

Notice: Pursuant to ss. 283.33 and 283.37, Wis. Stats., and chs. NR 151 and 216, Wis. Adm. Code, this form is used to apply for coverage under Wisconsin Pollutant Discharge Elimination System (WPDES) Municipal Separate Storm Sewer System (MS4) General Permit No. WI-S050181-1. This form and any required attachments constitute the permit application. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Public Records Laws (ss. 19.31-19.39, Wis. Stats.).

Instructions: Complete all sections of this permit application. If additional space is needed to respond to a question, attach additional pages. Provide descriptions below that explain the program activities that you expect to develop and implement to comply with the MS4 general permit. Information on the MS4 general permit and the MS4 storm water program are available at: <http://dnr.wi.gov/topic/stormwater/municipal/>. Section 3 of the MS4 general permit contains the compliance schedule that directs when the individual program activities need to be developed and submitted to the Department for review. The detailed programs that are developed and submitted to the Department for review may deviate from the program activities described below if necessary. The descriptions provided below are necessary for the Department to verify that the municipality's program activities comply with the permit.

Section I: Applicant Information

Name of Municipality Town of Waterford			
Mailing Address 415 Milwaukee Street	City Waterford	State WI	ZIP Code 53185
County(s) in which Applicant is located Racine	Type of Municipality: (check one) <input type="checkbox"/> County <input type="checkbox"/> City <input type="checkbox"/> Village <input checked="" type="checkbox"/> Town <input type="checkbox"/> Other (specify)		

Section II: Local Contact Information

Name of Municipal Contact Person Tom Hincz		Title Town Chairman	
Mailing Address 415 N. Milwaukee Street	City Waterford	State WI	ZIP Code 53185
Email address thincz@wi.rr.com	Phone Number (incl. area code) 262-945-1015	Website address, if available tn.waterford.wi.gov	

Section III: Water Quality Concerns

Yes	No	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Does any part of the MS4 discharge to an outstanding resource water (ORW) or exceptional resource water (ERW) listed under s. NR 102.10 or 102.11, Wis. Adm. Code? (A list of ORWs and ERWs may be found on the Department's Internet site at: http://dnr.wi.gov/topic/surfacewater/orwerw.html)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does any part of the MS4 discharge to an impaired waterbody listed in accordance with section 303(d)(1) of the federal Clean Water Act, 33 USC § 1313(d)(1)(C)? (A list of Wisconsin impaired waterbodies may be found on the Department's Internet site at: http://dnr.wi.gov/topic/impairedwaters/)

Section IV: Potential Permit Exemption

Yes	No	Section NR 216.023, Wis. Adm. Code, allows certain MS4s that have less than 1000 people residing in an urbanized area to be waived from municipal storm water permit coverage.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Do you believe that the MS4 may be eligible for this potential exemption as described in s. NR 216.023, Wis. Adm. Code?

If yes, please provide documentation supporting a permit exemption including the following (Attach additional pages if necessary):

- Total municipal area in square miles 33.67 square miles
- Total municipal population (2010 U.S. census) 6,344 (Waterford)
- MS4 service area within Urbanized Area in square miles 3.31 square miles
- Municipal population within Urbanized Area (2010 U.S. census) 2,301 (see attached map)
- Additional information supporting an exemption under s. NR 216.023, Wis. Adm. Code

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JAN 26 2015

Note: Urbanized Area information is available from the USEPA at:

WT/3 - WY/3 - OGL/3

<http://water.epa.gov/polwaste/npdes/stormwater/Urbanized-Area-Maps-for-NPDES-MS4-Phase-II-Stormwater-Permits.cfm>

Section V. Summary of Municipal Storm Water Program Activities

Describe the programs or activities the municipality is doing or will do to comply with the requirements of the MS4 general permit. Attach additional pages if necessary.

A. Public Education and Outreach

Describe the public education and outreach program activities that the municipality will implement to comply with section 2.1 of the MS4 general permit.

Town will initiate a program to raise public awareness with the overall goal to reduce negative impacts to water quality of water resources (lakes, wetlands, ponds, ditches) from urban stormwater runoff. Town may chose to join efforts with other municipalities

B. Public Involvement and Participation

Describe the public involvement and participation program activities that the municipality will promote to comply with section 2.2 of the MS4 general permit.

Town will develop and implement a program to keep public informed and involved with activities of the WPDES permit. Town may share information via Town website, newsletter, public meeting, etc. Town may chose to join efforts with other municipalities.

C. Illicit Discharge Detection & Elimination

Describe the illicit discharge detection and elimination program authority and activities that the municipality will develop and implement to comply with section 2.3 of the MS4 general permit.

Town will need to enact an Illicit Discharge Ordinance/Regulations and implement/enforce the program as required.

D. Construction Site Pollution Control

Describe the construction site pollutant control program authority and activities that the municipality will develop and implement to comply with section 2.4 of the MS4 general permit.

Town will need to update their current Construction Site Erosion Control Ordinance to meet or exceed State Standards. The Town will continue to enforce the ordinance. The Town may choose to adopt a County Ordinance if applicable.

E. Post-Construction Site Storm Water Management

Describe the post-construction storm water management program authority and activities that the municipality will develop and implement to comply with section 2.5 of the MS4 general permit.

Town will need to update their current Post-Construction Storm Water Management Zoning Code. Town will require ongoing Stormwater Management Plan review for approval prior to development/redevelopment. Town may choose to adopt a County Ordinance if applicable.

F. Pollution Prevention

Describe the pollution prevention program activities that the municipality will implement to comply with section 2.6 of the MS4 general permit.

Inspect/maintain any municipally owned/operated structural stormwater BMPs. Ensure public provisions/information in place for brush chipping, "e-cycling", "household hazardous waste", recycling, etc. Maintain records for snow disposal (track deicers) and nutrient usage, etc. Initiation of

stormwater pollution prevention plan as needed

Section VI. Certification

I hereby certify that I am an authorized representative of the municipality that is the subject of this application for general permit coverage, and that the information provided is true and complete, to the best of my knowledge. I understand that Wisconsin law provides severe penalties for submitting false information.

Authorized Representative Name

TOM HINCZ

Title

TOWN CHAIRMAN

Signature

[Handwritten Signature]

Date Signed

1/20/15

Email address

TOWNWTRD@tds.net

Phone Number (incl. area code)

262-534-2350

Return this completed form to: Wisconsin Department of Natural Resources
Storm Water Program – WT/3
PO Box 7921
Madison, WI 53707-7921

January 22, 2015

Additional information supporting an exemption under s. NR 216.023, Wis. Adm. Code

The Town of Waterford provides the following additional supporting information:

- **The owner or operator of a system is not otherwise required to obtain permit coverage pursuant to NR216.02(2).**
 - The Town of Waterford plays an active role in several organizations whose sole purpose is to protect the Fox River, Tichigan Lake and waterways discharging to these facilities. The organizations include: Southeast Wisconsin Fox River Commission (SEWFRC), Waterford Waterway Management District and a citizens group entitled Fox River Watershed Citizens Against Underwater Silt and Erosion.
 - The SEWFRC's purpose matches many of those through permitted community: The Commission has supported numerous projects within the planning area and has contributed approximately \$1.25 million to projects that help improve the Illinois Fox River basin.

The Southeastern Wisconsin Fox River Commission goals:

- Initiate and coordinate surveys and research projects to gather data relating to the surface waters and groundwaters of the Illinois Fox River basin
- Maintain a liaison with Federal, State, and local agencies and other organizations involved in protecting, rehabilitating, and managing water resources
- Develop a public informational and educational program on issues related to the surface waters and groundwaters of the Illinois Fox River basin
- Develop and implement plans or projects to:
 - Improve water quality and the scenic, economic and environmental value of the surface waters and groundwaters of the Illinois Fox River basin
 - Protect or enhance the recreational use of the navigable waters of the Illinois Fox River basin; and
 - Coordinate and integrate county programs or projects for the Illinois Fox River basin surface waters and groundwaters of Waukesha and Racine Counties
- Develop and propose programs or projects to make improvements to the navigable waters of the Illinois Fox River basin
- Create advisory committees as it considers necessary and promulgate rules necessary to implement the duties and powers granted to the Board of Commissioners
- Waterford Waterway Management District was established in 2003 and was established to:
 - MISSION: Maintain, protect, and improve the quality of the Waterford Waterway, its fisheries, its watershed, and boundaries; while maintaining the highest possible quality of living experience for its residents.
 - PURPOSE: The district was formed in response to a petitions signed by nearly 60% of riparian owners in 2002. The Waterford Waterway Management District (WWMD) is a special unit of government regulated by

Wisconsin State Statutes. There are about 100 waterway districts in Wisconsin, WWMD being one of the largest with approximately over a thousand riparian properties located in the district. Seven commissioners govern the district. The Racine County Board of Supervisors appointed one commissioner, and the Town of Waterford Supervisors appointed one commissioner; the remainder of the positions are elected by the riparian district members.

- **The system serves a population of less than 1,000.**
 - The attached maps presents the calculated population of the 'urbanized area' based on the number of residential structures and average population per residence. This area does contain part time residence and
- **The system is not contributing substantially to the pollutant loadings of a physically interconnected municipal separate storm sewer system that is regulated under this subchapter.**
 - The Town of Waterford maintains its development and erosion control ordinances to manage discharges during construction and post construction. The
 - While the permanent and part time population within the 'urbanized area' may meet the requirement for a permitted community under NR 216, the majority of the stormwater conveyance system is not a typical urbanized system. It is a natural vegetated ditch system. By becoming a permitted community, the Town will spend unnecessary dollars to show what is already historically shown not to substantially contribute pollutant loadings to water resources.
- **If the system discharges a pollutant that has been identified as a cause of impairment of any water body to which it discharges, storm water controls must not be needed based on wasteload allocations that are part of a U.S. EPA approved or established TMDL that addresses any pollutant of concern.**
 - The Town of Waterford adopted a phosphorus ordinance in December 2003 to minimize excessive nutrients from entering into the waterways.

Additional supporting information submitted in a letter to the DNR dated March 3, 2014

- In 2009, the Town of Waterford adopted a strict storm water run-off ordinance inclusive of pre-construction, post construction activities. All recent developments include fully engineered plans, inclusive of storm water ponds with the development. I have attached a copy of the ordinance.
- In 2003, the Waterford Waterway Management District was formed. The WWMD has been extremely active in managing our waterways inclusive of the Fox River, Conservancy Bay, Lake Tichigan and Buena Park Lake. They have many programs in place for, fish monitoring and stocking, vegetation monitoring and control, waterway clean-up, storm water monitoring and control, educational programs for students and adults, boat inspections, just to name a few. The last couple of years, an effort has been underway (working closely with the DNR) to monitor and test silt and looking at ways to dredge our navigable and un-navigable waterways. They have substantially eliminated harmful run-off in the lake and river. (in addition to the note above)
- The biggest issues regarding storm water run-off as designated by the DNR maps, relate to upstream issues with the Fox River and local run-off from farm fields. If the farm fields could be regulated (which the DNR does not/can't address) we would eliminate our largest issue of sediment.

- The Hwy. 164 project has also contributed to the run-off issues we have in the lake. Considerable vegetation was removed in the road right-of-way and drainage patterns were modified. Several weeks ago, a meeting was held between the DOT, DNR, Town and County, and state officials to address the issue. The DOT and DNR have agreed to investigate and look at ways to remediate.
- The area affected in the Town is saturated with development. With the exception on Ag zoned property, there are very few buildable lots and next to none on the lake,



T. Waterford Urbanized Area Population Map



1.5

0

0.76

1.5 Miles

1:48,378



NAD_1983_HARN_Wisconsin_TM
© Latitude Geographics Group Ltd.



Legend

- Rivers and Streams
- Open Water
- 2010 Air Photos (WROC)

Notes

--906 Residential Homes in Urbanized Area x 2.54 (median household size) = 2301 people within urbanized area. Estimate from 2010 aerial photo interpretation.

DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, express or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information see the DNR Legal Notices web page: <http://dnr.wi.gov/legal/>