

**STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES PUBLIC NOTICE OF
INTENT TO ISSUE WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM
(WPDES) MUNICIPAL STORM WATER PERMIT NO. WI-S050032-02**

Proposed Expiration Date: April 30, 2014

Municipalities: City of Eau Claire, City Hall, 203 S. Farwell St. Eau Claire, WI 54701
and
University of Wisconsin-Eau Claire, 105 Garfield Ave. Eau Claire,
WI 54701

Discharge Location: From the municipal separate storm sewer system (MS4) of the City of Eau Claire (City) and University of Wisconsin-Eau Claire (UWEC)

Receiving Waters: Various surface waters and groundwater all within the Lower Chippewa Basin.

Brief Description of Discharge: The City of Eau Claire (City) and University of Wisconsin Eau Claire (UWEC) operate a Municipal Separate Storm Sewer System (MS4). The MS4 discharges to various surface waters including but not limited to: Chippewa River, Eau Claire River, Sherman Creek, Otter Creek, Lowes Creek, Little Niagra Creek and Half Moon Lake. It also discharges to groundwater via infiltration. All discharges are within the Lower Chippewa River Basin. The discharge from these storm sewers consists of runoff from rain and snow melt, spills, WPDES permittees and fluid from illicit connections. Pollutants of concern in storm sewer discharge include, but are not limited to, organic materials, suspended solids, metals, nutrients, bacteria, pesticides, fertilizer, and traces of toxic materials.

This group permit was initially issued to the City and the UWEC ("permittees") effective October 1, 2003 to regulate the discharge of stormwater from the combined MS4. The permit was based on the requirements contained in Wisconsin Administrative Code Chapter NR 216 as they existed at that time. This Administrative Code has since been revised. The Department proposes to reissue this permit in accordance with the current requirements of NR 216. To comply with the conditions of the current permit a stormwater management program based on the application of Best Management Practices (BMPs) has been developed by the permittees. The proposed permit will require the permittees to continue to implement and enhance their management program. The permit will require the permittees to address storm water quality concerns associated with urban runoff and prevent to the maximum extent practicable the discharge of pollutants from the MS4.

This permit will continue the programs developed under the initial permit issued to the permittees. In addition, it will incorporate the provisions of the revised NR 216 that were adopted during the term of the initial permit. The reporting requirements include measurable goals that will allow tracking of activities. The requirements of NR 151.13(2) regarding TSS removal are incorporated in this permit. The goals of the Half Moon Lake Total Maximum Daily Load (TMDL) are implemented in this permit.

The Department has tentatively decided the WPDES municipal storm water permit for the City and UWEC should be reissued. Appropriate special conditions are included in the permit in accordance with ch. 283, Wis. Stats., and ch. NR 216, Wis. Adm. Code, which regulates storm water discharges.

Persons wishing to comment on or object to the proposed permit, or to request a public hearing, may write to Steve Thon, West Central Regional Headquarters, Department of Natural Resources, PO Box 4001, Eau Claire, WI 54702-4001. All comments or suggestions received no later than 30 days after the publication date of this notice will be considered along with other information on file in making a final decision regarding the permit. The U.S. Environmental Protection Agency is allowed up to 90 days to submit comments /objections regarding this permit issuance.

A public informational hearing may be held if response to this notice indicates significant public interest pursuant to ch. 283, Wis. Stats., or if a petition requesting a hearing is received from 5 or more persons.

Requests for a public informational hearing should state the following: the name and address of the person(s) requesting the hearing; the interest in the proposed permit of the person(s) requesting the hearing; the reasons for the request; and the issues proposed to be considered at the hearing.

Information on file for this permit may be inspected and copied Monday through Friday (except holidays) between 9:00 a.m. and 3:30 p.m. at the West Central Region Headquarters located at 1300 West Clairemont Ave., Eau Claire, WI 54701. Information on this permit may also be obtained by calling Steve Thon at (715) 839-3776, or by writing to the Department at the Eau Claire address. Reasonable costs will be charged for copies of information in the file other than the public notice and briefing memo. This information is also available on the internet at: <http://dnr.wi.gov/org/water/wm/ww/>. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made available to qualified individuals upon request.

PUBLISHING NEWSPAPER: Eau Claire Leader Telegram, PO Box 570, Eau Claire, WI 54702-0570
Date Notice Issued: March 20, 2009

**Fact Sheet for Reissuance of WPDES WI-S050032-02 Group Permit to
the City of Eau Claire and the University of Wisconsin-Eau Claire
(UWEC) Municipal Separate Storm Sewer System (MS4)**

Facility Contact/Authorized Representatives:

John Genskow P.E., City Engineer
City Hall, 203 S. Farwell St.
PO Box 5148
Eau Claire, WI 54702-5148

Terry Classen P.E.
UWEC
105 Garfield Ave.
Eau Claire, WI 54701

Background: This group permit was initially issued to the City of Eau Claire (City) and the University of Wisconsin-Eau Claire (UWEC) (“permittees”) effective October 1, 2003 to regulate the discharge of stormwater from the combined MS4. The permit was based on the requirements contained in Wisconsin Administrative Code Chapter NR 216 as they existed at that time. This Administrative Code has since been revised. The Department proposes to reissue this permit in accordance with the current requirements of NR 216. To comply with the conditions of the current permit a stormwater management program based on the application of Best Management Practices (BMPs) has been developed by the permittees. The proposed permit will require the permittees to continue to implement and enhance their management program. The permit will require the permittees to address storm water quality concerns associated with urban runoff and prevent to the maximum extent practicable the discharge of pollutants from the MS4.

Discussion of Specific Permit Conditions Contained in Part 2:

Part 2.1 Public Education and Outreach: The permittees have developed an Education and Outreach program that informs residents of the importance of proper waste management to protect stormwater quality. Contractors and builders are informed of necessary erosion control measures during permitting. In addition the permittees actively participate in the Chippewa Valley Storm Water Forum to improve the regional awareness of such issues. This permit will contain measurable goals to monitor the implementation of the Education and Outreach program.

Part 2.2 Public Involvement and Participation: The permittees will use the existing public notification process to encourage involvement by community members. To encourage public comment, the required Annual Report will be adopted by resolution by the Board of Public Works. This will require a public posting and allow for citizen input during the formal resolution process.

Part 2.3 Illicit Discharge Detection and Elimination: The permittees have both authority and an on-going inspection program to detect and eliminate illicit discharges. The permit contains measurable goals to document the implementation of this program.

Part 2.4 Construction Site Pollutant Control: The permittees have authority and an on-going inspection program to address erosion control at construction sites. The City's authority extends to any site greater than one acre regardless of the nature of the building to be constructed. This authority covers both residential and commercial sites. The permit contains measurable goals to document inspections and actions taken under this program.

Part 2.5 Post-Construction Storm Water Management: The permittees have authority and an on-going program to regulate the post-construction management of storm water from new development and redevelopment. The permit contains a measurable goal to document the implementation of this program.

Part 2.6 Pollution Prevention: The permit contains a variety of measurable goals to document the implementation of various programs to minimize the discharge of pollutants from the MS4. The activities included in this section include street sweeping, infrastructure inspections, salt/sand management, fertilization of municipal properties and similar activities.

Part 2.7 Storm Water Quality Management: The permittees have submitted documentation to show that current management practices achieve the goal of a 20% reduction in TSS as specified in Wisconsin Administrative Code NR 151.13. This permit contains a requirement to meet the 40% reduction goal of this code by 2013.

Part 2.8 Impaired Waters and TMDLs: A portion of the City's MS4 discharges to Half Moon Lake, an impaired water with an approved Total Maximum Daily Load (TMDL) report. The load from the MS4 is small compared to the overall loading from other sources. The TMDL sets a reduction goal of 10% for phosphorus discharged to the lake from the MS4. It is noted in the TMDL that this goal can be met through street sweeping. This permit requires the City to submit a report assessing the impact of stormwater management activities completed since 1999 within the watershed. This report is due by 3/31/2011. If the report indicates that the goals of the TMDL are not being met, the City must submit a revised Stormwater Management Plan (SMP) that result in compliance with the TMDL goals. This revised SMP is due by 12/31/2011.

In addition, this permit contains language that would require compliance with any new, approved TMDL that might be developed during the term of the permit.

Part 2.9 Storm Sewer System Map: The permittees currently maintain a map that complies with this section. The permit requires routine updating of this map.

Part 2.10 Annual Report: The permittees currently submit an Annual Report by March 31st of each year. This permit re-defines the reporting requirements to be consistent with the current language in NR 216.

Summary: This permit will continue the programs developed under the initial permit issued to the permittees. In addition, it will incorporate the provisions of the revised NR 216 that were adopted during the term of the initial permit. The reporting requirements include measurable goals that will allow tracking of activities. The requirements of NR 151.13(2) regarding TSS removal are incorporated in this permit. The goals of the Half Moon Lake TMDL are implemented in this permit.

Dated: March 10, 2009

Prepared by:

Steve Thon P.E.
Environmental Engineer
Lower Chippewa Basin

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