



Quarterly–
Spring
Edition

May
2023

What's Going On In Our Corner? Southeast WI MS4 Permittees

Does Your MS4 Review Site Operator Inspection Reports?

Conditions on site can change in an instant. However, you can't be everywhere all at once. Though municipalities conduct their own site inspections, their frequency is often less. Reviewing the site operator's more frequent inspection reports is one way to check on the site in your community more often.

Another benefit of reviewing the operator's inspection reports is establishing credibility. Some MS4s are fortunate in that the same trusted developers work in their community. Others get a variety of developers, some of which may be bad actors. Reviewing the developer's reports may draw your attention to sites that may need extra attention.

Lastly, many MS4s face staffing shortages and or, MS4 staff are busy wearing different hats. If a site has 24 hours to fix an issue, does your MS4s have time to re-inspect the site the next day? If not, reviewing the site operator's report can save you time. However, it's important that you trust the operator's reports. If there is any doubt, it is important to verify this yourself.



Photo credit: [Accuweather](#)

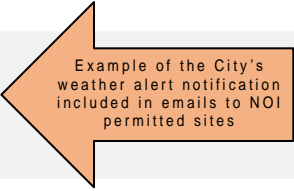
Topics

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- P.2** Erosion Control Inspections
- P.3** Upcoming Dates, Reminders And Events

City Of Brookfield: How Municipalities Can Assist NOI Permitted Sites

Winter Storm Watch

- Portions of SC & SE Wisconsin
- WEDNESDAY AFTERNOON THROUGH THURSDAY AFTERNOON.
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- Snow, **sleet**, and **freezing rain**.
- Winds gusts of **40 MPH**.
- Expect sleet and freezing rain, with 1" – 3" snow possible.
- Plan on slippery and potentially dangerous conditions.



Enforcement - Any violation of s. 283.33, Wis. Stats., [ch. NR 216](#), Wis. Adm. Code, or your specific NOI Permit is **enforceable under s. 283.89, Wis. Stats.**

Are you a Pluviophile – someone who's full of joy on rainy days? How about a Ceraunophile – a person who loves lightning & thunder (thunderstorms)? Whether you are or are not, Theresa Caven, City of Brookfield Stormwater Project Engineer, enjoys checking the forecast multiple times a day. However, chances are, the contractors working in your community are not, Caven explains.

Contractors are busy managing their crews, equipment, and sites. Unfortunately, this means that fast moving or hazardous weather events such as tornadoes, damaging winds, red flag warnings, potential floods or dangerous cold fronts may take them by surprise. Caven states that this is where the local municipality has an opportunity to step in and lend a hand. By simply maintaining an email list of contacts on active construction sites, Caven can quickly notify the individuals in-charge of erosion control maintenance.

Through these email alerts, Caven can give them a heads-up to ensure their sites are buttoned up before they leave, are checked in the morning, or may need to be shut down for the day.

Caven also states that list also comes in handy when reminding these same individuals that they need to perform a rain event inspection. While not impossible for the contractor to obtain this information for themselves, a friendly heads-up from the local municipality that a 0.5" or greater rain event occurred is certainly helpful.

Below is an example of the table included in the City's email alerts listing active NOI permits.

| Permittee Name | Site Name | Site Address | FIN | DNR Permit No. 2020/0911 |
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UPDATED: DATE HERE



Photo credit: Lexi Passante

Erosion Control Inspections

Everyone knows that Wisconsin has two seasons. Winter and Construction. Since the season is in full swing, we wanted to share some important reminders!

For active construction sites with one acre or more of land disturbance, site developers are required to conduct their own erosion control inspections. However, MS4 permittees are also required to conduct *their own* inspections at these sites as well. This municipal oversight is required for public and private developments. Since there are a few different MS4 permits in our region – some MS4s are under the MS4 General Permit, others are under MS4 Individual Permits – permit language varies. However, municipally conducted erosion control inspections at these active sites are required in all MS4 permits. Here are three questions we often come across:

1. Is someone from the municipality required to conduct these inspections or can we use a consulting firm?

If the consulting firm is conducting these inspections on behalf of the permittee, their inspections are the municipal inspections. Similar to other aspects of the MS4 permit, the permittee may use a consulting firm to implement permit conditions (e.g., review site plans) but the permittee is ultimately responsible for permit compliance (e.g., ensuring site plans are accurately reviewed).

In short, if your municipality is using a consulting firm to conduct municipal inspections, please ensure they are following your permit conditions.

2. For public developments greater than an acre or more, if we are the developers and are conducting inspections, are we required to do additional inspections?

As the developer (e.g., the municipal public works department is developing the site), you are required to conduct weekly inspections and inspections within 24 hours after a rainfall event of 0.5 inches or greater. As this frequency meets MS4 permit expectations, you do not have to conduct additional inspections. However, please ensure inspections demonstrate permit compliance – inspections are conducted adequately and are documented. If the MS4 is not the developer (e.g., using a contractor to develop the site), you are required to conduct the municipal inspections.

3. If the developer is required to conduct inspections, why are we required to conduct inspections?

A developer may record the site has no erosion control issues when in fact, it does. It is important for the municipality to conduct inspections to ensure the developer inspections are accurate.

Southeastern Wisconsin Watersheds Trust, Inc. (Sweet Water) Develops Compliance Reporting Portal Tool

For MS4 permit holders, we know that managing permit conditions can be a time-consuming and a challenging task. Brigid Meyers, Watershed Program Manager with Southeastern Wisconsin Watersheds Trust, Inc (Sweet Water), has developed a new tool that can help you visualize your compliance process.

The 'MS4 Permit Compliance Portal' is a simple, interactive mechanism that provides a series of monthly prompts to help you fulfill your education and outreach permit compliance activities. Meyers states that the Portal is tailored to your unique community needs, reduces communication time, increases the strength of your compliance programming, and simplifies the workload.

Additionally, this tool visually represents current compliance status, instantly identifies tasks that are not complete, and provides reminders to complete them.

Meyers explains that if you're interested in learning more about the MS4 Permit Compliance Portal, please contact Sweet Water (info@swwtwater.org) or visit their website for more information.

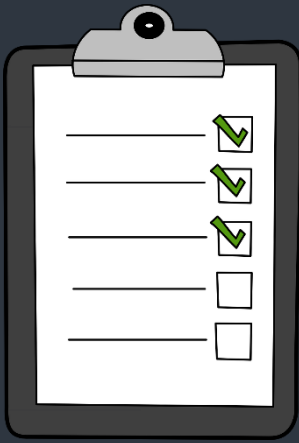


Taking Pictures During Site Inspections

Have you heard the saying, "a picture is worth 1000 words"? This could especially be important for your erosion control inspector while they are out at active construction sites.

Taking pictures during erosion control inspections can be beneficial for documenting site noncompliance but also help keep things organized during a busy, active construction season.

By incorporating a photolog with the erosion control inspection report, it can be useful during follow-up inspections to determine if noncompliance has been corrected or not. Photologs can be formatted for what works best for your municipality. For an example, see <https://dnr.wi.gov/files/PDF/forms/3400/3400-187A.pdf>



Want to be featured in the MS4 Summer Edition?

We want to hear about your municipality's success stories, practical procedures that work well for your MS4 program, etc. so we can share with the rest of the region!

Please reach out to SE stormwater specialists with stories:

Lexi Passante

(Ellexius.passante@wisconsin.gov)

or

Samantha Katt

(Samantha.katt@wisconsin.gov)

Upcoming Dates, Reminders And Events

Don't miss out on these stormwater funding opportunities:

- **The Daybreak Fund (Link: [Daybreak Fund](#))**

Grant applications due **June 15, 2023**. Please contact Amber Meyer Smith, Program Officer at the Fund for Lake Michigan, to answer any questions you have after reading the RFP (amber@fundforlakemichigan.org).

Note: Ellexius.Passante@wisconsin.gov sent this to SE WI MS4s via email on April 18. If you did not receive the email, please let us know!

- **Bipartisan Infrastructure Law (BIL) Funding**

(<https://dnr.wisconsin.gov/sites/default/files/topic/Aid/loans/CWFP/BuildSolutionForStormWaterPollution.pdf>)

Do you need funding to build stormwater infrastructure in your municipality? Look no further, the Bipartisan Infrastructure Law will contribute additional funding through the WI DNR Environmental Loans Program, including the Clean Water Fund for stormwater projects. The funds are for reasonable and necessary costs directly related to the planning, design, and construction of water-quality-related storm water infrastructure projects that must lead to or provide treatment of storm water.

- **EPA Announces Availability Of \$30 Million In GLRI Funding For Great Lakes Projects In Underserved Communities (link: [US EPA](#))**

The U.S. Environmental Protection Agency (EPA) announced the availability of \$30 million from the Bipartisan Infrastructure Law for restoration projects that advance environmental justice in underserved and overburdened communities across the Great Lakes. Applications from potential principal recipients are being accepted through **August 11, 2023**.

Note: Samantha.Katt@wisconsin.gov sent this to SE WI MS4s via email on May 11. If you did not receive the email, please let us know!

Save The Date!

- **Webinar With Sandra McLellan, Professor At UW-Milwaukee's School Of Freshwater Sciences – August 10**

Tune in to learn more about fecal bacteria in urban runoff on August 10 at 8 a.m. It is highly encouraged for municipalities who are within the Milwaukee River Basin TMDL to attend. This webinar will cover identifying sources of fecal bacteria in the urban environment, why it is important to reduce fecal bacteria in urban runoff, and the different types of bacteria testing tools available. A Teams meeting invite will be sent out soon, so please keep an eye out for it in your inbox!

Stormwater Week In Wisconsin

- **Current Effort To Get Stormwater Week in Wisconsin By Way Of Governor Proclamation**

Stormwater Week is an awareness campaign that aims to inform, educate, and engage Wisconsin residents on the topic of stormwater pollution. WDNR, stormwater collaboratives, and local municipalities around the state are coming together to support Wisconsin Stormwater Week. For more information on this effort, please visit [Wisconsin Stormwater \(wistormwater.com\)](http://WisconsinStormwater.com).