minimum control measure. The permittee shall begin implementing any updates to its storm water management programs no later than March 31, 2021.

2.1 Public Education and Outreach

The permittee shall maintain its public education and outreach program to increase the awareness of storm water pollution impacts on waters of the state and to encourage changes in public behavior to reduce such impacts. The permittee shall implement the following measurable goals:

2.1.1 Topics. The permittee shall address all eight topics in Table 1 at least once during the permit term. Permittees that are a County shall address a minimum of six topics each year. Permittees that are a City, Village, Town, or University with a population of 5,000 or more based on the latest U.S. Census shall address a minimum of six topics each year. Permittees that are a City, Village, Town, or University with a population less than 5,000 based on the latest U.S. Census shall address a minimum of four topics each year. Topics may be repeated as necessary. Permittees shall select from the topic areas in Table 1.

Note: Universities should average its enrolled student population plus employee population over a recent ten-year period to determine which requirement it should follow for permit compliance. Universities are also expected to undertake public education efforts that reach the entire student body and staff.

Table 1: Public Education and Outreach Topic Areas and Descriptions

#	Topic Area	Description
1	Illicit Discharge Detection and Elimination	Promote detection and elimination of illicit discharges and water quality impacts associated with such discharges from municipal separate storm sewer systems.
2	Household Hazardous Waste Disposal/Pet Waste Management/Vehicle Washing	Inform and educate the public about the proper management of materials that may cause storm water pollution from sources including automobiles, pet waste, household hazardous waste and household practices.
3	Yard Waste Management/Pesticide and Fertilizer Application	Promote beneficial onsite reuse of leaves and grass clippings and proper use of lawn and garden fertilizers and pesticides.
4	Stream and Shoreline Management	Promote the management of streambanks and shorelines by riparian landowners to minimize erosion and restore and enhance the ecological value of waterways.

5	Residential Infiltration	Promote infiltration of residential storm water runoff from rooftop downspouts, driveways and sidewalks.
6	Construction Sites and Post-Construction Storm Water Management	Inform and educate those responsible for the design, installation, and maintenance of construction site erosion control practices and storm water management facilities on how to design, install and maintain the practices.
7	Pollution Prevention	Identify businesses and activities that may pose a storm water contamination concern, and educate those specific audiences on methods of storm water pollution prevention.
8	Green Infrastructure/Low Impact Development	Promote environmentally sensitive land development designs by developers and designers, including green infrastructure and low impact development.

Note: Additional information on green infrastructure and low impact development may be found on the USEPA's Internet site at: <https://www.epa.gov/green-infrastructure>

2.1.2 Delivery mechanism. The permittee shall use at least four public education delivery mechanisms each year. Permittees that are a City, Village, Town, or University with a population of 5,000 or more based on the latest U.S. census shall use at least two from the Active/Interactive Mechanisms column in Table 2 each year. Permittees that are a City, Village, Town, or University with a population less than 5,000 based on the latest U.S. census shall use at least one from the Active/Interactive Mechanisms column in Table 2 each year. Permittees that are a County shall use at least one from the Active/Interactive Mechanisms column in Table 2 each year."

Note: Universities should average its enrolled student population plus employee population over a recent ten-year period to determine which requirement it should follow for permit compliance. Universities are also expected to undertake public education efforts that reach the entire student body and staff.

Table 2: Public Education and Outreach Delivery Mechanisms (Active and Passive)

Active/Interactive Mechanisms	Passive Mechanisms
• Educational activities (school presentations, summer camps) • Informational booth at event • Targeted group training (contractors, consultants, etc.) • Government event (public hearing, council meeting) • Workshops • Tours • Other	• Passive print media (brochures at front desk, posters, etc.) • Distribution of print media (mailings, newsletters, etc.) via mail or email • Media offerings (radio and TV ads, press release, etc.) • Social media posts • Signage • Website • Other

2.1.3 Target audience. The permittee shall identify the target audience for each public education and outreach topic. Target audiences may include the general public, public employees, residents, businesses, contractors, developers, industries, and/or other appropriate audiences.

2.2 Public Involvement and Participation

The permittee shall maintain its public involvement and participation program, in compliance with applicable state and local public notice requirements, to notify the public of activities required by this permit and to encourage input and participation from the public regarding these activities. The permittee shall implement the following measurable goals:

2.2.1 Permit activities. The permittee shall provide a minimum of one opportunity annually for the public to provide input on each of the following permit activities: annual report, storm water management program, and if applicable, the adoption or amendment of storm water related ordinances.

2.2.2 Delivery mechanism. The permittee shall identify the public involvement and participation delivery mechanism for each permit activity in section 2.2.1. Delivery mechanisms may include public workshop, presentation of storm water information, government event (public hearing, council meeting, etc.), citizen committee meeting, or website.

2.2.3 Volunteer activities. The permittee shall implement at a minimum one of the following volunteer activities per year: group best management practice (BMP) installation or maintenance, storm drain stenciling, planting community rain garden, clean up event, stream monitoring, citizen committee meeting, public workshop, presentation of storm water information, or other hands-on event.

2.2.4 Target participants. The permittee shall identify the targeted participants for each permit activity and volunteer activity. Participants may include general public, public employees, residents, businesses, contractors, developers, industries, and/or other appropriate audience.

2.3 Illicit Discharge Detection and Elimination (IDDE)

The permittee shall continue to implement and enforce its program to detect and remove illicit connections and discharges to the MS4. The permittee shall implement the following measurable goals:

2.3.1 IDDE ordinance. An ordinance or other regulatory mechanism to prevent and eliminate illicit discharges and connections to the MS4. At a minimum, the ordinance or other regulatory mechanism shall:

a. Prohibit illicit discharges and the discharge, spilling or dumping of non-storm water substances or materials into waters of the state or the MS4.

b. Identify non-storm water discharges or flows that are not considered illicit discharges. Categories of non-storm water discharges that are not considered illicit discharges include water line flushing, landscape irrigation, diverted stream flows, uncontaminated groundwater infiltration, uncontaminated pumped groundwater, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, lawn watering, individual residential car washing, flows from riparian habitats

and wetlands, fire-fighting and discharges authorized under a WPDES permit. However, the occurrence of a discharge listed above may be considered an illicit discharge on a case-by-case basis if the permittee or the Department identifies it as a significant source of a pollutant to waters of the state.

c. Establish inspection and enforcement authority.

Note: Chapter NR 815, Wis. Adm. Code, regulates injection wells including storm water injection wells. Construction or use of a well to dispose of storm water directly into groundwater is prohibited under s. NR 815.11(5), Wis. Adm. Code.

2.3.2 IDDE field screening. On-going dry weather field screening shall be conducted at 100% of the total major outfalls at least once during the term of the permit. Additionally, the permittee shall select minor outfalls for annual on-going dry weather field screening during the term of the permit. The permittee shall develop a prioritization procedure to assist with selecting minor outfalls and consideration shall be given to hydrological conditions, total drainage area of the site, population density of the site, traffic density, age of the structures or buildings in the area, history of the area and land use types when selecting outfalls for annual field screening. At a minimum, field screening shall be documented and include:

a. Visual Observation - A narrative description of visual observations including color, odor, turbidity, oil sheen or surface scum, flow rate and any other relevant observations regarding the potential presence of non-storm water discharges or illicit dumping.

b. Field Analysis - If flow is observed, a field analysis shall be conducted to determine the presence of illicit non-storm water discharges or illicit dumping. The field analysis shall include sampling for pH, total chlorine, total copper, total phenol and detergents, unless the permittee elects instead to use detergent, ammonia, potassium and fluoride as the indicator parameters. Other alternative indicator parameters may be authorized by the Department in writing.

(1) Field screening points shall, where possible, be located downstream of any source of suspected illicit activity.

(2) Field screening points shall be located where practicable at the farthest manhole or other accessible location downstream in the system. Safety of personnel and accessibility of the location shall be considered in making this determination.

Note: The Department's MS4 Illicit Discharge Detection and Elimination guidance document includes several recommendations regarding selection of outfalls for field screening, screening frequency, indicator parameter selection, indicator parameter action levels and documentation. The Illicit Discharge Detection and Elimination guidance is available on the Department's Internet site at: <https://dnr.wi.gov/topic/stormwater/municipal/overview.html>

2.3.3 IDDE source investigation and elimination. Written procedures for responding to known or suspected illicit discharges, including an assessment of risks and the establishment to response times. At a minimum, procedures shall be established for:

- a.** Investigating portions of the MS4 that, based on the results of field screening or other information, indicate a reasonable potential for containing illicit discharges or other sources of non-storm water discharges.
- b.** Responding to spills that discharge into and/or from the MS4 including tracking and locating the source of the spill if unknown.
- c.** Preventing and containing spills that may discharge into or are already within the MS4.
- d.** Promoting, publicizing, and facilitating public reporting of illicit discharges or water quality impacts associated with discharges into or from MS4s through a central contact point, including a form, website, email address, and/or telephone number for complaints and spill reporting, and publicize to both internal permittee staff and the public.
- e.** Notifying the Department immediately in accordance with ch. NR 706, Wis. Adm. Code, in the event that the permittee identifies a spill or release of a hazardous substance, which has resulted or may result in the discharge of pollutants into waters of the state. The Department shall be notified via the 24-hour toll free spill hotline at 1-800-943-0003. The permittee shall cooperate with the Department in efforts to investigate and prevent such discharges from polluting waters of the state.
- f.** Detecting and eliminating cross-connections and leakage from sanitary conveyance systems into the MS4.
- g.** Providing the Department with advanced notice of the time and location of dye testing within an MS4. Department notification prior to dye testing is required due to the likelihood that dye observed in waterways will be reported to the Department as an illicit discharge or spill.
- h.** Documentation of the following information:
 - (1)** Dates and locations of IDDE screenings conducted in accordance with section 2.3.2.
 - (2)** Reports of alleged illicit discharges received, including dates of the reports, and any follow-up actions taken by the permittee.
 - (3)** Dates of discovery of all illicit discharges.
 - (4)** Identification of outfalls, or other areas, where illicit discharge have been discovered.
 - (5)** Sources (including a description and the responsible party) of illicit discharges (if known).

(6) Actions taken by the permittee, including dates, to address discovered illicit discharges.

2.3.4 The permittee shall take appropriate action to remove known illicit discharges from its MS4 system discovered under section 2.3 as soon as possible. If it will take more than 30 days to remove an illicit connection or if the potential illicit discharge is from a facility with WPDES permit coverage, the Department shall be contacted to discuss an appropriate action and/or timeframe for removal. Notwithstanding this 30-day timeframe and notification of the Department, the permittee shall be responsible for any known illicit connections to its MS4 system that are a significant risk to human health and the environment.

2.3.5 In the case of interconnected MS4s, the permittee shall notify the appropriate municipality within one working day of either of the following:

- a. An illicit discharge that originates from the permittee's permitted area that discharges directly to a municipal separate storm sewer or property under the jurisdiction of another municipality.
- b. An illicit discharge that has been tracked upstream to the interconnection point with or outfall from another municipality.

2.3.6 The name, title and phone number of the individuals responsible for responding to reports of illicit discharges and spills shall be included in the illicit discharge response procedure.

2.4 Construction Site Pollutant Control

The permittee shall continue to implement and enforce its program to reduce the discharge of sediment and construction materials from construction sites. The permittee shall implement the following measurable goals:

2.4.1 Construction site ordinance. An ordinance or other regulatory mechanism to require erosion and sediment control at construction sites and establish sanctions to ensure compliance. At a minimum, the ordinance or other regulatory mechanism shall establish or include:

- a. Applicability and jurisdiction, pursuant to the authority provided to the permittee under Wisconsin statutes, the ordinance shall apply to all construction sites with one acre or more of land disturbance, and to sites of less than one acre if they are part of a larger common plan of development or sale.
- b. Requirements for design and implementation of erosion and sediment control practices consistent with the criteria of those approved by the Department.

Note: Department approved erosion and sediment control technical standards may be found on the Department's Internet site at:

https://dnr.wi.gov/topic/stormwater/standards/const_standards.html

c. Construction site performance standards equivalent to those in ss. NR 151.11(6m), (7), and (8), and 151.23(4m), (5), and (6), Wis. Adm. Code, to achieve the following measurable goals:

(1) BMPs for construction sites that, by design, discharge no more than 5 tons per acre per year, or to the maximum extent practicable, of the sediment load carried in runoff from initial grading to final stabilization.

(2) BMPs for transportation facilities that, by design, discharge no more than 5 tons per acre per year, or to the maximum extent practicable, of the sediment load carried in runoff from initial grading to final stabilization.

Note: The requirements for erosion and sediment control practices, sediment performance standards, and preventive measures for non-transportation facilities can be found in s. NR 151.11(6m), Wis. Adm. Code, and for transportation facilities can be found in NR. 151.23(4m), Wis. Adm. Code.

d. Erosion and sediment control plan requirements for landowners of construction sites equivalent to those contained in s. NR 216.46, Wis. Adm. Code.

e. Inspection and enforcement authority.

f. Requirements for construction site operators to manage waste such as discarded building materials, concrete truck washout, chemicals, litter and sanitary waste at the construction site to reduce adverse impacts to waters of the state.

Note: In accordance with section 2.10, when a town demonstrates to the Department that an adequate county ordinance that meets the requirements of this permit is administered and enforced within its town, then the town may be excused from having to adopt its own ordinance. Model ordinances for construction site erosion and sediment control can be found in ch. NR 152, Wis. Adm. Code: https://docs.legis.wisconsin.gov/code/admin_code/nr/100/152

2.4.2 Erosion and sediment control plan review. Written procedures for construction site plan review which incorporate consideration of potential water quality impacts. Preconstruction erosion control plan reviews shall be conducted for all construction sites with greater than one acre of land disturbance.

2.4.3 Administrative procedures. Written procedures for the administration of the construction site pollutant control program including the process for obtaining local approval, managing and responding to complaints, tracking regulated construction sites, and construction site plan receipt and consideration of information submitted by the public.

2.4.4 Construction site inspections and enforcement. Written procedures for construction site inspection and enforcement of erosion and sediment control measures. By April 1, 2020, at a minimum, the procedures shall establish:

a. Municipal departments or staff responsible for construction site inspections and enforcement.

Note: The Department recommends that municipal construction site inspectors obtain certification as a Soil Erosion Inspector pursuant to s. SPS 305.63, Wis. Adm. Code, for more information:

<https://dsps.wi.gov/Pages/Professions/SoilErosionInspector/Default.aspx>

b. Construction site inspection frequency. The permittee shall inspect all construction sites, at a minimum, in accordance with the frequency specified in Table 3 below.

Table 3: Construction Site Inspection Frequency

Site	Inspection Frequency
(1) All sites one acre or more in size	• New projects shall be inspected within the first two weeks of commencement of land disturbing activity • All active sites shall be inspected at least once every 45 days • All inactive sites shall be inspected at least once every 60 days
(2) Follow up inspection	• Follow up inspections are required within 7 days of any sediment discharge or inadequate control measure, unless corrections were made and observed by the inspector during initial inspection or corrections were verified via photographs submitted to the inspector
(3) Final inspection	• Confirm that all graded areas have reached final stabilization and that all temporary control measures are removed, and permanent storm water management BMPs are installed as designed

c. Construction site inspection documentation. Compliance with the inspection requirements in 2.4.4.a. and b. above, shall be determined by proper documentation and maintenance of records of an established inspection program designed to inspect all sites.

Note: The Department's Construction Site Inspection Report (Form 3400-187) may be used to document inspections. The form can be found on the Department's Internet site at: <https://dnr.wi.gov/topic/Stormwater/construction/forms.html>

d. Enforcement mechanisms that will be used to obtain compliance.

2.5 Post-Construction Storm Water Management

The permittee shall continue to implement and enforce its program to require control of the quality of discharges from areas of new development, infill, and redevelopment, after construction is completed. The permittee shall implement the following measurable goals:

2.5.1 Post-construction storm water ordinance. An ordinance or other regulatory mechanism to regulate post-construction storm water discharges from new development and redevelopment. At a minimum, the ordinance or other regulatory mechanism shall establish or include:

a. Applicability and jurisdiction, pursuant to the authority provided to the permittee under Wisconsin statutes, the ordinance shall apply to construction sites with one acre or more of land disturbance, and sites of less than one acre if they are part of a larger common plan of development or sale.

b. Requirements for design and implementation of post-construction storm water management control practices consistent with the criteria of those approved by the Department.

Note: Department approved post-construction storm water management control technical standards may be found on the Department's Internet site at:

https://dnr.wi.gov/topic/stormwater/standards/postconst_standards.html

c. For new development and infill, post-construction performance standards equivalent to those in ss. NR 151.122 through 151.126 and 151.242 through 151.246, Wis. Adm. Code, that meet the measurable goals for pollutant removal and post-construction storm water treatment. Post-construction performance standards for new development and infill may be more restrictive than those required in this section 2.5.1.c. if necessary to comply with federally approved TMDL requirements.

d. For redevelopment, post-construction performance standards equivalent to or more restrictive than those in ss. NR 151.122 through 151.126 and 151.242 through 151.246, Wis. Adm. Code, that meet the measurable goals for pollutant removal and post-construction storm water treatment.

e. Storm water plan requirements for landowners of construction sites equivalent to those contained in s. NR 216.47, Wis. Adm. Code.

f. Long-term maintenance requirements for landowners and other persons responsible for long-term maintenance of post-construction storm water control measures, including requirements for routine inspection and maintenance of privately owned post-construction storm water control measures that discharge to the MS4 to maintain their pollutant removal operating efficiency.

g. Inspection and enforcement authority.

Note: In accordance with section 2.10, when a town demonstrates to the Department that an adequate county ordinance that meets the requirements of this permit is administered and enforced within its town, then the town may be excused from having to adopt its own ordinance. Model ordinances for post-construction storm water management can be found in ch. NR 152, Wis. Adm. Code: https://docs.legis.wisconsin.gov/code/admin_code/nr/100/152

2.5.2 Administrative procedures. Written procedures for the administration of the post-construction storm water management program including the process for obtaining local approval and responding to complaints.

2.5.3 Storm water management plan review. Written procedures for post-construction site plan review which incorporate consideration of potential water quality impacts. Post-construction site plan reviews shall be conducted for all construction sites with greater than one acre of land disturbance.

Note: The Department recommends that municipal staff reviewing plans obtain training on post-construction plan review.

2.5.4 Long-term maintenance, inspections and enforcement. Written procedures that will be used by the permittee through its ordinance jurisdiction, approval process, and authority to, at a minimum, track and enforce the long-term maintenance of storm water management facilities implemented to meet the applicable post-construction performance standards in section 2.5.1.c and d of this permit. The procedures shall include:

- a. A mechanism for tracking regulated sites.
- b. At a minimum, long-term maintenance inspections shall occur once per permit term.
- c. Inspection documentation.
- d. Follow up enforcement with timeframes for corrective maintenance.

2.6 Pollution Prevention

The permittee shall continue to implement its pollution prevention program to prevent or reduce pollutant runoff from the MS4 to waters of the state. The permittee shall implement the following measurable goals:

2.6.1 Storm water management facilities. Update and maintain an inventory of municipally owned or operated storm water BMPs such as wet detention ponds, bioretention devices, infiltration basins and trenches, permeable pavement, proprietary sedimentation devices, vegetated swales, or any similar practices or devices used to meet a water quality requirement under this permit. At a minimum, the inventory shall be maintained in a tabular format and contain the following information for each structural storm water facility:

- a. A key corresponding to the location of the BMP on the storm sewer system map required under section 2.8.
- b. The name and a description of the BMP, including the type and year constructed.
- c. A confirmation of whether each of the following elements exist or are not available:
 - (1) An operation and maintenance plan with inspection procedures and schedule.
 - (2) A record drawing.

Note: A record drawing is a complete clean set of drawings that accurately reflect how the final practice was built.

(3) If using a BMP to meet a water quality requirement in this permit and the BMP is owned by another entity, written documentation exists that the permittee has permission from the owner to use the BMP for this purpose.

2.6.2 For each BMP inventoried under section 2.6.1, the permittee shall develop and implement a maintenance plan with inspection procedures and schedule to maintain the pollutant removal operating efficiency of the practice in compliance with any water quality requirement under this permit. Documentation of inspections and maintenance activities shall be maintained.

Note: Chapter NR 528, Wis. Adm. Code, *Management of Accumulated Sediment from Storm Water Management Structures*, establishes a process to regulate sediment removal and use to help storm water pond owners manage storm water pond sediment. Information on NR 528 and managing accumulated sediment from storm water ponds is available through the Department's Internet site at: <https://dnr.wi.gov/topic/waste/nr528.html>

2.6.3 Municipally owned public works facilities. The storm water pollution prevention plans (SWPPPs) for municipal garages, municipal storage areas, and other public works related municipal facilities located within the permitted area shall be maintained and updated annually as needed and shall include the information in sections 2.6.3.a. When a SWPPP is updated, it shall be submitted to the Department with the annual report.

a. SWPPPs shall include the following information:

- (1) The physical locations of each facility with a key corresponding to the locations on the storm sewer system map required under section 2.8.
- (2) The contact information for the individuals with overall responsibility for each facility.
- (3) A map of each facility, drawn to scale, and including the following features:
 - i. The locations and descriptions of major activities and storage areas.
 - ii. Identification of drainage patterns, potential sources of storm water contamination, and discharge points.
 - iii. Identification of nearby receiving waters or wetlands.
 - iv. Identification of connections to the permittees MS4.
- (4) A description of procedures, good housekeeping activities, and any BMPs installed to reduce or eliminate storm water contamination.
- (5) A maintenance plan with inspection procedures and schedule for each facility to identify deficiencies, necessary improvements and/or repairs, assess effectiveness, and address new or unaddressed potential sources of storm water contamination.

(6) Spills prevention and response standard operating procedures.

b. The permittee is not required to comply with section 2.6.3 if the permittee certifies that the municipal facility qualifies for no exposure with the Department's concurrence.

(1) No exposure means that the facility shall have all materials and activities protected by a storm-resistant shelter to prevent exposure to storm water. Materials or activities include material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products or waste products. Material handling activities include the storage, loading and unloading, transportation or conveyance of any raw material, intermediate product, final product or waste product.

(2) The permittee shall certify for no exposure for each facility at least once each permit term. The permittee shall submit a letter requesting no exposure, an inspection report of the site, and photos of all materials or activities at the site. The photo locations shall be labeled on an aerial photo diagram.

2.6.4 Measures to reduce municipal sources of storm water contamination within source water protection areas.

Note: Wisconsin's source water assessment program information may be found on the Department's Internet site at:
<https://dnr.wi.gov/topic/drinkingwater/sourcewaterprotection.html>

2.6.5 Collection services/Storm sewer system maintenance activities.

a. Street sweeping. If routine street sweeping is utilized to meet a water quality requirement under this permit, the permittee shall maintain documentation of the number and type of equipment used, standard operating procedures, an estimate of the number of lane-miles swept annually, and an estimate of the weight in tons of material collected annually.

b. Catch basins. If routine cleaning of catch basins with sumps is utilized to meet a water quality requirement under this permit, the permittee shall maintain documentation of the number of catch basins inspected, the number of catch basins cleaned, standard operating procedures, and an estimate of the weight in tons of material collected annually.

c. Material handling and disposal. Material collected under a. and b. of this section shall be handled and stored in a manner that prevents contamination of storm water runoff and shall be disposed of or beneficially reused in accordance with applicable solid and hazardous waste statutes and administrative codes. Non-storm water discharges to waters of the state associated with dewatering and drying material collected under sections a. and b. of this section are not authorized by this permit.

Note: Information on managing waste and materials is available on the Department's Internet site at: <https://dnr.wi.gov/topic/Waste/>. Information on WPDES permits for non-storm water discharges is available on the Department's Internet site at: <https://dnr.wi.gov/topic/wastewater/>

d. Leaf management. Proper management of leaves and grass clippings from municipally-owned properties and private property. The program may include instructions to private property owners for on-site composting, on-site beneficial reuse, or yard waste drop-off as opposed to a municipal collection program. On-site management and/or drop-off shall be communicated to private property owners in accordance with the public education and outreach program implemented under section 2.1 of this permit. If the permittee has a municipal collection program, collected material shall be handled and stored in a manner that prevents contamination of storm water runoff. For a municipal leaf collection program, the permittee shall maintain the following documentation:

- (1) A description of the leaf collection program, including the type of pick-up methodology and equipment used, timing of associated street cleaning, standard operating procedures, schedule and frequency, and instructions for private property owners.
- (2) An estimate of the weight in tons of material collected annually.
- (3) Municipally operated leaf disposal locations with a key corresponding to the locations on the storm sewer system map required under section 2.8. If the disposal location is outside of the MS4 boundary, then the permittee can provide documentation if the disposal is taken elsewhere.

Note: The Department has developed "Interim Municipal Phosphorus Reduction Credit for Leaf Management Programs" guidance to assist permitted MS4s on creditable phosphorus reduction through leaf collection and management. The guidance document may be found on the Department's Internet site at: https://dnr.wi.gov/topic/stormwater/standards/ms4_modeling.html

2.6.6 Winter Road Management. If road salt or other deicers are applied by the permittee or a contractor on behalf of the permittee, no more shall be applied than necessary to maintain public safety. Documentation on deicing activities shall be performed by the permittee or a contractor on behalf of the permittee and include the following:

- a. Contact information for the individuals with overall responsibility for winter roadway maintenance.
- b. A description of the types of deicing products used.
- c. The amount of deicing product used per month.
- d. A description of the type of equipment used.

e. An estimate of the number of lane-miles treated with deicing products for the roadways that the permittee is responsible for, and an estimate in acres of the total area of municipally-owned parking lots treated with deicing products by the permittee or contractor.

f. If applicable, snow disposal locations with a key corresponding to the locations on the storm sewer system map required under section 2.8.

Note: Snow treatment and disposal guidance for municipalities is available through the Department's Internet site at: <https://dnr.wi.gov/topic/stormwater/publications.html>

g. A description of anti-icing, pre-wetting and brining, equipment calibration, pavement temperature monitoring, and/or salt reduction strategies implemented or being considered, and/or alternative products.

h. Other measurable data or information that the permittee uses to evaluate or modify its deicing activities.

Note: The Wisconsin Department of Transportation (WisDOT) Highway maintenance manual - Chapter 6, contains guidelines on winter maintenance including application of road salt and other deicers. Chapter 6 is available on the WisDOT's Internet site at: <https://wisconsindot.gov/Pages/doing-bus/local-gov/hwy-mnt/mntc-manual/chapter06.aspx>. The WisDOT highway salt storage requirements are contained in ch. Trans 277, Wis. Adm. Code.

2.6.7 Nutrient management. Application of turf and garden fertilizers on municipally controlled properties (such as parks, athletic fields, golf courses), with pervious surfaces over 5 acres each, in accordance with a site-specific nutrient application schedule based on appropriate soil tests.

Note: To assist permittees with this requirement, the Department has developed a technical standard for turf nutrient management. These documents may be found on the Department's Internet site at: https://dnr.wi.gov/topic/stormwater/standards/turf_nutrient.html

2.6.8 Environmentally sensitive development. Consideration of environmentally sensitive land development designs for municipal projects, including green infrastructure and low impact development, which shall be designed, installed, and maintained to comply with a water quality requirement under this permit.

Note: Additional information on green infrastructure and low impact development may be found on the following USEPA Internet sites:

<https://www.epa.gov/green-infrastructure>
<https://www.epa.gov/nps/urban-runoff-low-impact-development>

2.6.9 Internal training and education. At a minimum, the permittee shall hold one annual training event for appropriate municipal staff and other personnel involved in implementing each of the elements of the pollution prevention program under this section 2.6. Documentation shall be maintained of the date, the number of people attending the training, the names of each person attending and a summary of their responsibilities, and the content of the training. The permittee shall inform contractors performing any services to implement

section 2.6 of the permit requirements and expectations. The permittee shall also inform their elected officials of the permit requirements and expectations.

2.7 Storm Water Quality Management

The permittee shall implement its municipal storm water quality management program. This program shall maintain compliance with the developed urban area performance standards of s. NR 151.13(2)(b)1., Wis. Adm. Code, for those areas of the municipality that were not subject to the post-construction performance standards of ss. NR 151.12 or 151.24, or ss. NR 151.122 through 151.126, or ss. 151.242 through 151.246, Wis. Adm. Code. The permittee shall implement the following measurable goals:

2.7.1 To the maximum extent practicable, implementation and maintenance of all storm water management practices necessary to meet the more restrictive total suspended solids reduction of either of the following:

a. The permittee shall maintain all source area controls, structural storm water management facilities, and non-structural storm water BMPs that the permittee implemented on or before July 1, 2011, to achieve a reduction of 20% or more of total suspended solids carried by storm water runoff from existing development to waters of the state. If the permittee removes or modifies a storm water BMP, the permittee shall continue to achieve the reduction by installing, implementing, and maintaining the necessary storm water BMPs to, at a minimum, equal the same level of treatment. All structural storm water management facilities utilized to meet the requirements in section 2.7.1.a shall be inventoried and maintained in accordance with sections 2.6.1 and 2.6.2.

b. A 20% reduction in the annual average mass of total suspended solids discharging from the MS4 to surface waters of the state as compared to implementing no storm water management controls. All source area controls, structural storm water management facilities, and non-structural storm water BMPs implemented to achieve the 20% reduction in total suspended solids shall be maintained. If the permittee removes or modifies a storm water BMP, the permittee shall continue to achieve the 20% reduction by installing, implementing, and maintaining the necessary storm water BMPs to equal, at a minimum, the same level of treatment. All structural storm water management facilities utilized to meet the requirements in section 2.7.1.b shall be inventoried and maintained in accordance with sections 2.6.1 and 2.6.2.

Note: The total suspended solids reduction requirement applies to storm water runoff from areas of urban land use and is not applicable to agricultural or rural land uses and associated roads. Additional MS4 modeling guidance for modeling the total suspended solids control is available on the Department's Internet site at: https://dnr.wi.gov/topic/stormwater/standards/ms4_modeling.html. The permittee may elect to meet the applicable total suspended solids standard above on a watershed or regional basis by working with other permittees to provide regional treatment that collectively meets the standard.

2.8 Storm Sewer System Map

The permittee shall maintain its MS4 map. The storm sewer system map shall be updated annually as needed for changes occurring in the permitted area boundaries. The municipal storm sewer system map shall include:

2.8.1 Identification of waters of the state, name and classification of receiving waters, identification of whether the receiving water is an ORW, ERW or listed as an impaired water under s. 303(d) of the Clean Water Act, storm water drainage basin boundaries for each MS4 outfall, and the municipal separate storm sewer conveyance systems including direction of flow.

2.8.2 Identification of any known wetlands, endangered or threatened resources, and historical property, as defined in sections 1.6 through 1.8 of this permit, which might be affected.

2.8.3 Identification of all known MS4 outfalls discharging to waters of the state and other MS4s. Major outfalls shall be uniquely identified.

2.8.4 Location of any known discharge to the MS4 that has been issued WPDES permit coverage by the Department. A list of WPDES permit holders in the permittee's area may be obtained from the Department.

2.8.5 Location of municipally owned or operated structural storm water management facilities including detention basins, infiltration basins, and manufactured treatment devices. If the permittee will be taking total suspended solids credit for pollutant removal from privately-owned facilities, they shall be identified.

2.8.6 Identification of publicly owned parks, recreational areas and other open lands.

2.8.7 Location of municipal garages, storage areas and other public works facilities.

2.8.8 Identification of streets.

2.9 Annual Report

The permittee shall submit an annual report for each calendar year to the Department by **March 31 of the following year**. The permittee shall invite the municipal governing body, interest groups and the general public to review and comment on the annual report. The annual report shall include:

2.9.1 The status of implementing the permit requirements, status of meeting measurable program goals and compliance with permit schedules.

2.9.2 A fiscal analysis which includes the annual expenditures and budget for the reporting year, and the budget for the next year.

2.9.3 A summary of the number and nature of inspections and enforcement actions conducted to ensure compliance with the required ordinances.

2.9.4 Identification of any known water quality improvements or degradation in the receiving water to which the permittee's MS4 discharges. Where degradation is identified, identify why and what actions are being taken to improve the water quality of the receiving water.

2.9.5 An evaluation of program compliance, the appropriateness of identified BMPs, and progress towards achieving identified measurable goals. Any program changes made as a result of this evaluation shall be identified and described in the annual report. For any identified deficiencies towards achieving the requirements under section 2 of this permit or lack of progress towards meeting a measurable goal, the permittee shall initiate program changes to improve their effectiveness.

2.9.6 If applicable, notice that the permittee is relying on another municipality or entity to satisfy any of the permit requirements and a description of the arrangement where a permit requirement is being met in this manner.

2.9.7 A duly authorized representative of the permittee shall sign and certify the annual report and include a statement or resolution that the permittee's governing body or delegated representatives have reviewed or been apprised of the content of the annual report.

2.9.8. The annual report and other required reports, and permit compliance documents shall be submitted electronically through the Department's electronic reporting system.

Note: The Department's electronic reporting system is Internet-based and available at: <https://dnr.wi.gov/permits/water/>. Municipal storm water permit eReporting information and user support tools can be found at: <https://dnr.wi.gov/topic/stormwater/municipal/eReporting.html>

2.10 Cooperation

The permittee may, by written agreement, implement this permit with another municipality or contract with another entity to perform one or more of the conditions of this permit. The permittee is ultimately responsible for compliance with the conditions of this permit. The permittee may rely on another municipality or contract with another entity to satisfy a condition of this permit if all of the following are met:

2.10.1 The other municipality or entity implements the required control measure or permit requirement.

2.10.2 A particular control measure, or component thereof, is at least as stringent as the corresponding permit requirement.

2.10.3 The other municipality or entity agrees to implement a control measure or permit requirement on the permittee's behalf. This shall be shown by formal written agreement, signed by both parties' authorized representatives. The agreement shall be explicit as to which specific permit conditions are being covered by which municipality or other entity. Copies of current agreements shall be submitted with the annual report or to the Department upon request.

Note: If a county is implementing and enforcing adequate storm water ordinances within a town, the town would then not have to adopt its own ordinance. However, the town, as the permittee, is still expected to evaluate how the county is implementing and enforcing the ordinance in the town's permitted area, to verify the county is meeting the permit condition. Another example, if another entity agrees to implement the permit condition of long-term maintenance inspections, the permittee must

evaluate that the entity is completing inspections as agree upon. The permittee should not assume that another entity is implementing a permit condition as required because the permittee remains responsible for compliance with the conditions of this permit.

2.11 Amendments

The permittee shall amend a program required under this permit as soon as possible if the permittee becomes aware that it does not meet a requirement of this permit. The permittee shall amend its program if notified by the Department that a program or procedure is insufficient or ineffective in meeting a requirement of this permit. The Department notice to the permittee may include a deadline for amending and implementing the amendment.

2.12 Reapplication for Permit Coverage

To remain covered after the expiration date of this permit, pursuant to s. NR 216.09, Wis. Adm. Code, the permittee shall reapply to the Department at least 180 days prior to the expiration date of this permit for continued coverage under a reissued version of this permit.

3. COMPLIANCE SCHEDULE

The permittee shall comply with the specific permit conditions contained in sections 1 and 2 according to the schedule in this section 3 and Table 4. The permittee shall begin implementing any updates to its storm water management programs no later than March 31, 2021. Required reports and permit compliance documents shall be submitted electronically through the Department's electronic reporting system.

Note: The Department's electronic reporting system is Internet-based and available at: <https://dnr.wi.gov/permits/water/>. Municipal storm water permit eReporting information and user support tools can be found at: <https://dnr.wi.gov/topic/stormwater/municipal/eReporting.html>

3.1 Impaired Waterbodies and Total Maximum Daily Loads

3.1.1 The permittee shall determine whether any part of its MS4 discharges to an impaired waterbody as required under section 1.5.1 of this permit **by March 31 of each odd-numbered year.**

3.1.2 If the permittee is subject to TMDL requirements under section 1.5 of this permit, the permittee shall submit information to the Department in accordance with the schedule as required in the applicable appendix of this permit.

3.2 Public Outreach and Education

The permittee shall submit to the Department the public education and outreach program developed for the term of this permit as required under section 2.1 of this permit **by March 31, 2021.**

3.3 Public Involvement and Participation

The permittee shall submit to the Department the public involvement and participation program developed for the term of this permit as required under section 2.2 of this permit **by March 31, 2021.**

3.4 Illicit Discharge Detection and Elimination

The permittee shall submit to the Department the illicit discharge detection and elimination program developed for the term of this permit as required under section 2.3.2 to 2.3.6 of this permit **by March 31, 2021.**

3.5 Construction Site Pollutant Control

The permittee shall submit to the Department the construction site pollutant control program developed for the term of this permit as required under sections 2.4.2 to 2.4.4 of this permit **by March 31, 2021.**

3.6 Post-Construction Storm Water Management

The permittee shall submit to the Department the post-construction storm water management program developed for the term of this permit as required under sections 2.5.2 to 2.5.4 of this permit **by March 31, 2021.**

3.7 Pollution Prevention

3.7.1 The permittee shall submit to the Department the municipal storm water management facility inventory as required under section 2.6.1 of this permit by **March 31, 2021**. Include with the annual report submittal via the Department's electronic reporting system. When the inventory is updated, it shall be submitted by **March 31 of each year** to the Department.

3.7.2 The permittee shall submit to the Department the maintenance plan for municipal storm water management facilities as required under section 2.6.2 of this permit by **March 31, 2021**.

3.7.3 The permittee shall update SWPPPs for municipally owned properties as needed as required under section 2.6.3 of this permit. When a SWPPP is updated, it shall be submitted by **March 31 of each year** to the Department.

3.8 Storm Water Quality Management

The permittee shall report compliance with the developed urban area performance standards as required under section 2.7 of this permit by **March 31 of each year**.

3.9 Storm Sewer System Map

The permittee shall update the storm sewer system map as needed as required under section 2.8 of this permit. When the MS4 map is updated, it shall be submitted by **March 31 of each year** to the Department.

3.10 Annual Report

The permittee shall submit to the Department an annual report as required under section 2.9 of this permit for each calendar year by **March 31 of the following year**. The annual report and other required reports, and permit compliance documents shall be submitted electronically through the Department's electronic reporting system.

Table 4: Compliance Schedule for Permit Requirements

PERMIT SECTION	ACTIVITY	COMPLIANCE DATE	COMMENTS
Section 1.5.1	Identify discharges to an impaired waterbody	By March 31 of each odd-numbered year thereafter	All permittees
Section 1.5.2	Total maximum daily load implementation	See applicable Appendix.	Applies to a permittee with an MS4 discharge of a pollutant of concern to a waterbody subject to an USEPA approved TMDL that assigns the permittee a wasteload allocation.
Section 2.1	Public Education and Outreach – Submit public education and outreach program for the permit term with annual report	March 31, 2021	All permittees
Section 2.2	Public Involvement and Participation – Submit public involvement and participation program for the permit term with annual report	March 31, 2021	All permittees
Section 2.3.2 to 2.3.6	Illicit Discharge Detection and Elimination – Submit illicit discharge detection and elimination program for the permit term with annual report	March 31, 2021	All permittees
Section 2.4.2 to 2.4.4	Construction Site Pollutant Control – Submit construction site pollutant control program for the permit term with annual report	March 31, 2021	All permittees
Section 2.5.2 to 2.5.4	Post-Construction Storm Water Management – Submit post-construction storm water management program for the permit term with annual report	March 31, 2021	All permittees
Section 2.6	Pollution Prevention – Section 2.6.1, submit the municipal storm water management facility inventory with annual report	March 31, 2021, and annually thereafter (if updates)	All permittees
	Pollution Prevention – Section 2.6.2, submit the maintenance plan for municipal storm water management facilities with annual report	March 31, 2021	All permittees
	Pollution Prevention – Section 2.6.3, submit SWPPPs for municipally owned properties with annual report	March 31 of each year reporting on previous calendar year (if updates)	All permittees

Section 2.7	Storm Water Quality Management – Report TSS percent reduction	March 31 of each year reporting on previous calendar year	All permittees
Section 2.8	Storm sewer system map - Submit map with annual report	March 31 of each year reporting on previous calendar year (if updates)	All permittees
Section 2.9	Submit Annual Report	March 31 of each year reporting on previous calendar year	All permittees

4. GENERAL CONDITIONS

The conditions in s. NR 205.07(1) and (3), Wis. Adm. Code, are incorporated by reference in this permit. The permittee shall be responsible for meeting these requirements, except for s. NR 205.07(1)(n), Wis. Adm. Code, which does not apply to facilities covered under general permits. Some of these requirements are outlined below. Requirements not specifically outlined below can be found in s. NR 205.07(1) and (3), Wis. Adm. Code.

4.1 Duty to Comply: The permittee shall comply with all conditions of the permit. Any act of noncompliance with this permit is a violation of this permit and is grounds for enforcement action or withdrawal of permit coverage under this permit and issuance of an individual permit. If the permittee files a request for an individual WPDES permit or a notification of planned changes or anticipated noncompliance, this action by itself does not relieve the permittee of any permit condition.

4.2 Enforcement Action: The Department is authorized under s. 283.89 and 283.91, Wis. Stats., to utilize citations or referrals to the Wisconsin Department of Justice to enforce the conditions of this permit. Violation of a condition of this permit is subject to a fine of up to \$10,000 per day of the violation.

4.3 Compliance Schedules: Reports of compliance or noncompliance with interim and final requirements contained in any compliance schedule of the permit shall be submitted in writing within 14 days after the scheduled due date, except that progress reports shall be submitted in writing on or before each schedule date for each report. Any report of noncompliance shall include the cause of noncompliance, a description of remedial actions taken, and an estimate of the effect of the noncompliance on the permittee's ability to meet the remaining scheduled due dates.

4.4 Noncompliance

4.4.1 Upon becoming aware of any permit noncompliance that may endanger public health or the environment, the permittee shall report this information by a telephone call to the Department regional storm water specialist within 24 hours. A written report describing the noncompliance shall be submitted to the Department regional storm water specialist within 5 days after the permittee became aware of the noncompliance. The Department may waive the written report on a case-by-case basis based on the oral report received within 24 hours. The written report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance; and if the noncompliance has not been corrected, the length of time it is expected to continue.

4.4.2 Reports of any other noncompliance not covered under General Conditions sections 3.3, 3.4.1, or 3.6. shall be submitted with the annual report. The reports shall contain all the information listed in General Conditions section 3.4.1.

4.5 Duty to Mitigate: The permittee shall take all reasonable steps to minimize or prevent any adverse impact on the waters of the state resulting from noncompliance with the permit.

4.6 Spill Reporting: The permittee shall immediately notify the Department, in accordance with s. 292.11(2)(a), Wis. Stats., which requires any person who possesses or controls a hazardous substance or who causes the discharge of a hazardous substance to notify the DNR immediately of any discharge not

authorized by the permit. The discharge of a hazardous substance that is not authorized by this permit or that violates this permit may be a hazardous substance spill. To report a hazardous substance spill, call the DNR's 24-hour HOTLINE at 1-800-943-0003.

Note: For details on state and federal reportable quantities, visit:

<https://dnr.wi.gov/topic/Spills/define.html>

4.7 Proper Operation and Maintenance: The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control which are installed or used by the municipality to achieve compliance with the conditions of the permit and the storm water management plan. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with conditions of this permit.

4.8 Bypass: The permittee may temporarily bypass a storm water treatment facility if necessary for human safety or maintenance to assure efficient operation. A bypass shall comply with the general storm water discharge limitations in Section 1.9 of this permit. Notification of the Department is not required for these types of bypasses. Any other bypass is prohibited.

Note: A discharge from a storm water treatment facility that exceeds the operational design capacity of the facility is not considered a bypass.

4.9 Duty to Halt or Reduce Activity: Upon failure or impairment of storm water management practices identified in the storm water management program, the permittee shall, to the extent practicable and necessary to maintain permit compliance, modify or curtail operations until the storm water management practices are restored or an alternative method of storm water pollution control is provided.

4.10 Removed Substances: Solids, sludges, filter backwash or other pollutants removed from or resulting from treatment or control of storm water shall be stored and disposed of in a manner to prevent any pollutant from the materials from entering the waters of the state, and to comply with all applicable federal, state, and local regulations.

4.11 Additional Monitoring: If a permittee monitors any pollutant more frequently than required by the permit, the results of that monitoring shall be reported to the Department in the annual report.

4.12 Inspection and Entry: The permittee shall allow authorized representatives of the Department, upon the presentation of credentials, to:

4.12.1 Enter upon the municipal premises where a regulated facility or activity is located or conducted, or where records are required to be maintained under the conditions of the permit;

4.12.2 Have access to and copy, at reasonable times, any records that are required under the conditions of the permit;

4.12.3 Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under the permit; and

4.12.4 Sample or monitor at reasonable times, for the purposes of assuring permit compliance, any substances or parameters at any location.

4.13 Duty to Provide Information: The permittee shall furnish the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, terminating, suspending revoking or reissuing the permit or to determine compliance with the permit. The permittee shall give advance notice to the Department of any planned changes to the storm water management program which may result in noncompliance with permit requirements. The permittee shall also furnish the Department, upon request, copies of records required to be kept by the permittee.

4.14 Property Rights: The permit does not convey any property rights of any sort, or any exclusive privilege. The permit does not authorize any injury or damage to private property or an invasion of personal rights, or any infringement of federal, state or local laws or regulations.

4.15 Other Information: Where the permittee becomes aware that it failed to submit any relevant facts in applying for permit coverage or submitted incorrect information in any plan or report sent to the Department, it shall promptly submit such facts or correct information to the Department.

4.16 Records Retention: The permittee shall retain records of all monitoring information, copies of all reports required by the permit, and records of all data used to complete the notice of intent for a period of at least 5 years from the date of the sample, measurement, report or application. The permittee shall retain records documenting implementation of the minimum control measures in sections 2.1 through 2.6 of this permit for a period of at least 5 years from the date the record was generated.

4.17 Permit Actions: Under s. 283.35, Wis. Stats., the Department may withdraw a permittee from coverage under this general permit and issue an individual permit for the municipality if: (a) The municipality is a significant contributor of pollution; (b) The municipality is not in compliance with the terms and conditions of the general permit; (c) A change occurs in the availability of demonstrated technology or practices for the control or abatement of pollutants from the municipality; (d) Effluent limitations or standards are promulgated for a point source covered by the general permit after the issuance of that permit; or (e) A water quality management plan containing requirements applicable to the municipality is approved. In addition, as provided in s. 283.53, Wis. Stats., after notice and opportunity for a hearing this permit may be suspended, modified or revoked, in whole or in part, for cause. If the permittee files a request for a permit modification, termination, suspension, revocation and reissuance, or submits a notification of planned changes or anticipated noncompliance, this action by itself does not relieve the permittee of any permit condition.

4.18 Signatory Requirements: All applications, reports or information submitted to the Department shall be signed by a ranking elected official, or other person authorized by those responsible for the overall operation of the MS4 and storm water management program activities regulated by the permit. The representative shall certify that the information was gathered and prepared under his or her supervision and, based on report from the people directly under supervision that, to the best of his or her knowledge, the information is true, accurate, and complete.

4.19 Attainment of Water Quality Standards after Authorization: At any time after authorization, the Department may determine that the discharge of storm water from a permittee's MS4 may cause, have

the reasonable potential to cause, or contribute to an excursion of any applicable water quality standard. If such determination is made, the Department may require the permittee to do one of the following:

4.19.1 Develop and implement an action plan to address the identified water quality concern to the satisfaction of the Department.

4.19.2 Submit valid and verifiable data and information that are representative of ambient conditions to demonstrate to the Department that the receiving water or groundwater is attaining the water quality standard.

4.19.3 Submit an application to the Department for an individual storm water discharge permit.

4.20 Continuation of the Expired General Permit: The Department's goal is to reissue this general permit prior to its expiration date. However, in accordance with s. NR 216.09, Wis. Adm. Code, a permittee shall reapply to the Department at least 180 days prior to the expiration date for continued coverage under this permit after its expiration. If the permit is not reissued by the time the existing permit expires, the existing permit remains in effect.

4.21 Need to Halt or Reduce Activity not a Defense: It is not a defense for a permittee in an enforcement action to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

5. DEFINITIONS USED IN THIS PERMIT

Definitions for some of the terms found in this permit are as follows:

5.1 Department means the Wisconsin Department of Natural Resources.

5.2 Development means residential, commercial, industrial and institutional land uses and associated roads.

5.3 Erosion means the process by which the land's surface is worn away by the action of wind, water, ice or gravity.

5.4 Hazardous substance means any substance or combination of substances including any waste of a solid, semisolid, liquid or gaseous form which may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or which may pose a substantial present or potential hazard to human health or the environment because of its quantity, concentration or physical, chemical or infectious characteristics. This term includes, but is not limited to, substances which are toxic, corrosive, flammable, irritants, strong sensitizers or explosives as determined by the Department.

5.5 Illicit connection means any man-made conveyance connecting an illicit discharge to a municipal separate storm sewer system.

5.6 Illicit discharge means any discharge to a municipal separate storm sewer system that is not composed entirely of storm water except discharges authorized by a WPDES permit or other discharge not requiring a WPDES permit such as landscape irrigation, individual residential car washing, fire fighting, diverted stream flows, uncontaminated groundwater infiltration, uncontaminated pumped groundwater, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, lawn watering, flows from riparian habitats and wetlands, and similar discharges. However, the occurrence of a discharge listed above may be considered an illicit discharge on a case-by-case basis if the permittee or the Department identifies it as a significant source of a pollutant to waters of the state.

5.7 Impaired water means a waterbody impaired in whole or in part and listed by the Department pursuant to 33 USC § 1313(d)(1)(A) and 40 CFR 130.7, for not meeting a water quality standard, including a water quality standard for a specific substance or the waterbody's designated use.

5.8 Infiltration means the entry and movement of precipitation or runoff into or through soil.

5.9 Jurisdiction means the area where the permittee has authority to enforce its ordinances or otherwise has authority to exercise control over a particular activity of concern.

5.10 Land disturbing construction activity means any man-made alteration of the land surface resulting in a change in the topography or existing vegetative or non-vegetative soil cover that may result in storm water runoff and lead to increased soil erosion and movement of sediment into waters of the state. Land disturbing construction activity includes clearing and grubbing, demolition, excavating, pit trench dewatering, filling and grading activities.

5.11 Maximum Extent Practicable has the meaning given it in s. NR 151.002(25), Wis. Adm. Code.

5.12 Major outfall means a municipal separate storm sewer outfall that meets one of the following criteria:

5.12.1 A single pipe with an inside diameter of 36 inches or more, or from an equivalent conveyance (cross sectional area of 1,018 square inches) which is associated with a drainage area of more than 50 acres.

5.12.2 A municipal separate storm sewer system that receives storm water runoff from lands zoned for industrial activity that is associated with a drainage area of more than 2 acres or from other lands with 2 or more acres of industrial activity, but not land zoned for industrial activity that does not have any industrial activity present.

5.13 Municipality means any city, town, village, county, county utility district, town sanitary district, town utility district, school district or metropolitan sewage district or any other public entity created pursuant to law and having authority to collect, treat or dispose of sewage, industrial wastes, storm water or other wastes.

5.14 Municipal Separate Storm Sewer System or MS4 means a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains, which meets all of the following criteria:

5.14.1 Owned or operated by a municipality.

5.14.2 Designed or used for collecting or conveying storm water.

5.14.3 Which is not a combined sewer conveying both sanitary and storm water.

5.14.4 Which is not part of a publicly owned wastewater treatment works that provides secondary or more stringent treatment.

5.15 New MS4 discharge of a pollutant means an MS4 discharge that would first occur after the permittee's original date of initial coverage under an MS4 permit to a surface water to which the MS4 did not previously discharge storm water, and does not include an increase in an MS4's discharge to a surface water to which the MS4 discharged on or before coverage under this permit.

5.16 Outfall means the point at which storm water is discharged to waters of the state or to a storm sewer (e.g., leaves one municipality and enters another).

5.17 Permittee means a person who has applied for and received WPDES permit coverage for storm water discharge. For the purposes of this permit, permittee is the owner or operator of a municipal separate storm sewer system authorized to discharge storm water into waters of the state.

5.18 Permitted area means the areas of land under the jurisdiction of the permittee that drains into a municipal separate storm sewer system, which is regulated under a permit issued pursuant to subch. I of NR 216, Wis. Adm. Code.

- 5.19 Pollutants of concern** means a pollutant that is causing impairment of a waterbody.
- 5.20 Reach** means a specific stream segment, lake or reservoir as identified in a TMDL.
- 5.21 Reachshed** means the drainage area contributing runoff to a given reach.
- 5.22 Redevelopment** means areas where development is replacing older development.
- 5.23 Riparian landowners** are the owners of lands bordering lakes and rivers.
- 5.24 Sediment** means settleable solid material that is transported by runoff, suspended within runoff or deposited by runoff away from its original location.
- 5.25 Start Date** is the date of permit coverage under this permit, which is specified in the Department letter authorizing coverage.
- 5.26 Storm water management practice** means structural or non-structural measures, practices, techniques or devices employed to avoid or minimize soil, sediment or pollutants carried in runoff to waters of the state.
- 5.27 Storm Water Pollution Prevention Plan or SWPPP** refers to the development of a site-specific plan that describes the measures and controls that will be used to prevent and/or minimize pollution of storm water.
- 5.28 Structural storm water management facilities** are engineered and constructed systems that are designed to provide storm water quality control such as wet detention ponds, constructed wetlands, infiltration basins and grassed swales.
- 5.29 Total maximum daily load or TMDL** means the amount of pollutants specified as a function of one or more water quality parameters, that can be discharged per day into a water quality limited segment and still ensure attainment of the applicable water quality standard.
- 5.30 Urbanized area** means a place and the adjacent densely settled surrounding territory that together have a minimum population of 50,000 people, as determined by the U.S. bureau of the census based on the latest decennial federal census.
- 5.31 Wasteload Allocation or WLA** means the allocation resulting from the process of distributing or apportioning the total maximum load to each individual point source discharge.
- 5.32 Waters of the State** has the meaning given it in s. 283.01(20), Wis. Stats.
- 5.33 WPDES permit** means a Wisconsin Pollutant Discharge Elimination System permit issued pursuant to ch. 283, Wis. Stats.

Appendix A: MS4 Permittees Subject to a TMDL Approved Prior to May 1, 2014 including Applicable Updates

A.1 Applicability and Structure of Appendix.

A.1.1 Applicability. In accordance with section 1.5.2.a, this Appendix A applies to permittees subject to a total maximum daily load (TMDL) approved by the United States Environmental Protection Agency (USEPA) prior to May 1, 2014, that includes the following:

- “Total Maximum Daily Loads for Total Phosphorus and Total Suspended Solids in the Rock River Basin,” approved by USEPA September 2011
- “Total Maximum Daily Load and Watershed Management Plan for Total Phosphorus and Total Suspended Solids in the Lower Fox River Basin and Lower Green Bay,” approved by USEPA May 2012
- “Lake St. Croix Nutrient Total Maximum Daily Load,” approved by USEPA August 2012
- “Phosphorus Total Maximum Daily Loads (TMDLs) Tainter Lake and Lake Menomin, Dunn County Wisconsin,” approved by USEPA September 2012

In addition to the TMDLs listed above, Appendix A also applies to the following:

- “Beaver Dam Lake Total Maximum Daily Load for Total Phosphorus,” approved by USEPA August 2018

Note: The Beaver Dam Lake TMDL updates allocations from the Rock River Basin TMDL for the City of Beaver Dam and provides higher allocations, lower percent reductions, than those contained in the Rock River Basin TMDL approved in September 2011.

Note: If the MS4 area extends into or discharges to other basins with a USEPA approved TMDL, a permittee could be subject to more than one TMDL and thus the requirements under Appendices B and/or C.

A.1.2 Structure of Appendix. This appendix is structured to provide permittees with several compliance options. Section A.2 defines full TMDL compliance while sections A.3, A.4, and A.5 provide different compliance options. Section A.3 applies to permittees that submitted a plan meeting the requirements contained in sections 1.5.4.4 and 1.5.4.5 of WDPES Permit No. WI-S050075-2 or WI-S050181-1 and received Department concurrence regarding the plan. Section A.3 also applies to permittees that are participating in an approved adaptive management plan. Section A.4 details requirements for permittees that can comply with the TMDL during this permit term. Section A.5 applies to permittees who have not been able to utilize sections A.3 or A.4. Section A.5 contains two compliance tracks; permittees may choose between the requirements stipulated under section A.5.2 or meet the requirements under section A.5.3. Section A.6 outlines reporting requirements.

A.2 Full TMDL Compliance.

A.2.1 USEPA is allowing the Department to evaluate MS4 compliance with TMDL Wasteload Allocations (WLAs) using a percent reduction framework consistent with Wisconsin’s storm

water program. For consistency with existing storm water program requirements, demonstration of TMDL compliance will use the percent reduction measured from the no runoff management controls (no-controls) condition. The percent reduction from no-controls, for each pollutant of concern and reachshed, necessary to meet the TMDL WLAs for the USEPA approved TMDLs are listed in Tables A1-A4. The no-controls modeling condition means taking no (zero) credit for existing storm water control measures that reduce the discharge of pollutants. Existing practices can then be applied and counted toward meeting the TMDL reductions.

A.2.2 TMDLs may assign a percent reduction for one or more reachsheds for each pollutant of concern (i.e., total suspended solids (TSS) and total phosphorus (TP)). Full TMDL compliance is achieved by the permittee provided all of the following conditions are met:

- a. By October 31, 2023, the permittee submits the necessary data and documentation to the Department that demonstrates that the permittee meets the percent reductions stipulated in Tables A1-A4 for each reachshed that the MS4 discharges to and for each pollutant of concern.
- b. The documentation submitted by the permittee includes the policies, procedures, and regulatory mechanisms that the permittee will employ to ensure that storm water controls and management measures will continue to be operated and maintained so that their pollutant removal efficiency continues to be met.
- c. Based upon the data and documentation and any necessary subsequent information requested by the Department, the permittee receives written concurrence from the Department by April 30, 2024, that the permittee has achieved full TMDL compliance.

A.3 Implementation of TMDL Compliance Plan or Participation in an Approved Adaptive Management Plan.

A.3.1 If the permittee submitted a TMDL Implementation Plan meeting the requirements contained in sections 1.5.4.4 and 1.5.4.5 of WPDES Permit No. WI-S050075-2 or WI-S050181-1 and has received Department concurrence regarding the plan, the permittee shall implement the plan as its TMDL Compliance Plan.

A.3.2 In accordance with s. 283.13(7), Wis. Stats., and s. NR 217.18, Wis. Adm. Code, if by the effective date of this permit the permittee has chosen to participate in an Adaptive Management project that has been approved by the Department the permittee shall continue to participate in the implementation of the Adaptive Management project.

A.4 Compliance During the Term of This Permit. If the permittee determines that it can meet the requirements stipulated in section A.2.2 by October 31, 2023, the permittee shall meet all the following:

A.4.1 By March 31, 2020, the permittee shall notify the Department if compliance will be achieved by October 31, 2023.

A.4.2 Consistent with the reporting requirements contained in section A.6, the permittee shall submit written verification that it has met the applicable requirements contained in section A.2.2.

A.5 Compliance Over Multiple Permit Terms. If the permittee cannot meet the requirements stipulated under sections A.3 or A.4, the permittee shall demonstrate continued progress towards compliance with the requirements contained in section A.2.2. During the term of this permit, the following are required:

A.5.1 By March 31, 2020, if the permittee determines that the applicable requirements contained in section A.2.2 will not be achieved by October 31, 2023, then the permittee shall notify the Department in writing which reachsheds and pollutants of concern are not in compliance with the requirements contained in section A.2.2.

A.5.2 By October 31, 2021, the permittee shall submit a TMDL Implementation Plan to the Department identifying and describing the actions that the permittee shall undertake, including a proposed schedule and milestones, to achieve the following by the end of the term of this permit:

- a.** A level of reduction that achieves at least 20% of the remaining reduction needed beyond the current 20% TSS reduction required under s. NR 151.13 (2)(b)1.b., Wis. Adm. Code, to achieve full compliance in sediment or TSS.
- b.** A level of reduction that achieves at least 10% of the remaining reduction needed beyond 15% TP reduction to achieve full compliance in TP.

Note: The reductions stipulated under section A.5.2 are interim compliance targets set for this permit term. Future permit reduction targets may taper off or vary between municipalities based on individual plans as it is expected that municipalities will rely more on reductions obtained through redevelopment.

Note: Unlike full compliance as outlined in section A.2.2, compliance with the reductions stipulated under sections A.5.2.a and A.5.2.b can be achieved utilizing an averaged reduction calculated from individual reductions achieved in one or multiple reachsheds and spanning the entire MS4 area that is impacted by the TMDL.

Note: Reductions obtained through a permittee's participation in a water quality trading project, in accordance with s. 283.84, Wis. Stats., and that has been reviewed and approved by the Department, may be counted toward credit in meeting the requirements stipulated under sections A.5.2.a and A.5.2.b. Additional information on water quality trading is available from the Department's Internet site at:

<https://dnr.wi.gov/topic/surfacewater/waterqualitytrading.html>

Note: Example calculation to meet section A.5.2.a for total suspended solids (TSS)

"Municipality A" has modeled a no-controls TSS load of 50 tons/year for Reachshed 2 and 100 tons/year for Reachshed 3.

Determine Calculated Wasteload Allocation

"Municipality A" has area in Rock River TMDL Reachsheds 2 and 3. From Table A.1, the TMDL requires the following reductions from no controls which under section A.2 must ultimately achieve a mass reduction as follows:

TMDL Reachshed	Modeled TSS from No-Controls (tons/yr)	TMDL TSS Reduction from No-Controls	Ultimate Mass Reduction Required for Full TMDL Compliance (tons/yr)	Calculated Wasteload Allocation (tons/yr)
2	50	40.6%	$50 \times 0.406 = 20.3$	$50 - 20.3 = 29.7$
3	100	55.6%	$100 \times 0.556 = 55.6$	$100 - 55.6 = 44.4$

Determine Minimum Control Required under Section NR 151.13(2)(b)1.b., Wis. Adm. Code

TMDL Reachshed	No Controls TSS (tons/yr)	NR 151 Required Reduction (tons/yr)	NR 151 Allowable Load (tons/yr)
2	50	$50 \times 0.20 = 10$	$50 - 10 = 40$
3	100	$100 \times 0.20 = 20$	$100 - 20 = 80$
Total		30.0	

Calculate 20% Additional Reduction from Section NR 151.13(2)(b)1.b., Wis. Adm. Code

Under section A.5.2.a, "Municipality A" must achieve an additional 20% reduction from the current 20% TSS reduction required under s. 151.13 (2)(b)1.b., Wis. Adm. Code. As shown below, "Municipality A" needs to achieve a 20% reduction of the remaining 45.9 tons results in "Municipality A" needing to achieve an additional 9.18 tons/year in reduction.

Reachshed	NR 151 Allowable Load (tons/yr)	Calculated Wasteload Allocation (tons/yr)	Additional Reduction from NR 151 (tons/yr)	20% Additional Reduction from NR 151 (tons/yr)
2	40	29.7	$40 - 29.7 = 10.3$	$10.3 \times 0.2 = 2.06$
3	80	44.4	$80 - 44.4 = 35.6$	$35.6 \times 0.2 = 7.12$
Total			45.9	9.18

Load reduction at the end of permit term

At the end of the permit term, "Municipality A" should demonstrate a minimum reduction from no controls of 39.18 (30 tons plus 9.18 tons). "Municipality A" has the flexibility to decide how much of that reduction is provided in TMDL Reachshed 2 and/or 3 over the next permit term. "Municipality A" will still require additional reductions in each reachshed over subsequent permit terms to reach the calculated wasteload allocation of 29.7 tons in TMDL Reachshed 2 and 44.4 tons in TMDL Reachshed 3.

The calculation process is similar for total phosphorus (TP).

A.5.3 If the permittee determines by October 31, 2021, that it is unable to achieve the reductions stipulated under sections A.5.2.a and A.5.2.b, the permittee shall meet the following requirements by October 31, 2023:

Note: The permittee may optimize deployment of resources between the requirements listed below to maximize reductions for the least cost. In some cases, permittees may already be meeting these requirements.

a. Pursuant to the permittee's authority under s. 281.33(6)(a)2., Wis. Stats., the permittee shall create or revise and promulgate a municipal storm water management ordinance applicable to redevelopment that requires compliance with post-construction storm water management performance standards that are stricter than the uniform statewide standards established by the Department. When reporting to the Department under section A.6.3, the permittee shall include a justification for the level of pollutant reduction in the ordinance with an assessment of the progress it achieves towards full compliance with the TMDL. The redevelopment reductions may be adjusted to account for other storm water control measures that may exist. The permittee may also establish TP reduction levels for redevelopment projects.

Note: The permittee may enact an ordinance that is municipal-wide, targets individual TMDL reachsheds, or designated areas within the permitted MS4, balancing required TMDL reductions, parcel size, and the impact of other treatment options. Increasing redevelopment reductions is one tool in moving toward TMDL compliance.

b. The permittee shall create or revise a municipal ordinance that requires the development and implementation of a maintenance plan for all privately-owned storm water treatment facilities for which the permittee takes a TSS and/or TP reduction credit. The permittee shall develop and implement procedures and measures to verify and track that the storm water treatment facilities are inspected on a regular schedule and maintained in the intended working condition in accordance with the plans. The permittee shall require that maintenance agreements be recorded with the appropriate property records that obligates the current and future owners to implement the maintenance plans.

c. The permittee shall revise or promulgate a municipal ordinance that requires the submittal of record drawings for storm water management facility that the permittee takes a TSS and/or TP reduction credit. The permittee shall require submittal of the record drawing prior to close-out of the local permit or upon final approval and shall maintain appropriate records and tracking of the plans.

d. If the pollutant of concern is TP, the permittee shall implement, expand, or optimize a municipal leaf collection program coupled with street cleaning to serve areas where municipal leaf collection is not currently provided within the MS4 but for which a phosphorus reduction has been assigned and additional reductions could be achieved.

Note: The Department's "Interim Municipal Phosphorus Reduction Credit for Leaf Management Programs" guidance document includes recommendations on how the permittee's municipal leaf collection program should be designed and implemented.

The guidance is available from the Department's Internet site at:
https://dnr.wi.gov/topic/stormwater/standards/ms4_modeling.html

- e. Within the MS4 permitted area, the permittee shall inventory the condition of the conveyance systems and outfalls. Where erosion or scour is occurring, the permittee shall develop a schedule to stabilize the identified areas over a 5-year period.
- f. The permittee shall install at least one new structural BMP or enhance one or more existing structural BMPs to reduce a pollutant of concern discharged via storm water runoff to an impaired waterbody for which a WLA has been assigned to the permittee. The permittee shall develop and implement a maintenance plan for each new structural BMP.
- g. The permittee shall conduct an analysis of the current municipal street cleaning program, to determine if additional pollutant loading reductions can be achieved. The permittee shall evaluate optimizing sweeping frequency, targeting of critical areas and time periods, and instituting parking restrictions. If a pollutant reduction can be achieved through optimizing the existing street cleaning program, the permittee shall adopt the optimized program the next calendar year or provide a written explanation to the Department explaining why the optimize street cleaning program is not feasible and provide alternative options to achieve similar pollutant reductions.

A.6 Reporting Requirements. For the term of this permit, the permittee shall meet the following reporting requirements:

A.6.1 Compliance Determination Reporting. The permittee shall submit the information requested in this appendix in accordance with the following schedule:

- a. By March 31, 2020, for sections A.4.1 and A.5.1.
- b. By October 31, 2021, for section A.5.2.
- c. By October 31, 2023, for sections A.2.2.a and A.5.3.

A.6.2 Annual Reporting. For compliance options outlined under sections A.3, A.4, and A.5, the permittee shall include a description and the status of progress toward implementing the identified actions and activities in their MS4 annual reports due by March 31 of each year.

A.6.3 Final Documentation. Except for permittees complying with a Department approved adaptive management plan under section A.3.2, by October 31, 2023, the permittee shall submit documentation to the Department to verify that the permittee has completed all actions required under this appendix including the following:

- a. An updated storm sewer system map that identifies:
 - (1) The current municipal boundary. For a permittee that is not a city or village, identify the permitted area.

Note: The permitted area for towns, counties and non-traditional MS4s pertains to the area within an urbanized area or the area served by its storm sewer system, such as a university campus.

(2) The TMDL reachshed boundaries within the municipal boundary, and the area of each TMDL reachshed in acres within the municipal boundary.

(3) The MS4 drainage boundary associated with each TMDL reachshed, and the area in acres of the MS4 drainage boundary associated with each TMDL reachshed.

b. The permittee shall submit an updated tabular summary that includes the following for each MS4 drainage boundary associated with each TMDL reachshed as identified under section A.6.3.a and for each pollutant of concern:

(1) The permittee's percent reduction needed to comply with its TMDL WLA from the no-controls modeling condition.

(2) The modeled MS4 annual average pollutant load without any storm water control measures.

(3) The modeled MS4 annual average pollutant load with existing storm water control measures.

(4) The percent reduction in pollutant load achieved calculated from the no-controls condition determined under section A.6.3.a(2) and the existing controls condition determined under section A.6.3.a(3).

(5) The existing storm water control measures, including the type of measure, area treated in acres, the pollutant load reduction efficiency, and confirmation of the permittee's authority for long-term maintenance of each practice.

c. If the updated tabular summary required under section A.6.3.b shows that the permittee is not achieving the requirements stipulated in section A.2, the permittee shall submit an updated written TMDL Implementation Plan to the Department that describes how the permittee will make progress toward achieving compliance. The TMDL Implementation Plan shall include the following information:

(1) A list of management options and an implementation schedule that over the next permit term achieves, to the maximum extent practicable, an additional 20% reduction in sediment or TSS and an additional 10% reduction in TP. The percent reductions shall be applied to the difference measured from loading conditions at the end of this permit to the total reductions listed in Tables A1-A4. The reductions can be achieved utilizing an averaged reduction calculated from individual reductions achieved in one or multiple reachsheds and spanning the entire MS4 area impacted by a TMDL.

Note: Reductions that occur through stricter redevelopment standards or through water quality trading can be counted toward meeting the reduction requirements under this section.

Note: Unlike full compliance as outlined in section A.2.2, interim compliance under this section can be based on an average reduction measured across the MS4 area impacted by a TMDL.

(2) Recommendations and options with supporting analysis for storm water control measures that will be installed or implemented in future permit terms to achieve the requirements, to the maximum extent possible, stipulated in section A.2.

(3) A proposed schedule for implementation of the recommendations and options identified under section A.6.3.c(1). The proposed schedule may extend into future permit terms.

(4) A cost effectiveness analysis for implementation of the recommendations and options identified under section A.6.3.c(1).

Table A1: Rock River Basin TMDL Load Reductions Necessary to Meet TMDL Wasteload Allocations by TMDL Reachshed

Reachshed Number (TMDL Subbasin)	Waterbody Name	County	TSS % Reduction from No-controls	TP % Reduction from No-controls
2	South Branch Rock River	Dodge, Fond du Lac, Green Lake	40.6	48.2
3	South Branch Rock River	Dodge, Fond du Lac	55.6	86.9
20	Rock River	Dodge, Jefferson, Washington, Waukesha	40.0	37.2
21	Rock River	Dodge, Jefferson, Washington, Waukesha	40.0	34.3
23	Oconomowoc River	Washington, Waukesha	46.6	35.8
24	Mason Creek	Dodge, Washington, Waukesha	47.2	35.0
25	Oconomowoc River	Jefferson, Waukesha	59.2	73.7
26	Battle Creek	Waukesha	57.4	52.6
27	Oconomowoc River	Jefferson, Waukesha	40.0	27.0
28	Rock River	Dodge, Jefferson	40.0	27.7
29	Rock River	Dodge, Jefferson	44.2	64.2
30	Johnson Creek	Jefferson	40.0	27.0
33	Mill Creek, Beaver Dam Lake	Columbia, Dodge	45.4	48.2
34	Beaver Dam River	Columbia	58.6	86.1
37	Park Creek	Columbia	72.4	75.2
39	Shaw Brook	Columbia	40.0	27.0
45	Mauneshia River	Columbia	44.8	36.5
51	Crawfish River	Columbia	40.0	37.2
54	Rock River	Columbia, Dodge, Jefferson	43.6	71.5
55	Bark River	Waukesha	65.8	76.6
56	Bark River	Jefferson, Waukesha	40.0	40.9

Reachshed Number (TMDL Subbasin)	Waterbody Name	County	TSS % Reduction from No-controls	TP % Reduction from No-controls
59	Steel Brook, Scuppernong River, Bark River	Jefferson, Walworth, Rock	49.0	66.4
60	Rock River	Jefferson, Rock	40.6	48.2
61	Rock River	Dane, Rock	41.2	31.4
62	Pheasant Branch Creek	Dane	82.0	78.1
63	Spring (Dorn) Creek	Dane	46.6	37.2
64	Yahara River, Lake Mendota, Lake Monona	Dane, Columbia	73.0	61.3
65	Nine Springs Creek	Dane	67.6	62.8
66	Yahara River, Lake Waubesa, Lake Kegonsa	Dane	62.2	54.0
67	Yahara River	Dane	40.0	27.0
68	Yahara River	Dane, Rock	50.8	65.0
69	Yahara River	Dane, Rock	52.6	79.6
70	Rock River	Rock	40.6	27.7
71	Rock River	Rock	58.6	48.2
72	Blackhawk Creek	Rock, Walworth	40.0	27.0
73	Blackhawk Creek	Rock	69.4	64.2
74	Rock River	Rock	52.0	39.4
75	Markham Creek	Rock	51.4	38.0
76	Rock River	Rock	57.4	81.8
78	Bass Creek	Rock	40.0	29.9
79	Rock River	Rock	62.2	66.4
80*	Turtle Creek	Rock, Walworth	55.0	62.8
81	Turtle Creek	Rock, Walworth	44.2	41.6
83	Lake Koshkonong	Dane, Jefferson, Rock	55.0	54.0

Note: *MS4 Reachshed 80 reductions are based on Non-Point Source annual average reductions as TMDL had not assigned a separate MS4 reduction for MS4s in this reach.

Table A2: Lower Fox River Basin and Lower Green Bay TMDL Load Reductions Necessary to Meet TMDL Wasteload Allocations by TMDL Reachshed

Reachshed Name (Subbasin)	County	Subbasin ID	TSS % Reduction from No-controls	TP % Reduction from No-controls
Lower Green Bay	Brown	LFS7 & LFS8	52%	41%
Lower Fox River Main Stem	Brown, Outagamie, Winnebago	LFM	72%	41%
East River	Brown, Calumet	LF01	52%	41%
Baird Creek	Brown	LF01	52%	41%
Bower Creek	Brown	LF01	52%	41%
Dutchman Creek	Brown	LF02	52%	41%
Ashwaubenon Creek	Brown	LF02	52%	41%
Apple Creek	Brown, Outagamie	LF02	52%	41%
Plum Creek	Brown, Calumet	LF03	52%	41%
Kankapot Creek	Calumet, Outagamie	LF03	52%	41%
Garners Creek	Outagamie	LF03	60%	69%
Mud Creek	Outagamie, Winnebago	LF04	43%	48%
Neenah Slough	Winnebago	LF06	52%	41%
Duck Creek	Brown, Outagamie	LF05	52%	41%
Trout Creek	Brown	LF05	52%	41%

Note: % TSS reduction from No Controls = $20 + [0.80 \times (\% \text{ TSS Control Lower Fox TMDL Report})]$ % TP reduction from No Controls = $15 + [0.85 \times (\% \text{ TP Control Lower Fox TMDL Report})]$

Table A3: Lake St. Croix Nutrient TMDL Load Reductions Necessary to Meet TMDL Wasteload Allocations by TMDL Reachshed

Waterbody Name	County	WBIC	MS4 TP % Reduction from No Controls
Lake St. Croix	St. Croix, Pierce	2601500	46.0

Table A4: Red Cedar River (Tainter Lake, Menomin Lake) TMDL Load Reductions Necessary to Meet TMDL Wasteload Allocations by TMDL Reachshed

Waterbody Name	County	WBIC	MS4 TP % Reduction from No Controls*
Tainter Lake	Dunn	2068000	$\frac{Load_{2025\ No\ Controls} - 1700 \frac{lbs}{yr}}{Load_{2025\ No\ Controls}}$
Lake Menomin	Dunn	2065900	39.2

Note: *The TMDL allocations and necessary reduction are calculated using the 2025 projected MS4 build out area. The 2025 area modeled in a No Controls condition compared against the WLA written in the TMDL yields the percent reduction.

Appendix B: MS4 Permittees Subject to Milwaukee River Basin TMDL

B.1 Applicability. In accordance with section 1.5.2.b, this Appendix B applies to permittees subject to a total maximum daily load (TMDL) approved by the United States Environmental Protection Agency (USEPA) that includes the following:

- “Total Maximum Daily Loads for Total Phosphorus, Total Suspended Solids, and Fecal Coliform Milwaukee River Basin, Wisconsin,” approved by USEPA March 2018

Note: If the MS4 area extends into or discharges to other basins with a USEPA approved TMDL, a permittee could be subject to more than one TMDL and thus the requirements under Appendices A and/or C.

B.2 Full TMDL Compliance for Total Suspended Solids (TSS) and Total Phosphorus (TP) WLAs.

B.2.1 USEPA is allowing the Department to evaluate MS4 compliance with TMDL Wasteload Allocations (WLAs) using a percent reduction framework consistent with Wisconsin’s storm water program. For consistency with existing storm water program requirements, TMDL compliance will use the percent reduction basis from the no runoff management controls (no-controls) condition. The percent reduction from no-controls, for TSS and TP for each reachshed, necessary to meet the TMDL WLAs for the USEPA approved TMDLs are listed on Table B1. The no-controls modeling condition means taking no (zero) credit for existing storm water control measures that reduce the discharge of pollutants. Existing practices can then be applied and counted toward meeting the TMDL reductions.

B.2.2 TMDLs may assign a percent reduction for one or more reachsheds for each pollutant of concern (i.e., total suspended solids (TSS) and total phosphorus (TP)). Full TMDL compliance is achieved by the permittee provided all of the following conditions are met:

- By October 31, 2023, the permittee submits the necessary data and documentation to the Department that demonstrates that the permittee meets the percent reductions stipulated in Table B1 for each reachshed that the MS4 discharges to and for each pollutant of concern.
- The documentation submitted by the permittee includes the policies, procedures, and regulatory mechanisms that the permittee will employ to ensure that storm water controls and management measures will continue to be operated and maintained so that their pollutant removal efficiency continues to be met.
- Based upon the data and documentation and any necessary subsequent information requested by the Department, the permittee receives written concurrence from the Department by April 30, 2024, that the permittee has achieved full TMDL compliance.

B.3 Participation in an Approved Adaptive Management Plan for Total Suspended Solids (TSS) and Total Phosphorus (TP) WLAs. In accordance with s. 283.13(7), Wis. Stats., and s. NR 217.18, Wis. Adm. Code, if the permittee chooses to participate in an Adaptive Management project, the permittee shall submit the plan to the Department by March 31, 2022 for approval.

Note: Information on adaptive management is available from the Department's Internet site at:
<https://dnr.wi.gov/topic/SurfaceWater/AdaptiveManagement.html>

B.4 TMDL Implementation Plan for Total Suspended Solids (TSS) and Total Phosphorus (TP) WLAs. If the permittee has chosen not to participate in an adaptive management plan as stipulated in section B.3, the permittee shall perform the following activities:

B.4.1 By March 31, 2022, the permittee shall determine if the applicable requirements contained in section B.2.2 will be achieved during the term of this permit. The permittee shall notify the Department which reachsheds and pollutants of concern are not in compliance with the requirements contained in section B.2.2 with the tabular summary created under section B.4.2(b) and develop a TMDL Implementation Plan per section B.4.2(c).

B.4.2 The permittee shall develop and submit the following documentation to meet the requirements stipulated in section B.2.2:

a. By March 31, 2020, an updated storm sewer system map that identifies:

(1) The current municipal boundary. For a permittee that is not a city or village, identify the permitted area.

Note: The permitted area for towns, counties and non-traditional MS4s pertains to the area within an urbanized area or the area served by its storm sewer system, such as a university campus.

(2) The TMDL reachshed boundaries within the municipal boundary, and the area of each TMDL reachshed in acres within the municipal boundary.

(3) The MS4 drainage boundary associated with each TMDL reachshed, and the area in acres of the MS4 drainage boundary associated with each TMDL reachshed.

(4) Identification of areas on a map and the acreage of those areas within the municipal boundary that the permittee believes should be excluded from its analysis to show compliance with the TMDL WLA. In addition, the permittee shall provide an explanation of why these areas should not be its responsibility.

Note: An example of an area within a municipal boundary that may not be subject to a TMDL WLA for the permittee is an area that does not drain through the permittee's MS4.

(5) Flow paths of storm water through the storm sewer system.

(6) The location and associated drainage basin of structural BMPs the MS4 uses for TSS and TP treatment.

b. By March 31, 2022, the permittee shall submit a tabular summary that includes the following for each MS4 drainage boundary associated with each TMDL reachshed as identified under section B.4.2.a(2) and for each pollutant of concern listed in Table B1:

(1) The permittee's percent reduction needed to comply with its TSS and TP WLA from the no-controls modeling condition. The no-controls modeling condition means taking no (zero) credit for storm water control measures that reduce the discharge of pollutants.

Note: This model run is comparable to the no-controls condition modeled for the developed urban area performance standard of s. NR 151.13, Wis. Adm. Code.

(2) The modeled annual average pollutant load without any storm water control measures for each reachshed which the MS4 discharge to.

(3) The modeled MS4 annual average pollutant load with existing and current storm water control measures for each reachshed which the MS4 discharges to.

(4) The percent reduction in pollutant load achieved calculated from the no-controls condition determined under section B.4.2.b(2) and the existing controls condition determined under section B.4.2.b(3).

(5) The existing storm water control measures including the type of measure, area treated in acres, the pollutant load reduction efficiency, and confirmation of the permittee's authority for long-term maintenance of each practice.

c. By March 31, 2022, if the tabular summary required under section B.4.2.b shows that the permittee is not achieving the applicable percent reductions needed to comply with section B.2.2, then the permittee shall submit a written TMDL Implementation Plan to the Department that describes how the permittee will make progress toward achieving compliance. The plan shall include the following information:

(1) Recommendations and options for storm water control measures that will be considered to reduce the discharge of each pollutant of concern. At a minimum, the following shall be evaluated: all post-construction BMPs for which the Department has a technical standard, optimizing or retrofitting all existing public and private storm water control practices, regional practices, optimization or improvements to existing BMPs, incorporation of storm water control for all road reconstruction projects, more restrictive post-construction ordinances, updated development and redevelopment standards.

(2) A proposed schedule for implementation of the alternatives identified under section B.4.2.c(1). The proposed schedule may extend beyond the expiration date of this permit. The schedule should aim to achieve, to the maximum extent practicable, a level of reduction that achieves at least 20% of the remaining reduction needed beyond baseline to achieve full compliance in TSS and a level of reduction that achieves at least 10% of the remaining reduction needed

beyond baseline to achieve full compliance in TP over the next permit term. The reductions can be achieved utilizing an averaged reduction calculated from individual reductions achieved in one or multiple reachsheds and spanning the entire MS4 area impacted by a TMDL.

Note: The reductions stipulated under B.4.2.c(2) are interim compliance targets set as a planning target for the next permit term. Future permit reduction targets may taper off or vary between municipalities based on individual plans as it is expected that municipalities will rely more on reductions obtained through redevelopment.

(3) A cost effectiveness analysis for implementation of the recommendations and options identified under section B.4.2.c(1).

Note: The Department has developed the guidance document “TMDL Guidance for MS4 Permits: Planning, Implementation, and Modeling Guidance.” The guidance is available on the Department’s Internet site:

https://dnr.wi.gov/topic/stormwater/standards/ms4_modeling.html, and is available to assist a permittee with complying with the requirements of section B.4.

Note: Reductions obtained through a permittee’s participation in a water quality trading project, in accordance with s. 283.84, Wis. Stats., and that has been reviewed and approved by the Department, can be counted toward credit in meeting the requirements stipulated under section B.4.2.c(2). Additional information on water quality trading is available from the Department’s Internet site at:

<https://dnr.wi.gov/topic/surfacewater/waterqualitytrading.html>

B.4.3 TMDL Compliance During the Term of This Permit for Total Suspended Solids (TSS) and Total Phosphorus (TP) WLAs. If the permittee has chosen not to participate in an adaptive management plan as stipulated in section B.3, the permittee shall select and implement a minimum of three of the activities listed below, in addition to the planning requirements contained in section B.4.2, by October 31, 2023:

Note: The permittee may optimize deployment of resources between the requirements listed below to maximize reductions for the least cost. In some cases, permittees may already be meeting these requirements.

a. Pursuant to the permittee’s authority under s. 281.33(6)(a)2., Wis. Stats., the permittee shall create or revise and promulgate a municipal storm water management ordinance applicable to redevelopment that requires compliance with post-construction storm water management performance standards that are stricter than the uniform statewide standards established by the Department. When reporting to the Department under section B.6.3, the permittee shall include a justification for the level of pollutant reduction in the ordinance with an assessment of the progress it achieves towards full compliance with the TMDL. The redevelopment TSS reduction may be adjusted to account for other storm water controls measures that may exist. The permittee may also establish TP reduction levels for redevelopment projects.

Note: The permittee may enact an ordinance that is municipal wide, targets individual TMDL reachsheds, or designated areas within the permitted MS4 balancing required TMDL reductions, parcel size, and the impact of other treatment options. Increasing redevelopment reductions is one tool in moving toward TMDL compliance.

b. The permittee shall create or revise a municipal ordinance that requires the development and implementation of a maintenance plan for all privately-owned storm water treatment facilities for which the permittee takes a TSS and/or TP reduction credit. The permittee shall develop and implement procedures and measures to verify and track that the storm water treatment facilities are inspected on a regular schedule and maintained in the intended working condition in accordance with the plans. The permittee shall require that maintenance agreements be recorded with the appropriate property records that obligates the current and future owners to implement the maintenance plans.

c. The permittee shall revise or promulgate a municipal ordinance that requires the submittal of record drawings for which the permittee takes a TSS and/or TP reduction credit. The permittee shall require submittal of the record drawing prior to close-out of the local permit or upon final approval and shall maintain appropriate records and tracking of the plans.

d. If the pollutant of concern is TP, implement, expand, or optimize a municipal leaf collection program coupled with street cleaning to serve areas where municipal leaf collection is not currently provided within the MS4 but for which a phosphorus WLA has been assigned and additional reductions could be achieved.

Note: The Department's "Interim Municipal Phosphorus Reduction Credit for Leaf Management Programs" guidance document includes recommendations on how the permittee's municipal leaf collection program should be designed and implemented. The guidance is available from the Department's Internet site at:
https://dnr.wi.gov/topic/stormwater/standards/ms4_modeling.html

e. Within the MS4 permitted area, the permittee shall inventory the condition of the conveyance systems and outfalls. Where erosion or scour is occurring, the permittee shall develop a schedule to stabilize the identified areas.

f. Install one new structural BMP or enhance one existing structural BMPs to reduce a pollutant of concern discharged via storm water runoff to an impaired waterbody for which a WLA has been assigned to the permittee. The permittee shall develop and implement a maintenance plan for each new structural BMP.

Note: This option can be counted each time the permittee installs or enhances a structural BMP to satisfy the required activities. A permittee could meet the requirement if they solely chose this option and installed or enhanced three BMPs.

g. Permittee shall conduct an analysis of the current municipal street cleaning program, to determine if additional pollutant loading reductions can be achieved. The permittee shall evaluate optimizing sweeping frequency, targeting of critical areas and time

periods, and instituting parking restrictions. If a pollutant reduction can be achieved through optimizing the existing street cleaning program, the permittee shall adopt the optimized program the next calendar year or provide a written explanation to the Department explaining why the optimize street cleaning program is not feasible and provide alternative options to achieve similar pollutant reductions.

Note: The permittee may optimize deployment of resources between the requirements listed above to maximize reductions for the least cost; for example, only increase street sweeping where structural practices do not already exist to treat the runoff for the area.

B.5 TMDL Compliance and Implementation for Bacteria WLAs. This section applies to all permittees with a bacteria WLA specified in the Milwaukee River Basin TMDL Final Report dated March 19, 2018. The permittee shall do all of the following:

B.5.1 As part of its program to address illicit discharges under section 2.3 of this permit, by March 31, 2021, the permittee shall begin to conduct ongoing public education and outreach activities specifically to increase awareness of bacterial pollution problems, potential sources, proper pet waste management, and the impacts of urban wildlife and pests.

B.5.2 In addition to complying with the requirements in section 2.3 of this permit, the permittee shall comply with the following:

a. By March 31, 2022, the permittee shall develop and submit to the Department an inventory of bacteria sources and a map indicating the locations of the potential sources of fecal coliform and *E. coli* entering its MS4. The inventory shall be in a tabular format and include a label code, the name of the source, the physical address or location description of the source, and the ownership of the source (i.e., public or private). The map shall be to scale, identify all municipal streets, and indicate the locations of the sources using the label codes. The permittee shall consider the variation in flow conditions in its identification of potential sources. The inventory and map shall include the following potential sources of bacteria:

- Known or suspected leaking or failing septic systems.
- Sanitary sewer overflow locations.
- Livestock and domesticated animals housed or raised within the MS4 permitted area and discharging to the MS4, but not including household pets.
- Zoos, kennels, animal breeders, pet stores, and dog training facilities.
- Waste hauling, storage, and transfer facilities.
- Areas that attract congregations of nuisance urban birds and wildlife.
- Known or suspected properties with inadequate food or organic waste handling or storage.
- Composting sites or facilities.
- Known or suspected areas with improper human sanitation use.
- Any other source that the permittee or the Department has a reason to believe is discharging bacteria to the MS4.

b. By October 31, 2023, the permittee shall develop and submit to the Department a bacteria source elimination plan. The plan shall consist of a strategy and prioritization

scheme to eliminate each source of bacteria identified under section B.5.2.2. The plan shall include the BMPs to be used, cost estimates, sources of funding, and a schedule to eliminate the sources. BMPs identified in the plan may be structural, non-structural, targeted outreach, and/or additional ordinances, but the plan shall include the rationale for using each BMP, the reason for selected a BMP over another, and the expected outcome from implementing each BMP.

Note: While the TMDL allocations in the Milwaukee River Basin TMDL are expressed only in terms of fecal coliform, both fecal coliform and *E. coli* have been listed as sources of recreational use impairments that the TMDL was completed to address.

B.5.3 By March 31, 2023, the permittee shall adopt local ordinances to address the requirements for proper pet waste management, the restrictions on feeding of urban wildlife that are potential sources of bacteria entering the MS4, the requirements for property owners to cooperate with identifying and eliminating illicit sanitary sewerage cross-connections with the MS4, and the requirements for property owners to address other potential sources of bacteria that may enter the MS4 (e.g., refuse management, pest control).

B.6 Reporting Requirements. For the term of this permit, the permittee shall meet the following reporting requirements:

B.6.1 Compliance Determination Reporting. The permittee shall submit the information requested in this appendix in accordance with the following schedule:

- a. By March 31, 2020, for section B.4.2.a.
- b. By March 31, 2021, for sections B.5.1.
- c. By March 31, 2022, for sections B.4.1, B.4.2.b, and B.5.2.a.
- d. By March 31, 2023, for section B.5.3.
- e. By October 31, 2023, for section B.2.2.a, B.4.3, and B.5.2.b.

B.6.2 Annual Reporting. For requirements outlined under sections B.3, B.4, and B.5 the permittee shall include a description and the status of progress toward implementing the identified actions and activities in their MS4 annual reports due by March 31 of each year.

B.6.3 Final Documentation. By October 31, 2023, the permittee shall submit documentation to the Department to verify that the permittee has completed all actions required under this appendix including submittal of the TMDL Implementation Plan required under section B.4 and documentation that the three activities selected under section B.4.3 have been completed.

Table B1: Milwaukee River Basin TMDL Load Reductions Necessary to Meet TMDL Wasteload Allocations by TMDL Reachshed**Kinnickinnic River Basin:**

Reachshed (TMDL Subbasin)	Waterbody Name	Waterbody Extents	TSS % Reduction from No-controls	TP % Reduction from No-controls
KK-1	Lyons Park Creek	Entire Length	78.4%	68.1%
KK-2	Kinnickinnic River	From Wilson Park Creek to Lyons Park Creek	77.6%	68.1%
KK-3	South 43rd St. Ditch	Entire Length	76.8%	78.7%
KK-4	Edgerton Channel, Wilson Park Creek, Villa Mann Creek	Entire Length	84.0%	89.4%
KK-5	Holmes Avenue Creek	Entire Length	80.0%	78.7%
KK-6	Cherokee Park Creek	Entire Length	77.6%	69.0%
KK-7	Kinnickinnic River	Estuary to Wilson Park Creek	75.2%	45.0%

Menomonee River Basin:

Reachshed (TMDL Subbasin)	Waterbody Name	Waterbody Extents	TSS % Reduction from No-controls	TP % Reduction from No-controls
MN-1	Menomonee River	From Nor-X-Way Channel to Headwaters	66.4%	63.6%
MN-2	Goldendale Creek	Entire Length	63.2%	47.7%
MN-3	West Branch Menomonee River	Entire Length	65.6%	60.1%
MN-4	Willow Creek	Entire Length	64.0%	51.2%
MN-5	Nor-X-Way Channel	Entire Length	70.4%	72.5%
MN-6	Menomonee River and Dretzka Park Creek	From Little Menomonee River to Nor-X-Way Channel	73.6%	69.0%
MN-7	Lilly Creek	Entire Length	70.4%	64.5%
MN-8	Butler Ditch	Entire Length	69.6%	58.3%
MN-9	Little Menomonee River	Entire Length	70.4%	64.5%
MN-10	Menomonee River	From Underwood Creek to Little Menomonee River	67.2%	31.7%
MN-11	Underwood Creek and Dousman Ditch	From South Branch Underwood Creek to Headwaters	72.0%	62.7%

Reachshed (TMDL Subbasin)	Waterbody Name	Waterbody Extents	TSS % Reduction from No-controls	TP % Reduction from No-controls
MN-12	Underwood Creek	From Menomonee River to South Branch Underwood Creek	80.0%	76.1%
MN-13	South Branch Underwood Creek	Entire Length	76.8%	69.8%
MN-14	Menomonee River	From Honey Creek to Underwood Creek	64.8%	49.4%
MN-15	Honey Creek	Entire Length	73.6%	67.2%
MN-16	Menomonee River	From Estuary to Honey Creek	72.0%	49.4%

Milwaukee River Basin:

Reachshed (TMDL Subbasin)	Waterbody Name	Waterbody Extents	TSS % Reduction from No-controls	TP % Reduction from No-controls
MI-1	Upper Milwaukee River	From Campbellsport to Headwaters	**	**
MI-2	Upper Milwaukee River	From Kewaskum To Campbellsport and Auburn	73.6%	71.6%
MI-3	West Branch Milwaukee River	Entire Length	77.6%	48.6%
MI-4	Kewaskum Creek	Entire Length	76.8%	55.7%
MI-5	Watercress Creek and East Branch Milwaukee River	Entire Length	73.6%	51.2%
MI-6	Quass Creek and Milwaukee River	Near West Bend	73.6%	86.7%
MI-7	Myra Creek and Milwaukee River	From North Branch Milwaukee River to West Bend	79.2%	67.2%
MI-8	North Branch Milwaukee River	from Adell Tributary to Headwaters	**	**
MI-9	Adell Tributary	Entire Length	**	**
MI-10	Chambers Creek, Batabia Creek, and North Branch Milwaukee River	Near Sherman	**	**
MI-11	Melius Creek	Entire Length	**	**
MI-12	Mink Creek	Entire Length	**	**

Reachshed (TMDL Subbasin)	Waterbody Name	Waterbody Extents	TSS % Reduction from No-controls	TP % Reduction from No-controls
MI-13	Stony Creek, Wallace Creek, and North Branch Milwaukee River	Near Farmington	74.4%	46.8%
MI-14	Silver Creek	Entire Length	**	**
MI-15	Milwaukee River	Near Fredonia	**	**
MI-16	Milwaukee River	Near Saukville	75.2%	77.8%
MI-17	Milwaukee River	From Cedar Creek to Saukville	76.0%	83.1%
MI-18	Cedar Creek	From Jackson Creek to Headwaters	76.8%	71.6%
MI-19	Lehner Creek	Entire Length	77.6%	61.0%
MI-20	Jackson Creek	Entire Length	80.8%	77.8%
MI-21	Little Cedar Creek	Entire Length	80.8%	77.8%
MI-22	Cedar Creek	Near Jackson	76.8%	54.8%
MI-23	Evergreen Creek	Near Jackson	79.2%	53.0%
MI-24	North Branch Cedar Creek and Cedar Creek	From Milwaukee River to Myra Creek	73.6%	79.6%
MI-25	Milwaukee River	From Pigeon Creek to Cedar Creek	81.6%	43.2%
MI-26	Pigeon Creek	Entire Length	90.4%	88.5%
MI-27	Milwaukee River	From Lincoln Creek to Pigeon Creek	72.8%	53.9%
MI-28	Beaver Creek	Entire Length	72.8%	88.5%
MI-29	South Branch Creek	Entire Length	71.2%	87.6%
MI-30	Indian Creek	Entire Length	65.6%	76.1%
MI-31	Lincoln Creek	Entire Length	71.2%	85.8%
MI-32	Milwaukee River	From Estuary to Lincoln Creek	58.4%	23.7%

Note: **The TMDL did not assign a percent reduction for these reachsheds because modeling indicated that there is no direct MS4 discharge to this subbasin. If more detailed analysis conducted by the permittee indicates the presence of an MS4 discharge, contact your DNR storm water engineer or specialist for more information on how best to proceed.

Appendix C: MS4 Permittees Subject to the Wisconsin River Basin TMDL or a TMDL Approved After May 1, 2019

C.1 Applicability. In accordance with section 1.5.2.c, this Appendix C applies to permittees subject to a total maximum daily load (TMDL) approved by the United States Environmental Protection Agency (USEPA) that includes the following:

- “Total Maximum Daily Loads for Total Phosphorus in the Wisconsin River Basin,” approved by USEPA April 2019

Note: The Wisconsin River Basin TMDL has two sets of allocations. Table J-4 of Appendix J of the TMDL report lists the allocations and corresponding percent reductions based on current water quality criteria and Table K-4 of Appendix K of the TMDL report lists the allocations and corresponding percent reductions based on recommended site-specific criteria. Both tables provide the percent reductions measured from no-controls and the TMDL baseline. Under this permit term, the allocations listed in Appendix J of the TMDL report apply. If the recommended site-specific criteria are approved by USEPA, the allocations and percent reductions listed in Appendix K of the TMDL report will become applicable. However, permittees may use the allocations from either Appendix J or Appendix K of the TMDL report for planning purposes under sections C.3 and C.4 below.

- A TMDL approved by the USEPA on or after May 1, 2019

Note: If the MS4 area extends into or discharges to other basins with a USEPA approved TMDL, a permittee could be subject to more than one TMDL and thus the requirements under Appendices A and/or B.

C.2 Full TMDL Compliance.

C.2.1 USEPA is allowing the Department to evaluate MS4 compliance with TMDL Wasteload Allocations (WLA) using a percent reduction framework consistent with Wisconsin’s storm water program. For consistency with existing storm water program requirements, TMDL compliance will use the percent reduction measured from the no runoff management controls (no-controls) condition. The percent reduction from no-controls, for each pollutant of concern and reachshed, necessary to meet the TMDL WLAs for the USEPA approved TMDLs are listed in the approved TMDLs. The no-controls modeling condition means taking no (zero) credit for existing storm water control measures that reduce the discharge of pollutants. Existing practices can then be applied and counted toward meeting the TMDL reduction reductions.

C.2.2 TMDLs may assign a percent reduction for one or more reachsheds for each pollutant of concern (i.e., total suspended solids (TSS) and total phosphorus (TP)). Full TMDL compliance is achieved by the permittee provided all of the following conditions are met:

- a. The permittee submits the necessary data and documentation to the Department that demonstrates that the permittee meets the percent reductions stipulated in the USEPA approved TMDL for each reachshed that the MS4 discharges to and for each pollutant of concern.

b. The documentation submitted by the permittee includes the policies, procedures, and regulatory mechanisms that the permittee will employ to ensure that storm water controls and management measures will continue to be operated and maintained so that their pollutant removal efficiency continues to be met.

c. Based upon the data and documentation and any necessary subsequent information requested by the Department, the permittee receives written concurrence from the Department that the permittee has achieved full TMDL compliance.

C.3 Participation in an approved Adaptive Management Plan. In accordance with s. 283.13(7), Wis. Stats., and s. NR 217.18, Wis. Adm. Code, if the permittee has chosen to participate in an Adaptive Management project that has been approved by the Department the permittee shall continue to participate in the implementation of the Adaptive Management project.

Note: Information on adaptive management is available from the Department's Internet site at: <https://dnr.wi.gov/topic/SurfaceWater/AdaptiveManagement.html>

C.4 TMDL Implementation Plan. If the permittee is not participating in a Department approved adaptive management plan as stipulated in section C.3, a permittee with MS4s discharging to TMDL reachsheds shall do all the following to demonstrate progress towards achieving the TMDL reductions stipulated in section C.2.2 and shall submit the following documentation:

C.4.1 Within 36 months of the approval date of the TMDL, an updated storm sewer system map that identifies:

a. The current municipal boundary. For a permittee that is not a city or village, identify the permitted area.

Note: The permitted area for towns, counties and non-traditional MS4s pertains to the area within an urbanized area or the area served by its storm sewer system, such as a university campus.

b. The TMDL reachshed boundaries within the municipal boundary, and the area of each TMDL reachshed in acres within the municipal boundary.

c. The MS4 drainage boundary associated with each TMDL reachshed, and the area in acres of the MS4 drainage boundary associated with each TMDL reachshed.

d. Identification of areas on a map and the acreage of those areas within the municipal boundary that the permittee believes should be excluded from its analysis to show compliance with the TMDL WLA. In addition, the permittee shall provide an explanation of why these areas should not be its responsibility.

Note: An example of an area within a municipal boundary that may not be subject to a TMDL WLA for the permittee is an area that does not drain through the permittee's MS4.

- e. Flow paths of storm water through the storm sewer system.
- f. The location and associated drainage basin of structural BMPs the MS4 uses for TSS and TP treatment.

C.4.2 Within 36 months of the approval date of the TMDL, the permittee shall submit a tabular summary that includes the following for each MS4 drainage boundary associated with each TMDL reachshed as identified under section C.4.1 and for each TMDL WLA:

- a. The permittee's percent reduction needed to comply with its TMDL WLA from the no-controls modeling condition. The no-controls modeling condition means taking no (zero) credit for storm water control measures that reduce the discharge of pollutants.
- b. The modeled annual average pollutant load without any storm water control measures for each subbasin which the MS4 discharges to as previously identified in section C.4.1.
- c. The modeled annual average pollutant load with existing storm water control measures for each subbasin with the MS4 discharges to as previously identified in section C.4.1.
- d. The percent reduction in pollutant load achieved from the no-controls condition and the existing controls condition.
- e. The existing storm water control measures including the type of measure, area treated in acres, the pollutant load reduction efficiency, and documentation of the permittee's authority for long-term maintenance of each practice.
- f. If applicable, the remaining pollutant load reduction for each pollutant of concern and reachshed to meet the TMDL reduction goals.

C.4.3 Within 48 months of the approval date of the TMDL, if the tabular summary required under section C.4.2 shows that the permittee is not achieving the applicable percent reductions needed to comply with its TMDL WLA for each TMDL reachshed, then the permittee shall submit a written TMDL Implementation Plan to the Department that describes how the permittee will make progress toward achieving compliance with the TMDL WLA. The plan shall include the following information:

- a. Recommendations and options for storm water control measures that will be considered to reduce the discharge of each pollutant of concern. At a minimum, the following shall be evaluated: all post-construction BMPs for which the Department has a technical standard, optimizing or retrofitting all existing public and private storm water control practices, regional practices, optimization or improvements to existing BMPs, incorporation of storm water control for all road reconstruction projects, more restrictive post-construction ordinances, updated development and redevelopment standards. Focus should be placed on those areas identified in section C.4.2 without any controls.

b. A proposed schedule for implementation of the alternatives identified under section C.4.3.a. The proposed schedule may extend beyond the expiration date of this permit. The schedule should aim to achieve, to the maximum extent practicable, a level of reduction that achieves at least 20% of the remaining reduction needed beyond baseline to achieve full compliance in TSS and a level of reduction that achieves at least 10% of the remaining reduction needed beyond baseline to achieve full compliance in TP over the next permit term. The reductions can be achieved utilizing an averaged reduction calculated from individual reductions achieved in one or multiple reachsheds and spanning the entire MS4 area impacted by a TMDL.

Note: The reductions stipulated under C.4.3.b are interim compliance targets set as a planning target for the next permit term. Future permit reduction targets may taper off or vary between municipalities based on individual plans as it is expected that municipalities will rely more on reductions obtained through redevelopment. In many some cases, reductions that occur through redevelopment activities as outlined in section C.4.3.d may provide the most economical and practical method toward eventually achieving the reduction goals.

c. A cost effectiveness analysis for implementation of the recommendations and options identified under section C.4.3.a.

Note: The Department has developed the guidance document “TMDL Guidance for MS4 Permits: Planning, Implementation, and Modeling Guidance.” The guidance is available on the Department’s Internet site: https://dnr.wi.gov/topic/stormwater/standards/ms4_modeling.html, and is available to assist a permittee with complying with the requirements of section C.4.

Note: Reductions obtained through a permittee’s participation in a water quality trading project, in accordance with s. 283.84, Wis. Stats., and that has been reviewed and approved by the Department, can be counted toward credit in meeting the requirements stipulated under section C.2.2. Additional information on water quality trading is available from the Department’s Internet site at: <https://dnr.wi.gov/topic/surfacewater/waterqualitytrading.html>

C.5 Annual Reporting. For requirements outlined under sections C.3 and C.4 the permittee shall include a description and the status of progress toward implementing the identified actions and activities in their MS4 annual reports due by March 31 of each year.

Attachment II
X - Mandatory
(X) - Discretionary to Augment
County Activities

SUMMARY OF CORE RESPONSIBILITIES OF COOPERATING MUNICIPALITIES
AND AGENCIES UNDER THE JOINT PERMIT AND ASSOCIATED
STORMWATER MANAGEMENT PROGRAM

LCFM 7/27/21

PROGRAM AREA AND ACTIVITY	COUNTY			MUNICIPALITIES			
	Planning & Zoning	LCFM	Highway	Lake Hallie	Anson	Eagle Point	Lafayette
2.1 Public Education and Outreach		X					
2.1.1 Topics		X		(X)	(X)	(X)	(X)
2.1.2 Delivery Mechanism		X		(X)	(X)	(X)	(X)
2.1.3 Target Audience		X		(X)	(X)	(X)	(X)
2.2 Public Involvement & Participation							
2.2.1 Permit Activities		X		(X)	(X)	(X)	(X)
2.2.2 Delivery Mechanism		X		(X)	(X)	(X)	(X)
2.2.3 Volunteer Activities		X		(X)	(X)	(X)	(X)
2.2.4 Target Participants		X		(X)	(X)	(X)	(X)
2.3 Illicit Discharge Detection & Elimination							
2.3.1 IDDE Ordinance	X						X
2.3.2 IDDE Field Screening		X					
2.3.3 IDDE Source Investigation & Elimination		X					
2.3.4 Remove Known Illicit Discharges From MS4 System	X			X	X	X	X
2.3.5 In Case of Interconnected MS4s, Permitted Shall Notify Appropriate Municipality if Illicit Discharge Originated from Permitt's Permitted Area or has Been Tracked Upstream to Interconnected Point		X		X	X	X	X
2.3.6 Name, Title, & Phone Number of Individuals Responsible for Responding to Reports Included in Response Procedure		X		X	X	X	X
2.4 Construction Site Pollutant Control							
2.4.1 Construction Site Ordinance	X	X					
2.4.2 Erosion & Sediment Control Plan Review		X					
2.4.3 Administrative Procedures		X					
2.4.4 Construction Site Inspections & Enforcement	X	X					
2.5 Post-Construction Storm Water Management							
2.5.1 Post-Construction Storm Water Ordinance	X	X		X	X	X	X
2.5.2 Administrative Procedures		X					
2.5.3 Storm Water Management Plan Review		X					
2.5.4 Long-Term Maintenance, Inspections, & Enforcement	X	X		X	X	X	X
2.6 Pollution Prevention							
2.6.1 Storm Water Management Facilities			X	X	X	X	X
2.6.2 Maintenance Plan			X	X	X	X	X
2.6.3 Municipally Owned Public Works Facilities			X	X	X	X	X
2.6.4 Source Water Protection Areas			X	X	X	X	X
2.6.5 Collection Services/Storm Sewer System Maintenance Activities			X	X	X	X	X
2.6.6 Winter Road Management			X	X	X	X	X
2.6.7 Nutrient Management			X	X	X	X	X
2.6.8 Environmentally Sensitive Development			X	X	X	X	X
2.6.9 Internal Training & Education		X	X	X	X	X	X
2.7 Storm Water Quality Management							
2.7.1 Implement & Maintain all Storm Water Management Practices			X	X	X	X	X
2.8 Storm Sewer System Map							
2.8.1 Identify Waters of the State		X					
2.8.2 Identify Known Wetlands, Endangered, Threatened Resources, & Historical Property		X					
2.8.3 Identify All Known MS4 Outfalls		X					
2.8.4 Location of Any Known MS4 Discharge		X					
2.8.5 Location of Municipally Owned or Operated Structural Storm Water Management Facilities		X					
2.8.6 Identification of Publically Owned Parks, Recreational Areas, & Other Open Lands		X					
2.8.7 Location of Municipal Garages, Storage Areas, & Other Public Works Facilities		X					
2.8.8 Identification of Streets		X					
2.9 Annual Report							
2.9.1 Status of Implementing Permit Requirements		X					
2.9.2 Fiscal Analysis for Reporting Year & Budget for Next Year		X			X	X	X
2.9.3 Summary of Number & Nature of Inspections & Enforcement Actions		X		X	X	X	X
2.9.4 Identification of Any Know Water Quality Improvements or Degradation		X		X	X	X	X
2.9.5 Evaluation of Program Compliance		X		X	X	X	X
2.9.6 Notice that Permittee is Relying on Another Municipality to Satisfy Permit Requirements, if Applicable.		X		X	X	X	X
2.9.7 Representative of Permittee Shall Sign & Certify Annual Report		X		X	X	X	X
2.9.8 Annual Report & Required Reports Submitted Electronically		X					
2.10 Cooperation							
2.10.1 Municipality or Entity Implements Required Control Measure or Permit Requirement	X	X		X	X	X	X
2.10.2 Particular Control Measure is at Least as Stringent as Corresponding Permit Requirements	X	X		X	X	X	X
2.10.3 Other Municipality or Entity Agrees to Implement Control Measure or Permit Requirement on the Permitt's Behalf.	X	X		X	X	X	X
2.11 Amendments		X		X	X	X	X
2.12 Reapplication for Permit Coverage		X		X	X	X	X



STATEMENT OF EXPLANATION

Ordinance No. 03 - 21

ORDINANCE TO REPEAL AND RECREATE ANIMAL WASTE ORDINANCE; ARTICLE IV, DIVISION 3 OF CHAPTER 62 OF THE CHIPPEWA COUNTY CODE OF ORDINANCES - SECOND READING - DAN MASTERPOLE

1 Agricultural operations and the ongoing production of food, fuel, and fiber are essential
2 to the County's economy and to the wellbeing of County residents.

3 Chapter 92, Wis. Stats. assigns local responsibility for soil erosion and agricultural
4 nonpoint source water pollution control to counties, working through County Land
5 Conservation Committees (LCCs), including the authority to adopt technical standards,
6 performance standards, and local ordinances to meet soil and water management objectives.

7 The Chippewa County Land Conservation & Forest Management Committee, serving as
8 the Land Conservation Committee, has completed an extensive planning process, with input
9 from affected stakeholders, and has developed the proposed "Agricultural Performance
10 Standards, Manure Storage and Livestock Facility Management Ordinance" (the "Ordinance") to
11 meet the needs of the public and agricultural sector.

12 This proposed Ordinance has been developed to protect and promote the County's
13 agricultural industry; prevent pollution of surface and groundwater; protect the health, safety,
14 and general welfare of the people and communities within the County; preserve the health of
15 livestock, aquatic life and other animals and plants; advance the appropriate use of land and
16 water conservation resources within the community; and protect the property tax base of the
17 County.

18 This proposed Ordinance codifies the state agricultural performance standards and
19 prohibitions that have been established under ch. NR 151, WI Admin. Code, to clarify for the
20 benefit of the public, rural landowners, and agricultural operators the extent of agricultural
21 management that is expected and required to control agricultural nonpoint source water
22 pollution.

23 This proposed Ordinance will repeal and recreate Article IV, Division 3 of Chapter 62 of
24 the Chippewa County Code of Ordinances, currently referenced as the "Chippewa County
25 Animal Waste and Utilization Ordinance".

26 This proposed Ordinance expands the scope of the existing Chippewa County Animal
27 Waste and Utilization Ordinance to apply to all agricultural land, and to all livestock & cropping

28 operations.

29 This proposed Ordinance codifies state agricultural performance standards and
30 prohibitions, as established in Subchapter II of ch. NR 151, WI Admin. Code, to provide a well-
31 defined and consistent basis for the local regulation and control of agricultural soil erosion and
32 nonpoint source water pollution.

33 This proposed Ordinance codifies state requirements for public cost-share funding and
34 technical assistance, as referenced in s. NR 151.09, WI Admin. Code, to assist agricultural
35 landowners and operations to meet the agricultural performance standards and prohibitions,
36 when required by state law.

37 This proposed Ordinance also codifies the current processes used by the Department of
38 Land Conservation & Forest Management, the WI Department of Agriculture, Trade, and
39 Consumer Protection, and the WI Department of Natural Resources to evaluate and resolve
40 public complaints, and importantly, establishes local enforcement authority to be administered
41 through the Department of Land Conservation & Forest Management and the Office of
42 Corporation Counsel.

43 It is the County's objective to phase in the agricultural performance standards and
44 prohibitions through time, using state and federal grants; as planned livestock expansions occur
45 and as public complaints are received.

46 This proposed Ordinance will be administered by the Dept. of Land Conservation &
47 Forest Management, working within the limits of available resources, as approved by the
48 County Board through the County's annual budget process.

Ordinance No. 03 - 21

**ORDINANCE TO REPEAL AND RECREATE ANIMAL WASTE ORDINANCE; ARTICLE IV, DIVISION 3
OF CHAPTER 62 OF THE CHIPPEWA COUNTY CODE OF ORDINANCES - SECOND READING - DAN
MASTERPOLE**

SEE ATTACHED

FINANCIAL IMPACT:

There is no fiscal impact to Chippewa County by passage of the ordinance to repeal and
recreate Article IV., Division 3 of Chapter 62 of the Chippewa County Code of Ordinances.

09/14/2021 County Board

RESULT: APPROVED [9 TO 2]

MOVER: Harold Steele, District 1

SECONDER: Don Hauser, District 6

AYES: Steele, Schmitt, McMenamin, Hauser, Mickelson, Shipman, Ives, Hull, McGill

NAYS: Dean Gullickson, Glen Sikorski

ABSENT: David Eisenhuth

EXCUSED: Tom Thornton, Charlene Kervina, Annette Hunt

History:

07/21/21 Land Conservation & Forest Management Committee FORWARD TO
COUNTY BOARD

08/10/21 County Board FIRST READING

Approved as to Form:

Todd A. Pauls
Todd A. Pauls, Corporation Counsel

7/6/2021

Lori Zwiefelhofer
Lori Zwiefelhofer, Finance Director

7/6/2021

Randy B. Scholz
Randy B. Scholz, County Administrator

7/6/2021

ORDINANCE TO REPEAL AND RECREATE ARTICLE IV, DIVISION 3 OF CHAPTER 62 OF THE CHIPPEWA COUNTY CODE OF ORDINANCES

1. That Article IV, Division 3 of Chapter 62 of the Chippewa County Code of Ordinances is hereby repealed and is recreated as follows:

DIVISION 3. AGRICULTURAL PERFORMANCE STANDARDS, MANURE STORAGE AND LIVESTOCK FACILITY MANAGEMENT

- Sec. 62-186. General Provisions.
- Sec. 62-187. Definitions.
- Sec. 62-188. Activities Subject to Permitting and to Regulation.
- Sec. 62-189. Dimensional Setbacks and Separation Distances
- Sec. 62-190. Performance Standards and Prohibitions.
- Sec. 62-191. Manure Storage Permits.
- Sec. 62-192. Certificate of Compliance.
- Sec. 62-193. Administration and Enforcement.
- Sec. 62-194. Violations.
- Sec. 62-195. Appeals and Variances.
- Sec. 62-196 to 62-209. Reserved.

DIVISION 3. AGRICULTURAL PERFORMANCE STANDARDS, MANURE STORAGE AND LIVESTOCK FACILITY MANAGEMENT

Sec. 62-186. General Provisions.

- (a) *Authority.* This Ordinance is adopted under authority granted by ss. 59.02, 59.03, 59.70, 92.07, 92.15, and 92.16, Wisconsin Statutes (“Wis. Stats.”), and ss. ATCP 50.40 ATCP 50.56 and NR 151.05, Wisconsin Administrative Code (“Wis. Admin. Code”).
- (b) *Title.* This Ordinance shall be known as, referred to, and may be cited as the Chippewa County Agricultural Performance Standards, Manure Storage and Livestock Facility Ordinance, and is hereinafter known as the Ordinance.
- (c) *Findings and Declaration of Policy.*
 - (1) The Chippewa County Board of Supervisors finds that agricultural operations and the ongoing production of food, fuel, and fiber are essential to the county’s economy and to the well-being of county residents.
 - (2) The Chippewa County Board of Supervisors further finds the regulation of activities identified in this Ordinance will protect and promote the county’s agricultural industry; prevent pollution of surface and groundwater; protect the health, safety, and general welfare of the people and communities within the county; preserve the health of livestock, aquatic life and other animals and plants; advance the appropriate use of land and water conservation resources within the community; and protect the property tax base of the county.

- (3) The Chippewa County Board of Supervisors further finds that the technical standards developed by the USDA Natural Resources Conservation Service (“NRCS”), and performance standards, prohibitions, and conservation practices codified by Wisconsin Department of Agriculture, Trade and Consumer Protection (“DATCP”) and Department of Natural Resources (“DNR”), which are adopted as part of this Ordinance, provide effective, practical, and environmentally protective methods for storage and managing manure.
- (4) The Chippewa County Board of Supervisors further finds that this Ordinance will be implemented to achieve resource management objectives for surface water and groundwater quality and agricultural nonpoint pollution control, as established in the Chippewa County Land and Water Resource Management Plan.
- (5) The Chippewa County Board of Supervisors further finds that the following conditions may threaten the county’s natural and water resources, cause harm to the health, safety, and welfare of people within the county, and adversely impact the property tax base of the county:
 - a. New and substantially altered manure storage facilities that fail to meet performance and technical standards for proper design, construction, and operation.
 - b. Existing manure storage facilities that are not properly functioning and pose unreasonable risks related to structural failure and leakage.
 - c. Existing manure storage facilities that overtop or are operated in a manner that creates an unreasonable risk of discharge to waters of state.
 - d. Existing manure storage facilities where no manure has been added or removed for a period of 24 months, and are not slated for future use.
 - e. Management of manure, including waste transfer, field stacking, and land application that fails to meet performance and technical standards for proper handling and land application of manure.
 - f. Management of livestock facilities and associated agricultural cropland and pasture that fail to meet state agricultural performance standards and prohibitions for agricultural runoff and nonpoint pollution control.
 - g. Management of agricultural cropland and pasture that fail to meet state agricultural performance standards and prohibitions for agricultural runoff and nonpoint pollution control.
- (d) *Purpose.* The purpose of this Ordinance is to: regulate the location, design, construction, installation, alteration, operation, maintenance, closure, and use of manure storage facilities; ensure the proper application of waste and manure from all manure storage facilities; and to prescribe agricultural performance standards and prohibitions for agricultural facilities, operations, and practices to control soil erosion, agricultural runoff, and nonpoint pollution from those operations.

This Ordinance codifies the agricultural performance standards and prohibitions that have been established under s. NR 151, Wis. Admin. Code to clarify for the benefit of the public, rural landowners, and agricultural operators the extent of agricultural management that is expected and required to control agricultural nonpoint source water pollution.

This Ordinance establishes site evaluation, cost-share, and operational reporting requirements to ensure that prescribed state agricultural performance standards are properly communicated and, if applicable, are met and maintained. This Ordinance is also intended to provide for its administration and enforcement, and to provide penalties for its violation.

- (e) *Applicability.* The permit and other requirements in this Ordinance apply to all land within the unincorporated areas of Chippewa County, unless an intergovernmental agreement is established with the governmental entity of an incorporated municipality.
- (f) *Interpretation.* In its interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of Chippewa County and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes (Stats.). This Ordinance shall be interpreted to be consistent with ch. 92 and s. 281.16, Wis. Stats. and chs. ATCP 50 and NR 151, Wis. Admin. Code.
- (g) *Abrogation, Greater Restrictions, Severability, and Repeal Clause.*
 - (1) *Abrogation and Greater Restrictions.* This Ordinance is not intended to repeal, annul, abrogate, impair, or interfere with any existing covenants, deed restrictions, agreements, ordinances, rules, regulations, or permits previously adopted or issued pursuant to law.
 - (2) *Severability.* Each section, paragraph, sentence, clause, word, and provision of this Ordinance is severable if any portion shall be deemed unconstitutional or invalid for any reason, and such decision shall not affect the remainder of the Ordinance nor any part thereof other than the portion affected by such decision.
 - (3) *Repeal.* All other ordinances or parts of ordinances of Chippewa County that are inconsistent or conflicting with this Ordinance to the extent of the inconsistency only, are hereby repealed, specifically including the Chippewa County Animal Waste Storage and Utilization Ordinance.
- (h) *Effective Date.* This Ordinance shall become effective upon its adoption by the Chippewa County Board of Supervisors, and publication.

Sec. 62-187. Definitions.

For the purpose of administering and enforcing this Ordinance, certain technical terms referenced, if not included in this section, are those defined in chs. 92 and 281, Wis. Stats., and chs. ATCP 50, NR 151, and NR 243, Wis. Admin. Code.

- (a) “Agricultural Performance Standards and Prohibitions” means those performance standards and prohibitions identified in Subchapter II of ch. NR 151, Wis. Admin. Code.

- (b) *"Applicant"* means any person who applies for a permit under this Ordinance.
- (c) *"Committee"* means the Land Conservation and Forest Management Committee, acting as the Land Conservation Committee, as the committee designated by the Chippewa County Board of Supervisors pursuant to s. 92.06, Wis. Stats.
- (d) *"Department"* means the Chippewa County Department of Land Conservation & Forest Management. The Department shall have full authority for carrying out the duties under this Ordinance, as delegated by the Committee and County Board under s. 92.09, Wis. Stats.
- (e) *"Director"* means the Director of the Chippewa County Department of Land Conservation & Forest Management.
- (f) *"DATCP"* means the Wisconsin Department of Agriculture, Trade and Consumer Protection.
- (g) *"DNR"* means the Wisconsin Department of Natural Resources.
- (h) *"Direct Runoff"* has the meaning in s. NR 151.015(7), Wis. Admin. Code. The criteria in s. NR 151.055(3), Wis. Admin. Code, will be used to predict or determine if a discharge is significant.
- (i) *"Earthen Manure Storage Facility"* means a facility constructed of earth dikes, pits, or ponds used for temporary storage of manure and other allowed uses.
- (j) *"Livestock Facility"* means a feedlot, dairy farm or other operation where livestock are or will be fed, confined, maintained or stabled for a total of 45 days or more in any 12 month period. A "livestock facility" includes all of the tax parcels of land on which the facility is located, but does not include a pasture or winter grazing area. Related livestock facilities are collectively treated as a single "livestock facility" for purposes of this chapter, except that an operator may elect to treat a separate species facility as a separate "livestock facility".
- (k) *"Manure"* means livestock excreta and the following when intermingled with excreta in normal farming operations: debris, including bedding, water, soil, hair, and feathers; processing derivatives, including separated sand, separated manure solids, precipitated manure sludges, supernatants, digested liquids, composted bio solids, and process water; and runoff collected from barnyards, animal lots, and feed storage areas.
- (l) *"Manure Storage Facility"* means one or more impoundments made by constructing an embankment, excavating a pit or dugout, or fabricating a structure specifically for the purpose of temporarily storing manure and related wastes. A facility includes stationary equipment and piping used to load or unload a manure storage structure if the equipment is specifically designed for that purpose and is an integral part of the facility, and specifically includes components to transfer waste from milking centers, runoff from barnyards, and leachate and contaminated runoff from feed storage.
- (m) *"Natural Resources Conservation Service (NRCS)"* is an agency of the United States Department of Agriculture which, for purposes of this Ordinance, develops and maintains a technical guide with conservation practice standards and specifications, engineering manuals and handbooks, and other technical documentation related to manure storage facilities, nutrient management plans, and other technical matters covered by this Ordinance.

- (n) *"NRCS Technical Guide"* means the document, including technical notes and appendixes for the State of Wisconsin, provided by NRCS which contains technical data, including the standards referenced within this Ordinance to properly and safely locate, construct, install, alter, design, operate, and maintain a manure storage facility, as adopted by Chippewa County in accordance with Chapter 92, Wis. Stats.
- (o) *"Nutrient Management Plan"* means any of the following:
 - (1) A plan required under s. ATCP 50.04(3) or 50.62(5) (f).
 - (2) A farm nutrient plan prepared or approved for a landowner, by a qualified nutrient management planner.

Note: A nutrient management plan must comply with s. ATCP 50.04(3)
- (p) *"Overflow"* has the meaning given in s. NR 151.015(15e), Wis. Admin. Code.
- (q) *"Permit"* means the signed, written statement issued under this Ordinance authorizing the applicant to construct, install, reconstruct, extend, enlarge, substantially alter, or close a manure storage facility, and to use or dispose of waste from the manure storage facility.
- (r) *"Permittee"* means any person to whom a permit is issued under this Ordinance.
- (s) *"Person"* means any individual, corporation, limited liability company, partnership, joint venture, agency, unincorporated association, municipal corporation, county, or state agency within Wisconsin, the federal government, or any combination thereof.
- (t) *"Public Complaint"* means a verified complaint of concern that is received by Chippewa County, DATCP, or DNR that is used to determine whether there is a nonpoint water pollution discharge that results in a significant impact to waters of the state, as determined in accordance with ch. NR 243, Wis. Admin. Code, or whether the operation meets Wisconsin Agricultural Performance Standards and Prohibitions, as established under chs. NR 151 and ATCP 50, Wis. Admin. Code.
- (u) *"Safety Devices"* means devices which are designed to protect humans and livestock from the hazards associated with a manure storage facility.
- (v) *"Significant Discharge"* means a discharge of process wastewater that is determined as "significant" in accordance with the criteria in s. NR 151.055(3), Wis. Admin. Code.
- (w) *"Site that is susceptible to groundwater contamination"* has the meaning under s. NR 151.015(18), Wis. Admin. Code.
- (x) *"Stop Work Order"* means an order to cease any activity in the operation of, or construction of, an activity subject to regulation.
- (y) *"Substantially altered"* has the meaning in s. NR 151.015(20), Wis. Admin. Code.

- (z) *“Technical Standard 313”* is a practice standard within the Technical Guide that covers the proper location, design, construction, installation, alteration, operation, and maintenance of a manure storage facility.
- (aa) *“Technical Standard 360”* is a practice standard within the Technical Guide that covers decommissioning of facilities and/or the rehabilitation of contaminated soil in an environmentally safe manner where agricultural waste has been handled, treated, and/or stored and is no longer used for the intended purpose.
- (bb) *“Technical Standard 634”* is a practice standard within the Technical Guide that covers the design, material types and quality, and installation of components such as conduits, pumps, valves, and other structures or devices to transfer manure and waste from buildings and yards and other sources to storage, loading areas, crop fields and other destinations. The standard establishes the minimum acceptable requirements for design, construction, and operation of waste transfer systems.
- (cc) *“Technical Standard 590”* is a practice standard within the Technical Guide that covers managing the amount, form, placement, and timing of plant nutrients associated with organic wastes (manure and organic by-products), commercial fertilizers, legume crops and crop residues.
- (dd) *“Waste Transfer System”* means components such as pumps, pipes, conduits, valves, and other mechanisms installed to convey manure, leachate and contaminated runoff, and milking center wastes from livestock structures to a storage structure loading area or treatment area.
- (ee) *“Unpermitted Manure Storage Facility”* means a manure storage facility constructed, modified, or placed in use without first obtaining permit, including facilities constructed before (the first date of the adoption of this Ordinance), and may include an earthen structure or impoundment made of a concrete liner which fully or partially covers the bottom and/or the sidewalls of the impoundment.
- (ff) *“Water Pollution”* means contaminating or rendering unclean or impure the ground or surface waters of the state, or making the same injurious to public health, harmful for commercial or recreational use, or deleterious to fish, bird, animal, or plant life.
- (gg) *“Water Quality Management Area”* or *“WQMA”* has the meaning in s. NR 151.015(24), Wis. Admin. Code.
- (hh) *“Waters of the State”* is the meaning specified under s. 281.01(18), Wis. Stats.

Sec. 62-188. Activities Subject to Permitting and to Regulation.

- (a) *Manure Storage Facilities.* Any person who constructs, substantially alters, changes use of or closes a manure storage facility and related transfer systems, or who employs another person to do the same is subject to the performance standards and prohibitions in Sec. 62-190 and shall be subject to the permit requirements of this Ordinance in Sec. 62-191 .
- (b) *Performance Standards and Prohibitions.* Any person who owns or operates cropland or livestock facilities in this county is subject to the performance standards and prohibitions in Sec.

62-190. This Ordinance incorporates by reference the definitions in chs. ATP 50 and NR 151, Wisconsin Admin. Code, to the extent that they are not explicitly referenced herein.

- (c) *Safety Devices.* All manure storage facilities shall be equipped with safety devices, including fences and warning signs intended to protect humans and livestock from the hazards associated with such facilities. Safety devices shall be designed and installed as required by the NRCS Technical Guide.

Sec. 62-189. Dimensional Setbacks and Separation Distances

This ordinance incorporates the existing dimensional setbacks and environmental separation distances referenced in the NRCS Technical Guide, and those established in chs. ATP 50, NR 151, and NR 243, Wis. Admin. Code.

Sec. 62-190. Performance Standards and Prohibitions.

- (a) *Purpose.* The purpose of this section is to identify the agricultural performance standards and prohibitions that apply to cropland owners and operators, and to livestock facility owners and operators after the effective date of the Ordinance, whether or not the owners or operators have received a permit under this Ordinance. This section outlines the procedures the Department will follow in implementing and enforcing these standards and prohibitions consistent with state requirements, and the circumstances under which an owner or operator of a livestock facility is required to comply with these standards and prohibitions.
- (b) *Activities Subject to Agricultural Performance Standards and Prohibitions.*
 - (1) *Livestock Manure Storage.* All owners and operators of livestock facilities shall manage livestock facilities and operations, and store manure in accordance with State agricultural performance standards and prohibitions and Secs. 62-190 sub (c) and (d), whether or not a permit has been issued under Sec. 62-191.
 - (2) *Cropland and Pastures.* All owners and operators of cropland and pastures shall manage cropland and pastures in accordance with State agricultural performance standards and prohibitions, and Sec. 62-190, whether or not a permit has been issued.
- (c) *Manure Storage Facilities Performance Standards.* (see ss. NR 151.05 and NR 151.08, Wis. Admin. Code)
 - (1) Manure storage facilities constructed or substantially altered after October 1, 2002, shall be designed, constructed, and maintained to minimize the risk of structural failure of the facility and minimize leakage from the facility.
 - a. Storage facilities that are constructed or significantly altered shall be designed and operated to contain the additional volume of runoff and direct precipitation entering the facility as a result of a twenty-five (25)-year, twenty-four (24)-hour storm.

- b. A manure storage facility located in permeable soils or over fractured bedrock must be constructed with a liner designed in accordance with NRCS Technical Guide.
- (2) Closure of a manure storage facility shall occur when the farm where the storage facility is located ceases operation, or manure has not been added or removed from the storage facility for a period of twenty-four (24) months. Manure storage facilities shall be closed in a manner that prevents future contamination of groundwater and surface waters, and shall conform to the permit and other requirements in this Ordinance.
- (3) The owner or operator may avoid closure of a manure storage facility as required under subsection (c)(2) by demonstrating to the Department that all of the following conditions are met:
 - a. The facility is designed, constructed, and maintained in accordance with subsection (c)(1).
 - b. The facility is designed to store manure for a period of time longer than twenty-four (24) months.
 - c. Retention of the facility is warranted based on anticipated future use.
- (4) Manure storage facilities that pose an imminent threat to public health, fish and aquatic life, or groundwater shall be upgraded, replaced, or closed in accordance with this Ordinance.
- (5) Manure storage facilities constructed or substantially altered after October 1, 2002, may be required to comply with Sec. 62-190 without cost-sharing.
- (6) Levels of materials in manure storage facilities may not exceed the margin of safety level as defined in s. NR 151.015(13g), Wis. Admin. Code.
- (7) No livestock facility in the county shall have:
 - a. Overflow of manure from storage facilities.
 - b. Direct runoff from stored manure into the waters of the state.
- (8) All owners and operators of manure storage facilities shall apply manure and nutrients to cropland according to a nutrient management plan prepared in compliance with ATPC 50.04(3), Wis. Admin. Code.
- (d) *Livestock Management Performance Standards.*
 - (1) All pastures shall be managed to achieve a soil erosion rate equal to, or less than, the "tolerable" (T) rate established for that soil (s. NR 151.02, Wis. Admin. Code).
 - (2) All owners and operators of pastures shall have and follow a nutrient management plan prepared in accordance with s. ATPC 50.04(3), Wis. Admin. Code if the pastures are

stocked at an average stocking rate of more than one animal unit per acre at all times during the grazing season, or if the pasture receives mechanical applications of nutrients (s. NR 151.07, Wis. Admin. Code).

- (3) Each pasture and winter grazing area covered by a nutrient management plan shall have a phosphorus index average of six (6) or less over the accounting period and may not exceed a phosphorus index of twelve (12) in any individual year within the accounting period (s. NR 151.04, Wis. Admin. Code).
- (4) Livestock facilities may have no significant discharge of process wastewater to waters of the state (s. NR 151.055, Wis. Admin. Code).
- (5) Livestock facilities shall divert runoff away from contacting feedlot, manure storage areas and barnyard areas within WQMAs, except that a diversion to protect a private well under NR 151.015(18)(a), Wis. Admin. Code is required only when the feedlot, manure storage area, or barnyard area is located upslope from the private well (s. NR 151.06, Wis. Admin. Code).
- (6) No livestock facility shall:
 - a. Have an unconfined manure pile in a WQMA.
 - b. Have direct runoff from a feedlot into the waters of the state.
 - c. Allow unlimited access by livestock to waters of the state in a location where high concentrations of animals prevent the maintenance of adequate sod or self-sustaining vegetative cover. This prohibition does not apply to properly designed, installed, and maintained livestock or farm equipment crossings. (s. NR 151.08, Wis. Admin. Code)

(e) *Cropland Performance Standards.*

- (1) All land where crops or feed are grown shall be managed to achieve a soil erosion rate equal to, or less than, the "tolerable" (T) rate established for that soil (s. NR 151.02, Wis. Admin. Code).
- (2) No crop producer may conduct a tillage operation that negatively impacts stream bank integrity or deposits soil directly in surface waters (s. NR 151.03, Wis. Admin. Code).
- (3) No tillage operations may be conducted within five (5) to twenty (20) feet of a surface water, as specified in accordance with ss. NR 151.03 and ATCP 50.04(4), Wis. Admin. Code.
- (4) Croplands and winter grazing areas shall average a phosphorus index of six (6) or less over the accounting period and may not exceed a phosphorus index of twelve (12) in any individual year within the accounting period (s. NR 151.04, Wis. Admin. Code).
- (5) All owners and operators of cropland shall apply nutrients according to a nutrient management plan prepared in accordance with s. ATCP 50.04(3), Wis. Admin. Code.

(f) *Implementation and Enforcement Procedures for Performance Standards and Prohibitions.*

- (1) *Procedures.* To implement and enforce the performance standards and prohibitions defined in Sec. 62-187, and referenced in Sec. 62-190, the Department shall do all of the following:

- a. Provide voluntary cost-sharing to secure compliance, when required.
- b. Follow the procedures in s. NR 151.09, Wis. Admin. Code to implement and enforce the performance standards for cropland in Sec. 62-190(e) and the pastures standards in Sec. 62-190(d), and the procedures in s. NR 151.095, Wis. Admin. Code, to implement and enforce the performance standards for livestock operations in Sec. 62-190(d).
- c. Pursue any other action or remedies authorized under Secs. 62-193, 62-194, and 62-195 of this Ordinance.

- (2) *Farm Evaluation.* Farm evaluations shall be scheduled with persons subject to regulation under Sec. 62-188 and with those subject to public complaint.

Farm evaluations will be conducted by the Department using standardized protocols, with opportunity for participation by the landowner and operator.

Evaluations will be conducted to:

- a. Inform the landowner and operator of the performance standards and prohibitions, and to document the extent of current compliance with ss. NR 151.09 and NR 151.095, Wis. Admin. Code.
- b. In circumstances where there is a spill, runoff event, or direct discharge, document the occurrence as necessary, to evaluate potential impacts on waters of the state and to determine possible regulatory response and enforcement under s. NR 243, Wis. Admin. Code and Sec. 62-193 and Sec. 62-194.

- (3) *Cost-Sharing Required.* Pursuant to chs. ATPC 50 and NR 151, Wis. Admin. Code, the Department shall determine if a landowner of existing cropland or livestock facilities must be made a bona fide offer of cost-sharing to achieve compliance with a performance standard or prohibitions. The Department shall do all of the following, notifying the landowner regarding its determinations:

- a. Identify the specific areas in which the landowner or operator has failed to comply with the performance standards and prohibitions, and the corrective actions the landowner or operator must pursue to achieve compliance.
- b. Determine whether farmland that is out of compliance is “existing cropland” or an “existing livestock facility”. If cropland or a livestock facility has been determined to be in compliance with a performance standard or prohibition, it no longer qualifies as an “existing” cropland or facility for cost-share purposes

under that performance standard. If the cropland or facility later falls out of compliance with the performance standard, the landowner must restore compliance regardless of the availability of cost-sharing.

- c. Determine whether cost-sharing is available following the requirements of s. NR 151.09(4)(d) or NR 151.09(5)(d), Wis. Admin. Code, when funding is provided under s. 281.65, Wis. Stats., and use ch. ATCP 50, Wis. Admin. Code, to determine whether cost-sharing is available when funds are from any other source.

Sec. 62-191. Manure Storage Permits.

(a) *Permit Required.*

- (1) No person may do any of the following without obtaining a permit in accordance with this section:
 - a. Construct a new manure storage facility or substantially alter an existing manure storage facility, including the construction or substantial alteration of waste transfer systems connected to a manure storage facility.
 - b. Upgrade, repair, or replace a manure storage facility that has been identified as posing an imminent threat to public health, fish and aquatic life, or groundwater under Sec. 62-187.
 - c. Close an existing manure storage facility, including conversion of its use, regardless of whether the facility must be closed in accordance with Sec. 62-190.
 - d. Change the use of the manure storage facility to store industrial, food processing, septage, or other wastes.
 - e. Operate an existing manure storage facility, permitted through this Ordinance, without a certificate of compliance issued under Sec. 62-192.
- (2) For the purposes of this section, a manure storage facility is subject to the permit requirements if:
 - a. It is intended to hold an accumulation of manure within an impoundment or enclosure that is excavated or fabricated.
 - b. It is an enclosed area for holding manure within or below a feedlot or structure for confinement of livestock.
- (3) Requirements of this Ordinance shall be in addition to any other legal requirements regulating animal waste. Specific exemptions to cost-share requirements apply to the issuance of permits. See ss. NR 151.095(5)(b)2. and ATCP 50.54(2)(b), Wis. Admin. Code. In the case of conflict, the most stringent provisions shall apply.

- (4) A person shall be deemed to be in compliance with this section if he or she follows the application and other procedures specified in this section, receives a permit and approval from the Department before beginning activities subject to regulation under this section, complies with the requirements of the permit, and receives any required approvals or certifications from the Department. The Department may establish a timetable for the applicant to complete required activities to ensure compliance with requirements of this Ordinance.
- (b) *Exemption to Permit Requirement.* A permit is not required for:
- (1) Routine maintenance of a manure storage facility.
 - (2) Emergency equipment repairs of a manure storage facility, if the following conditions are met:
 - a. All emergency repairs on a manure storage facility or waste transfer system which cause any disruption of the original construction of the manure storage facility shall be done so as to restore the manure storage facility to the original state, as determined by the performance standards set forth in Sec. 62-190.
 - b. Such repairs shall be reported to the Department, by the landowner, within one (1) working day of the emergency for the Department to determine whether a permit will be required for any additional alteration or repair to the manure storage facility, which shall be rendered by the Department within three (3) working days of reporting.
- (c) *Fee.* All fees under this Ordinance are established pursuant to a Fee Schedule duly adopted by the County Board/Committee & County Board throughout the County budget process. Copies of the current fee schedule are kept on file at the Department or are available from the County website at www.co.chippewa.wi.us. Permit fees shall be payable at the time of submission of a permit application. Separate fees may apply for engineering assistance provided by the Department to design a manure storage facility.
- (d) *Manure Storage Facility Construction Plan and Nutrient Management Plan Required.* Each application for a permit under Sec. 62-191 shall be on a form provided by the Department and include plans for the manure storage facility (including waste transfer system) and the management of manure prepared in accordance with following requirements:
- (1) A narrative of the general criteria required within Technical Standard 313, and of other applicable Technical Standards including management and site assessments. The narrative should include, but is not limited to:
 - a. The number and type of animals for which manure storage is provided, the duration for which housing or manure storage is to be provided, daily gallons and/or cubic feet of waste and manure produced, bedding type, and manure handling practices.
 - b. For manure storage, a description and construction plan of the method of transferring manure into and from the manure storage facility.

- c. For manure storage, soil test pit or boring logs and their locations with soil descriptions and test results, prepared following a soils site investigation conducted by the Department. Soil test pit or boring criteria shall follow Technical Standards 313V.A.2.b. and characterize the subsurface (soils, saturation, and bedrocks). This includes the elevation of redoximorphic features (mottling), gleyed soil and moisture condition.
- (2) A general location map drawing of the livestock facility site which shall include:
 - a. The location of structures in relation to buildings, homes, property lines, roads, wells, karst features, public or private drainage ditches and creeks, flowages, rivers, streams, lakes, or wetlands within one thousand (1000) feet of the proposed facility or system.
 - b. The location of any wells within two hundred fifty (250) feet of the facility.
 - c. The scale of the drawing and the north arrow with the date the general location map was prepared.
 - d. The location of any floodplains.
- (3) An engineering design drawing of the manure storage facility or waste transfer system, which shall include:
 - a. Specific design components that shall comply with Technical Standards 313, 634, and any additional applicable Technical Standards.
 - b. A recoverable benchmark(s), including elevation(s) expressed in feet and tenths.
 - c. The scale of the drawings and the north arrow. The engineering design drawing shall be drawn to a scale no smaller than one (1) inch equals one hundred (100) feet.
 - d. The date the engineering design drawings were prepared.
 - e. The engineering stamp of a licensed professional engineer.
- (4) The structural details, including but not limited to dimensions, cross-sections, concrete thickness, concrete joint design and placement, design loads, design computations, reinforcement schedules, thickness and placement of groundwater protection liners, and all material specifications. Provisions for adequate drainage and control of runoff to prevent pollution of surface water and groundwater.
- (5) A construction site erosion control plan.
- (6) Estimated start of construction and construction schedule.

- (7) A safety plan that identifies hazards to animals and people in the production area, and design features to minimize those hazards.
 - (8) An operation and maintenance plan for installed practices.
 - (9) A nutrient management plan prepared in compliance with the requirements of this Ordinance.
 - (10) Other additional information requested by the Department to comply with this Ordinance.
- (e) *Manure Storage Closure Plan Required.* Each application for a closure permit under Sec. 62-191 shall be on a form provided by the Department and include a closure plan. The closure plan shall include:
- (1) A general location map drawing of the manure storage facility, which shall include:
 - a. The location of the manure storage facility in relation to buildings, homes, property lines, roads, wells, karst features, public or private drainage ditches and creeks, flowages, rivers, streams, lakes, or wetlands within one thousand (1000) feet of the existing manure storage facility.
 - b. The scale of the drawing and the north arrow.
 - c. The date the general location map was prepared.
 - (2) A description of the method and specifications in transferring manure into and from the manure storage facility to ensure proper closure of manure transfer systems.
 - (3) Provisions to remove or permanently plug the manure transfer system serving the manure storage facility.
 - (4) Provisions to remove and properly dispose of all accumulated manure in the manure facility in compliance with applicable standards contained in the NRCS Technical Guide.
 - (5) Provisions and references to assure compliance with applicable standards contained in the NRCS Technical Guide.
 - (6) Provisions to implement safety measures to ensure the protection of the public from hazardous conditions.
 - (7) For proposals to convert the manure storage facility to an alternative use, including the storage of other water materials, a detailed description of the intended alternative use, including a site specific engineering analysis that demonstrates to the Department provides an assurance that the conversion will not result in a degradation of ground and/or surface waters or be a threat to public health, safety, or general welfare.
 - (8) Any other additional information required by the County to protect water quality and achieve compliance with the requirements of this Ordinance.

(f) *Permit Provisions.*

- (1) *Manure Storage Construction.* Permit applications under this Sec. 62-191 shall provide sufficient documentation to demonstrate that a new or substantially altered storage facility:
 - a. Is designed in accordance with the following technical standards:
 1. Technical Standard 313.
 2. Technical Standard 634.
 - b. Meets the performance standards in Sec. 62-190(c).
- (2) *Manure Storage Closure.* Permit applications under Sec. 62-190(e) shall provide sufficient documentation to demonstrate that the plan for manure storage facility closure meets Technical Standard 360.
- (3) *Manure and Nutrient Management.* Nutrient management plans submitted under Secs. 62-190(d) and (e), if needed, shall comply with Technical Standard 590, and ss. ATCP 50.04(3) and NR 151.07, Wis. Admin. Code.
- (4) *Other Standards.* Other technical guides such as AWMFH or EFH may be used to evaluate compliance with the requirements of this Ordinance.
- (5) *Incorporation of Standards and Specifications.* All standards and specifications are incorporated by reference and made part of this Ordinance. Any future amendment, revision, or modification of the standards or specifications incorporated herein are made a part of this Ordinance, unless the Committee specifically acts to adopt a different version. Copies of all applicable standards and specifications may be obtained from the permitting authority or on the county's website at www.co.chippewa.wi.us.
- (6) *Certification.* All permit applications must include a certification provided by a qualified person that designs and plans meet the technical standards and specifications in this subsection.
- (7) *Variances.* Variances from these standards and specifications can only be granted in accordance with Sec. 62-195 of this Ordinance.

- (g) *Review of Application.* The Department shall receive and review all permit applications and shall determine if the proposed facility meets required standards set forth in this Ordinance. Within forty-five (45) calendar days after receiving the completed application and fee, the Department shall inform the applicant in writing whether the permit application is approved or disapproved. If additional information is required, the Department shall so notify the permit applicant. The Department shall have thirty (30) calendar days from the receipt of the additional information in which to approve or disapprove the application. No construction may commence without the final approval form issued by the Department.

- (h) *Permit Approval Conditions.* All permits issued under this Ordinance shall be issued subject to the following conditions and requirements.
- (1) Facility and system design, construction, and closure shall be carried out in accordance with the approved plans and applicable standards.
 - (2) Permittees must obtain all required permits and authorization before commencing construction activities.

Note: DNR and other permits may be needed for construction site erosion control and stormwater management, floodplain and shoreland construction, and livestock facilities with 1,000 or more animal units.
 - (3) The permittee shall provide five (5) working days written notice to the Department before starting any construction activity authorized by the permit.
 - (4) Approval in writing must be obtained from the Department prior to making any changes or modifications to the approved plans and specifications.
 - (5) Following completion of construction and prior to use, an agricultural or civil engineer registered in the State of Wisconsin, or DATCP or NRCS or Department engineering practitioner and the permittee and, if applicable, the contractor, shall certify in writing on forms provided by the Department that all facilities and systems were installed as planned, including as-built dimensions and changes or modifications as authorized per Sec. 62-191(h)(4) made during construction.
 - (6) The Department shall provide onsite inspection and final approval for all construction projects conducted under a permit issued under this Ordinance. To receive final approval, a manure storage facility must be fully constructed as designed, including the marking of the maximum operating level and implementation of all safety devices.
 - (7) No permitted manure storage facility may receive manure until the Department provides its final approval. No manure may be emptied from a permitted manure storage facility until the Department approves the nutrient management plan submitted by the applicant.
- (i) *Permit Implementation.* All planning and construction-related activities authorized by a permit shall be completed within two (2) years from the date of issuance after which time such permit shall be voided, unless otherwise extended by the Department.
- (j) *Permit Term and Duration.* Permits issued under this Ordinance shall extend for a period of twenty-five (25) years, and shall be subject to review and renewal under Sec. 62-191 at the end of the permit term.
- (k) *Permit Revocation.* In addition to any other actions authorized under this Ordinance, the Department may revoke any permit issued under this Ordinance if the holder of the permit has misrepresented any material fact in the permit application, plan, or specification, or if the holder

of the permit violates any of the conditions of the permit. The decision of the Department may be appealed to the Board of Adjustment pursuant to Sec. 62-195(a).

Sec. 62-192. Certificate of Compliance.

- (a) *Certificate of Compliance Purpose.* The purpose of a certificate of compliance is to monitor and regulate the management of manure and nutrients from agricultural operations and to assure the adequacy of related nutrient management practices.
- (b) *Certificate of Compliance Requirement.* No person may operate or use a manure storage facility permitted under Sec. 62-191 unless the person has a valid certificate of compliance for the permitted manure storage facility that is being operated or used.
- (c) *Issuance to Permitted Manure Storage Facility Owners.* The Department may issue a certificate of compliance upon the operator's compliance with performance standards and prohibitions in Sec. 62-190. The certificate of compliance shall remain in effect for as long as the manure storage facility owner or operator does all of the following:
 - (1) Updates and follows an annual nutrient management plan that complies with requirements in this Ordinance, and covers all manure that is land applied from the manure storage facility for which the certificate of compliance is issued.
 - (2) Provides a nutrient management plan checklist annually to the Department by a date specified by the Department, to document compliance with requirements of this Ordinance. The Department may require the manure storage facility owner or operator to submit the documentation to substantiate the planner's answer to one or more questions on the nutrient management checklist. The Department may take appropriate action authorized by this Ordinance if the submitted documentation does not reasonably substantiate a checklist answer.
 - (3) Properly operates the manure storage facility in accordance with performance standards and prohibitions in Sec. 62-190(c) and consistent with the recommended operating methods as defined by the NRCS Technical Guide.
 - (4) Properly maintains the manure storage facility free from visible and serious damage, erosion, or deformities that would impair the manure storage facility's safety or function as determined by the NRCS Technical Guide.
 - (5) Properly maintains the safety devices for a manure storage facility.
 - (6) Provides the Department proof of compliance with the requirements in Sec. 62-190(c) by participating in a periodic reporting and self-certification process administered by the Department, and submitting to periodic inspections of the manure storage facility upon advance notice from the Department.
 - (7) Develops and implements a plan for closure of the manure storage facility when the operator ceases use of the manure storage facility or closure is required based on conditions specified in this Ordinance.

- (8) Provides notice to the Department and any would-be buyers at the time of real estate transfer for parcels subject to the certificate of use.

(d) *Issuance to Cropland Owners*

The Department may issue a certificate of compliance upon the cropland owner's compliance with agricultural performance standards and prohibitions in Sec. 62-190(e). The certificate shall remain in effect for as long as the cropland owner or operator does the following:

- (1) Updates and follows an annual nutrient management plan that complies with requirements in this Ordinance, and covers all manure land applied from the manure storage facility for which the certificate of compliance is issued.
- (2) Provides a nutrient management plan checklist annually to the Department by a specified date to document compliance with Ordinance requirements. The Department may require the cropland owner or operator to submit the documentation to substantiate the answer of a nutrient management planner who is qualified under ATP 50.48, Wis. Admin. Code, to address one or more questions on the nutrient management checklist. The Department may take appropriate action authorized by this Ordinance if the submitted documentation does not reasonably substantiate a checklist answer.
- (3) Properly operates the cropland and pasture land in accordance with performance standards and prohibitions in Sec. 62-190(d) and (e).

- (e) *Certificate of Compliance Revocation.* In addition to any other actions specified under this Ordinance, the Department may revoke a certificate of use if there is a misrepresentation of any material fact in the documents submitted in connection with the certificate of compliance, a misrepresentation of any material fact in the management plan, a failure to submit required documentation or allow inspection, a condition that immediately threatens public health and safety, or for multiple or repeat violations of this Ordinance. The landowner will be immediately provided written notice of the revocation and the reasons for the revocation. No manure be added to or removed from a manure storage facility for which the certificate of compliance has been revoked.

Sec. 62-193. Administration and Enforcement.

- (a) *Delegation of Authority.* The Chippewa County Board of Supervisors hereby designates the Department to administer and enforce this Ordinance.
- (b) *Administrative Duties.* In the administration and enforcement of this Ordinance, the Director or the Director's designated representative shall:
 - (1) Keep an accurate record of all permit applications, animal waste facility plans, nutrient management plans, permits issued, inspections made, and other official actions.
 - (2) Review permit applications and issue permits in accordance with Sec. 62-191 of this Ordinance.

- (3) Conduct, or cause to conduct, reviews of the nutrient management plans and their implementations.
 - (4) Conduct or cause to conduct, reviews of the nutrient management plans and their implementation.
 - (5) Implement the performance standards and prohibitions in accordance with Sec. 62-190 of this Ordinance.
 - (6) Review certificate applications and issue and record certificates of compliance in accordance with Sec. 62-192 of this Ordinance.
 - (7) Investigate complaints relating to compliance with the requirements of this Ordinance and act upon the findings in accordance with provisions of this Ordinance.
 - (8) Perform other duties as specified in this Ordinance.
- (c) *Inspection Authority.* The Director or the Director's designated representative is authorized to enter upon any lands affected by this Ordinance to inspect the land, and request records to determine compliance with this Ordinance, including inspection of sites prior to or after the issuance of a permit or certificate of compliance, and sites with unpermitted manure storage facilities. If permission cannot be received from the applicant or permittee, entry by the Director or the Director's designated representative may proceed in accordance with Sec. 66.0119, Wis. Stats. Refusal to grant permission to enter lands affected by this Ordinance for purposes of inspection shall be grounds for permit denial or revocation. The Department may take any action authorized by this Ordinance to enforce this right of inspection.
- (d) *Enforcement Authority.* In addition to the authority to revoke permits and certificates of compliance specified in this Ordinance, the Director or the Director's designated representative is authorized to issue Stop Work Orders. The Director or the Director's designated representative is authorized to post an order stopping work upon land that has had a permit or certificate of compliance revoked or on land currently undergoing activity in violation of this Ordinance. Notice is given by both posting upon the land where the violation occurs one or more copies of the order stating the violation, and by mailing a copy of the order by certified mail to the person whose activity is in violation of this Ordinance. The order shall specify that the activity must cease immediately or be brought into compliance within five (5) calendar days.
- (e) *Stop Work Order Authority.* Any permit revocation or order stopping work shall remain in effect unless retracted by the Director or the Director's designated representative, the Board of Adjustment, or by a court of general jurisdiction; or until the activity is brought into compliance with this Ordinance. The Director or the Director's designated representative is authorized to refer any violation of this Ordinance or of any stop work order issued pursuant to this Ordinance to the Corporation Counsel for commencement of further legal proceedings.
- (f) *Abatement Order Authority.* The Director or the Director's designated representative may issue an order to abate any violation of this Ordinance with proper authorization. In the event an offense is not abated as ordered, the Department may take such action as is necessary to abate the offense and the cost of such abatement will become a lien upon the person's property and may be collected in the same manner as other taxes.

- (g) *ch. NR 151 Procedures.* The Director or the Director's designated representative shall follow the procedures in sec. NR 151.09, Wis. Admin. Code to implement and enforce the cropland performance standards and the procedures in s. NR 151.095, Wis. Admin. Code to implement and enforce the livestock performance standards.
- (h) *Citation and Referral Authority.* The Director or the Director's designated representative shall have the authority to issue citations for violations of this Ordinance. The Director or the Director's designated representative may refer a violation of this Ordinance to Corporation Counsel to pursue legal action, including but not limited to the enforcement of any part of this Ordinance through injunctions or restraining orders.
- (i) *Other Lawful Remedies.* Nothing in this section may be construed to prevent the Department from using any other lawful means to enforce this Ordinance.

Sec. 62-194. Violations.

- (a) It is unlawful for a person to violate any provisions of this Ordinance or any condition contained in a permit or certificate issued pursuant to this Ordinance.
- (b) It is unlawful for any person to knowingly provide false information, make a false statement, or fail to provide or misrepresent any material fact to a county agent, board, commission, committee, department, employee, officer, or official acting in an official capacity under this Ordinance.
- (c) It is unlawful for a person to disobey, fail, neglect, or refuse to comply with; or otherwise resist an order issued pursuant to this Ordinance.
- (d) A separate offense is deemed committed on each day that a violation occurs or continues.
- (e) A person shall, upon conviction for a violation of this Ordinance, be subject to a forfeiture of not less than \$100.00, together with the costs in such action, and not more than \$500.00, together with the costs of such action, for each violation.

Sec. 62-195. Appeals and Variances.

- (a) *Appeals.*
 - (1) Under authority of Chapter 68, Wis. Stats., the Chippewa County Board of Adjustment, created under s. 59.69, Wis. Stats., and acting as an appeal authority under s. 59.69, Wis. Stats., is authorized to hear and decide appeals where it is alleged that there is error in any order, requirement, decision, or determination by the permitting authority in administering this Ordinance.
 - (2) Any person having a substantial interest, which is adversely affected by the order, requirement, decision, or determination made under this Ordinance may file an appeal.

- (3) All appeals shall specify written evidence and the reason for the request, including which requirements from this Ordinance are involved, and shall be filed via certified mail.
 - (4) Upon receipt of the appeal, the Board of Adjustment shall set a meeting to hear the appeal.
 - (5) A written decision shall be mailed to the appellant within thirty (30) days of the appeal. The decision will affirm, deny, or modify the initial determination.
 - (6) The rules, procedures, duties, and powers of the Board of Adjustment shall apply to appeals filed under this section.
- (b) *Variances.*
- (1) The Board of Adjustments may, upon appeal, authorize a variance from the standards requirements of this Ordinance when, upon showing by the applicant, unnecessary hardship would result from literal enforcement of this Ordinance.
 - (2) A variance shall:
 - a. Be consistent with the spirit and purpose of this Ordinance.
 - b. Be based on unique circumstances and not to the general conditions of the area.
 - c. Not be granted for a self-created hardship.
 - d. Not permit an activity or practice that may fail structurally or otherwise, and cause significant water pollution or other off-site impacts.
 - e. Not be granted if the variance will result in an outcome that is contrary to the public interest and be damaging to the rights of other persons.
 - f. Not be granted solely on the basis of economic gain or loss.
 - g. Not be granted solely on the fact that certain conditions existed prior to the effective date of the Ordinance.
 - (3) No variance from the standards in the Technical Guide may be approved unless the county receives a variance or waiver from the technical standards through the NRCS, or other qualified engineering authority. If public funds are involved, this may be a program requirement.
 - (4) No variance from the performance standards and prohibitions in Sec. 62-190 may be granted unless the county complies with the variance requirements specified in s. NR 151.097, Wis. Admin. Code, and receives approval from the Department of Natural Resources. Requests for a variance shall be made in writing and shall provide information documenting the following:

- a. Compliance with the performance standard or technical standard is not feasible due to site conditions.
- b. The landowner or operator will implement best management practices or other corrective measures that ensure a level of pollution control that will achieve a level of water quality protection comparable to that afforded by the performance standards in ch. NR 151, Wis. Admin. Code.
- c. The landowner or operator, or their agents or assigns, did not create the conditions for which the variance is requested.

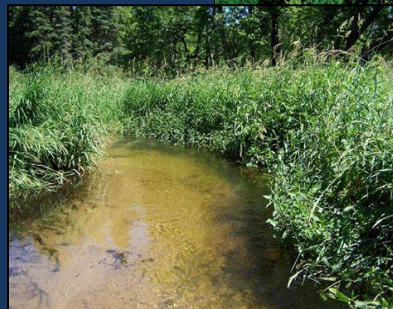
2. That this ordinance shall take effect upon passage and publication.

Forwarded to the County Board by the Land Conservation and Forest Management Committee.

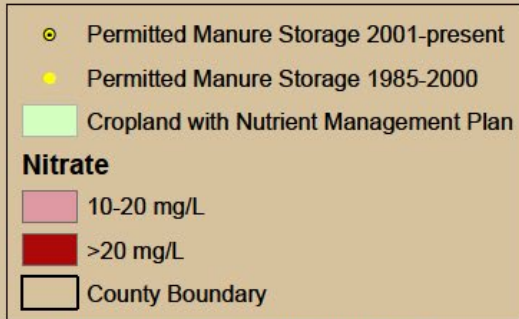
Overview of Agricultural Performance Standards, Manure Storage & Livestock Facility Management Ordinance

County Board Meeting
8/10/21

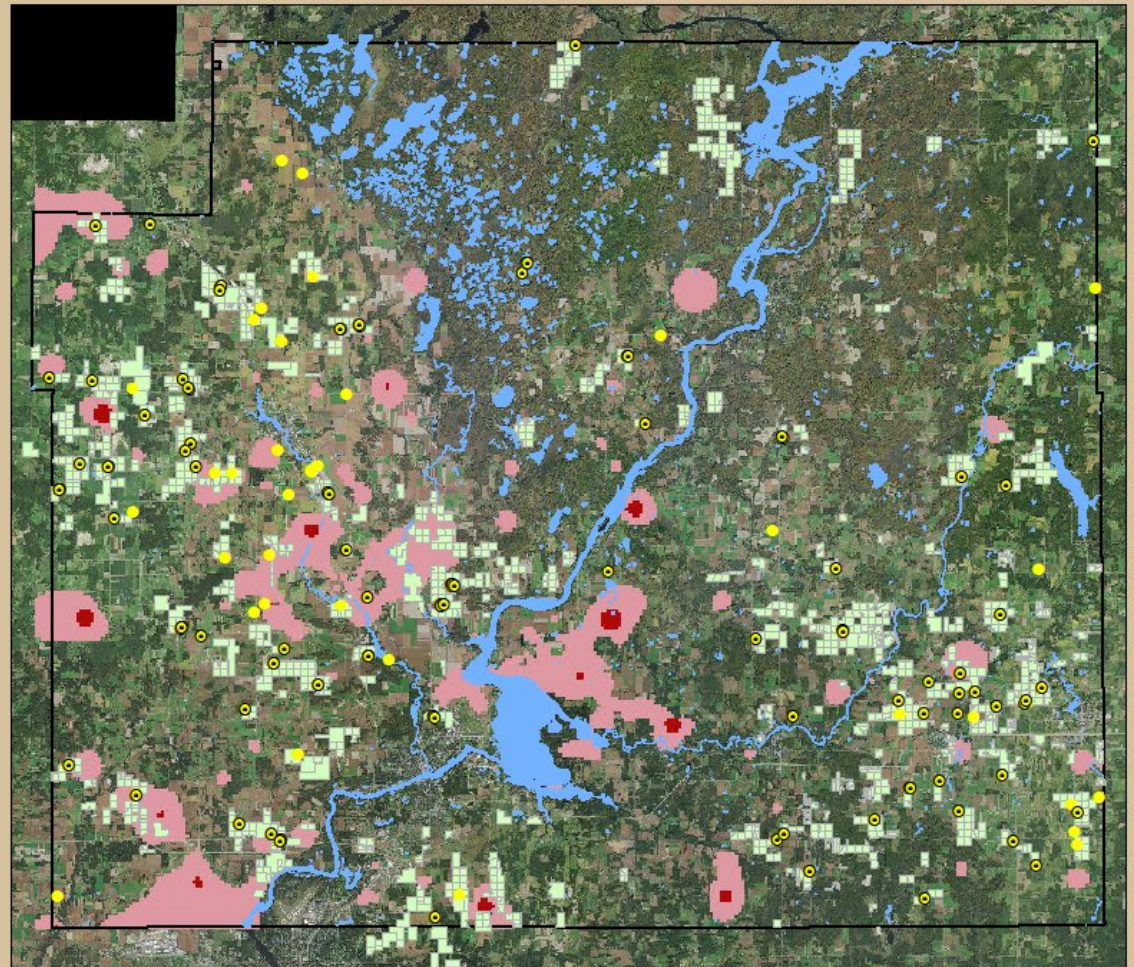
D. Masterpole



Groundwater Nitrate
Concentrations
that Exceed 10 mg/L
in Proximity to Permitted
Manure Storage Structures
& Associated Cropland with
a Nutrient Management Plan

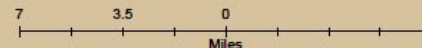


Source: Nitrate Information provided by K. Masarik, 2016 UWSP Groundwater Study



Aerial Photo 2015

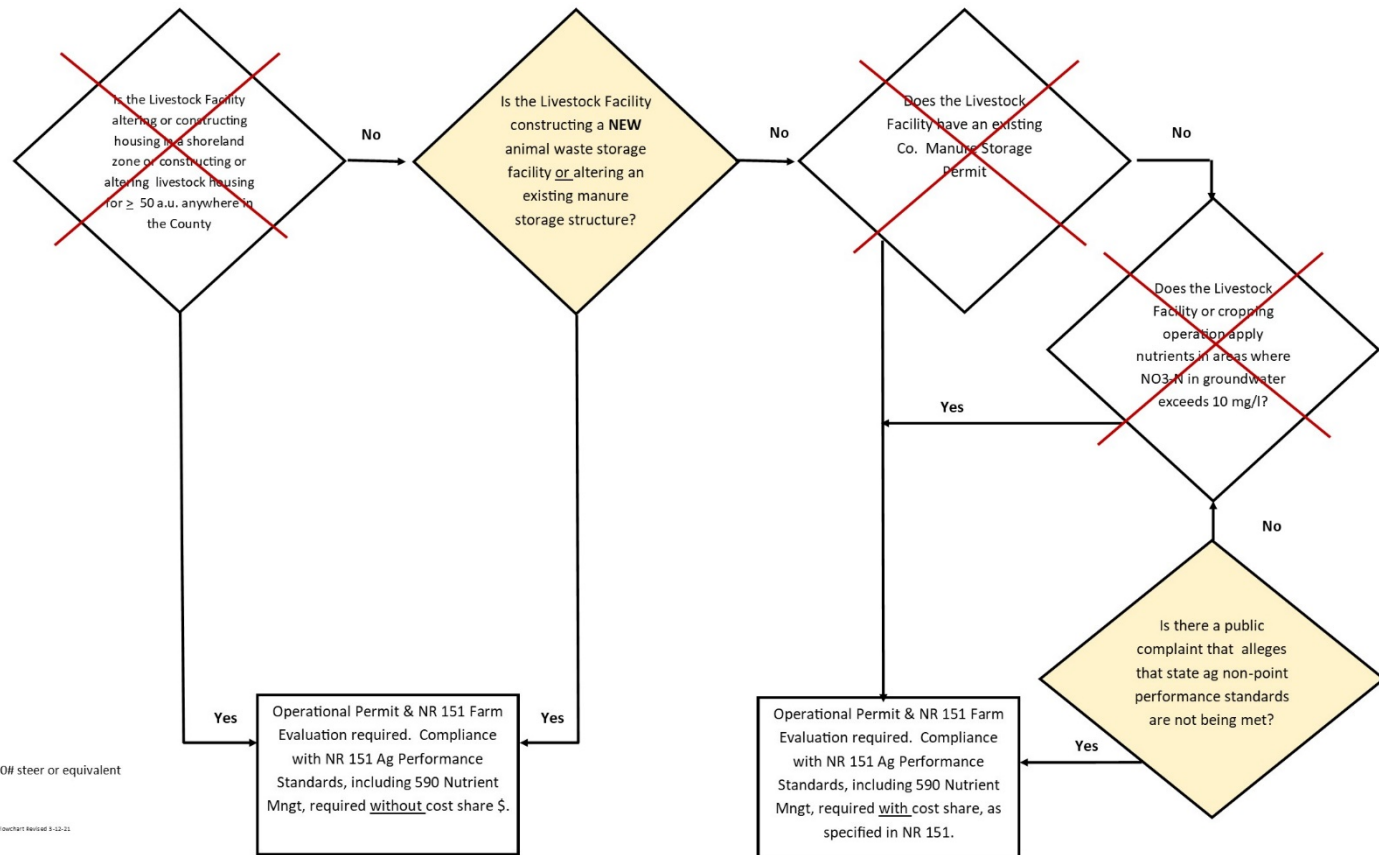
1 in = 4 miles



Document Path: H:\AGINMP\NMP Acres and NO3 Concentrations 7-2020.mxd

LCFM 3/12/21

STAFF RECOMMENDATION FOR CONCEPTUAL APPROACH TO REGULATE LIVESTOCK FACILITIES & CROPPING OPERATIONS BY APPLYING THE STATE'S AG NONPOINT PERFORMANCE STANDARDS AND PROHIBITIONS THROUGH TIME IN CHIPPEWA COUNTY



Note *-(1) animal unit = (1) 1000# steer or equivalent

A:\admin\04_regulation\2018_10\laboratory\AUCD Ordinance Packet\rev 3-12-21

What changed from existing Animal Waste Storage & Utilization Ordinance?

- Expanded the scope of ordinance to apply to all agricultural land, and livestock & cropping operations; with assurance of public cost-share (\$) and technical assistance, when required by State law.
- Added State agricultural performance standards & associated USDA technical standards as the basis for local regulation.
- Incorporated current process to evaluate & resolve public complaints, and added local enforcement authority.

Expanded the scope of ordinance to apply to all agricultural land, and livestock & cropping operations; with assurance of public cost-share (\$) and technical assistance, when required by State law.

Why?

- To conserve the soil & water resource base, as needed to sustain a strong ag economy.
- To protect & maintain water quality.
- To assist landowners & operators to plan for phase-in and offset costs.

Added State agricultural performance standards & associated USDA technical standards as the basis for local regulation.

Why?

- To clearly define base expectations.
- To assure a “level playing field” among producers operating in a competitive market.

Cropland Operations

- Control soil erosion on all fields & pastures
 - (T – value)
- Develop, implement & update nutrient mngt. plans for all fields, including:
 - Take soil samples
 - track & account for nutrients from on/off farm sources (N.P.K.)
 - Restrict & limit nutrients to crop needs using soil test results
- Restrict tillage & maintain vegetative cover within 5 ft of a stream channel.

Livestock Operations

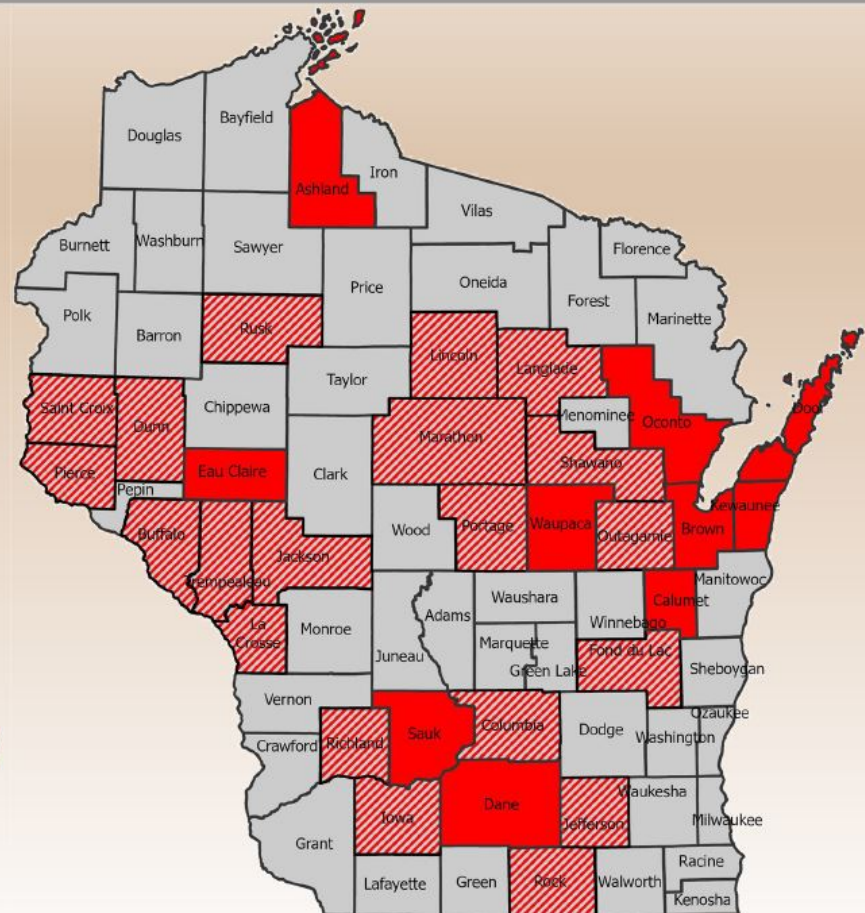
- Control direct runoff to surface & groundwater from feedlots, stored manure, & process wastewater
 - Designated Water Quality Management Areas (WQMA's)
- Restrict livestock access to streams to maintain vegetative cover
- Properly design, install, manage & abandon manure storage structures

Incorporated current process to evaluate & resolve public complaints, and added local enforcement authority.

Why?

- To establish a well defined & consistent process for farm evaluations.
- To phase-in through time.
- To assure local control with elected board oversight.

County Ordinances to Enforce State Agricultural Nonpoint Performance Standards: 2020*



* Based on email survey on 2/28/2020 by Waukesha County

We would be pleased to address any questions.

