



STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

**PERMIT TO DISCHARGE UNDER THE WISCONSIN
POLLUTANT DISCHARGE ELIMINATION SYSTEM
WPDES PERMIT NO. WI-S049921-04**

In compliance with the provisions of Ch. 283 Wis. Stats., and Chs. NR 151 and 216, Wis. Adm. Code, the **SOUTHEAST WISCONSIN PROFESSIONAL BASEBALL PARK DISTRICT:**

is permitted to discharge storm water from all portions of the

MUNICIPAL SEPARATE STORM SEWER SYSTEM

owned or operated by the Southeast Wisconsin Professional Baseball Park District to the following waters of the state:

Menomonee River
Wood Creek

in accordance with the conditions set forth in this permit.

This permit will become effective on the date of signature. This permit to discharge expires at midnight, August 31, 2026. The Department is required to charge an annual 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 
Jacob Zimmerman, PE
Water Resources Engineer

8/24/2021
Date Permit Signed

EFFECTIVE DATE: September 1, 2021

EXPIRATION DATE: August 31, 2026

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I. APPLICABILITY

A. PERMITTED AREA

This permit covers all areas within the jurisdiction of the Southeast Wisconsin Professional Baseball Park District (SEWPBPD) that contribute to discharges from the municipal separate storm sewer system owned or operated by the SEWPBPD. Municipal separate storm sewer system means a conveyance or system of conveyances designed or used for the collection or conveyance of storm water. These include, but are not limited to: storm sewers, roads with drainage systems, municipal streets, catch basins, inlets, curbs, gutters, ditches, constructed channels or storm drains.

B. AUTHORIZED DISCHARGES

This permit authorizes storm water point source discharges to waters of the state from the municipal separate storm sewer system in the permitted area. This permit also authorizes the discharge of storm water commingled 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 discharges which are not considered illicit discharges pursuant to Section II.C.1 of this permit.

C. INDIVIDUAL RESPONSIBILITY

SEWPBPD is responsible for:

1. Effectively prohibiting non-storm water discharges into the MS4 unless otherwise authorized by Section I. B.
2. Reducing pollutants to the maximum extent practicable (MEP). Compliance with this permit, completion of individual benchmarks, and implementation of the storm water management program establishes this MEP requirement.
3. Completing the Total Maximum Daily Load (TMDL) requirements in Section III. A.

D. WATER QUALITY STANDARDS

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. During the permit term, compliance with water quality standards will be addressed by adherence to the requirements of this permit, implementation of storm water management programs and practices, and modifications to practices when practices are determined not effective to achieve the aforementioned goals and standards.
2. This permit does not authorize water discharges that the Department, prior to authorization of coverage under this permit, 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 prior to authorization, 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.

E. GENERAL STORM WATER DISCHARGE LIMITATIONS

In accordance with s. NR 102.04, Wis. Adm. Code, the Permittee shall control storm water discharges 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. 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.
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.
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.
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.

F. WETLANDS

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

G. ENDANGERED AND THREATENED SPECIES

SEWPBPD'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.

H. HISTORIC PROPERTY

SEWPBPD'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.

I. IMPAIRED WATERBODIES

The requirements of this section apply to receiving waters listed as impaired on the 303(d) list without established TMDL wasteload allocations to which the permittee discharges. The permittee shall:

1. Review the applicable pollutants of concern on the 2020 303(d) list, or the most recent United States Environmental Protection Agency (EPA) approved list that are relevant to the permittee's MS4 discharge and determine whether any part of its MS4 discharges to a listed impaired waterbody. Review shall occur within 12 months each time the 303(d) list is revised.
2. Include a written section in their 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 each pollutant of concern that contributes 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 eliminate the MS4's discharge of pollutant(s) 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. Pollutant(s) of concern means a pollutant that is causing impairment of a waterbody.

Note: The Department maintains a searchable database of impaired waterways. This publicly accessible database is available at <http://dnr.wi.gov/water/impairedSearch.aspx>.

3. After a permittee's start date of coverage under 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 new discharge is consistent with an EPA approved TMDL.

J. EXCLUSIONS

The following are excluded from coverage under this permit:

1. Combined Sewer and Sanitary Sewer Systems:
Discharges of water from a wastewater treatment facility, 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 a separate individual permit.
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.
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 from SEWPBPD's MS4, this permit does not satisfy the need to obtain any other permits for those discharges. This exclusion does not apply to each permittee's responsibility to regulate construction sites within its jurisdiction in accordance with Sections II. D. and E of this permit.
4. Indian Country:

Storm water discharges within Indian Country. The federal Clean Water Act requires that owners and operators of storm water discharges within Indian Country to obtain permit coverage directly from the United States Environmental Protection Agency.

II. STORM WATER MANAGEMENT PROGRAM

The permittee shall have a written storm water management program (SWMP) that describes in detail how the permittee intends to comply with the permit requirements for each minimum control measure. Unless otherwise specified, the permittee shall submit written program documents no later than August 1, 2022 and shall begin implementing any updates to its storm water management programs no later than August 1, 2022.

A. PUBLIC EDUCATION AND OUTREACH

The SEWPBPD shall implement written public and staff education and outreach programs to increase the awareness of how the combined actions of human behavior influence storm water pollution and its effects on the environment. The public education and outreach program may incorporate cooperative efforts with other entities not regulated by this permit provided a mechanism is developed and implemented to track the results of these cooperative efforts and reported annually. For each topic area, the program shall identify the targeted audience, delivery mechanism and the persons responsible for implementation.

1. Promote detection and elimination of illicit discharges and water quality impacts associated with discharges of pollution into its municipal separate storm sewer system.
2. Inform and educate the public to facilitate the proper management of materials that may cause storm water pollution from sources.
3. Promote beneficial onsite reuse of leaves and grass clippings and proper use of lawn and garden fertilizers and pesticides.
4. Manage materials and behaviors, including toxic materials, landscape care, and waste, in a way that may reduce storm water pollution.
5. Promote the management of stream banks and shorelines to minimize erosion and restore and enhance the ecological value of waterways.
6. Target businesses and activities that may pose a storm water contamination concern, and where appropriate, educate specific audiences such as lawn care companies, tour bus companies, winter and waste management services, and food vendors on methods of storm water pollution prevention.

B. PUBLIC INVOLVEMENT AND PARTICIPATION

The permittee shall implement a written public involvement and participation program that provides opportunities for the public to effectively participate in the development, implementation, and modification of the permittee's storm water management program. The approach must include provisions for receiving and considering public comments on the following permit activities: annual reports, SWMP revisions, and TMDL pollutant load reduction benchmark development. The permittee shall also identify delivery mechanism and target participants associated with each permit activity. Delivery mechanisms may include public workshop, presentation of storm water information, government event (public hearing, council meeting, etc.), citizen committee meeting, or website.

C. ILLICIT DISCHARGE DETECTION AND ELIMINATION

The SEWPBPD shall implement a written program to detect, remove, and eliminate illicit connections and discharges to the municipal separate storm sewer system. The program shall include:

1. **Method to Prevent Illicit Discharge:** An ordinance, order, or similar means to prevent and eliminate illicit discharges and connections to the municipal separate storm sewer system. 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 unless identified by the Department as a significant source of pollutants to waters of the state.
2. **Dry weather field screening:** A written IDDE field screening procedure. At a minimum, the procedure must include:
 - a) Contact information such as name, title, and phone number of the individual(s) responsible for field screening activities.
 - b) Field screening during dry weather periods (72 hours after measurable rainfall) at all MS4 outfalls, at a minimum of once per year. The dry weather field screening shall occur during an event (e.g., Milwaukee Brewer's baseball game) or as an approved written alternative by the Department. If no events are held in a calendar year, outfall screening is still required.
 - c) Field Screening Points:
 - (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.
 - (3) Field screening points for the 3-48"x51" and 2-76"(Wood Creek) major outfalls to the Menomonee River from the River West parking lot and South Access Road shall be located at the closest upstream manhole in the contributing storm sewer system to be outside the influence of Wood Creek baseflow and backwater effect of the Menomonee River.
 - d) 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 illegal dumping shall be completed for each outfall visited.

e) Field Analysis:

If flow is observed, field analysis shall be conducted to determine the cause of dry weather flow. The field analysis shall include sampling for pH, total chlorine, total copper, total phenol, and detergents, unless the permittee elects to use alternative indicator parameters such as ammonia, potassium, or fluoride. Other alternative parameters may be authorized by the Department in written concurrence is obtained from the Department allowing use of alternative indicator parameters to more effectively detect illicit discharges such as with potassium or bacteria. Where appropriate, pollutant parameter action levels identified by the permittee must be considered. Field analysis procedures shall describe when other investigative methods such as dye testing or televising will be used.

(1) The Permittee may propose alternative field analysis procedures for review and approval. The permittee shall follow the field analysis procedures identified in subsection e) unless alternative procedures are approved in writing by the Department.

f) Pollutant Parameter Action Levels:

The action levels will identify concentrations for identified pollutants that, if exceeded, will require further investigation, which may include laboratory analysis, to identify the source of the illicit discharge.

Note: The Department has written a guidance document to assist municipalities with development of field screening programs to determine the presence of illicit discharges from MS4 outfalls. The guidance can be found on the Departments website at: <https://dnr.wisconsin.gov/topic/Stormwater/publications.html>

3. **Investigation and Elimination Procedures.** The permittee shall have written procedures for investigating and responding to known or suspected illicit discharges. Procedures must be developed for all of the following, and shall include:

- a) Contact information such as name, title, and phone number of the individual(s) responsible for responding to reports of illicit discharges and spills.
- b) Immediately investigate portions of the municipal separate storm sewer system that, based on the results of visual observation, field screening, laboratory analysis, or relevant other information, such as a complaint or referral, indicate a reasonable potential for containing illicit discharges.
- c) Responding to spills that discharge into and/or from the MS4 including tracking the source of the spill if unknown.
- d) Prevent and contain spills that may discharge into or are already within the municipal separate storm sewer system.
- e) Immediately notify the Department in accordance with ch. NR 706, Wis. Adm. Code, in the event that the SEWPBPD 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 SEWPBPD shall cooperate with the Department in efforts to investigate and prevent such discharges from polluting waters of the state.

- f) Elimination of any leakage or discharge from sanitary conveyance systems into the MS4 as required in s. NR 216.07 (3) (h), Wis. Adm. Code.
 - g) Providing the Department with advance notice of the time and location of dye testing within a MS4.
 - h) In the case of an illicit discharge that originates from the SEWPBPD's permitted area and that discharges directly to a municipal separate storm sewer or property under the jurisdiction of another municipality, the permittee shall notify the affected municipality within one working day.
 - i) In the case of an illicit discharge that is identified within the SEWPBPD's permitted area, but is determined to originate from a contributing storm sewer system or property under the jurisdiction of another municipality, SEWPBPD shall notify the contributing municipality or municipality with jurisdiction immediately, but no longer than one working day.
4. **Documentation:** The permittee shall maintain a system for documenting complaints, referrals, and any actions taken to investigate or eliminate an illicit discharge. A summary of illicit discharge activities for each year shall be included in the annual report.
5. **Training:** The permittee shall provide education for appropriate personnel involved in IDDE identification and reporting at the start of each season. Documentation shall be maintained in a staff training log.

D. CONSTRUCTION SITE POLLUTION CONTROL

The permittee shall develop a written program describing the responsible parties for all construction activities which establishes measurable goals and reduces the discharge of sediment and construction materials from construction sites. The permittee through implementation of this program shall:

1. Complete inspections and enforcement following Wisconsin Construction Site Technical Standards found online at <http://dnr.wi.gov/topic/stormwater/standards/index>.
2. Discuss, communicate with, and require those responsible for the design, installation, and maintenance of construction site erosion control practices and storm water management facilities, including contractors for construction projects on SEWPBPD projects, the proper design, installation and maintenance of practices and facilities in accordance with ch. NR 151 and ch. NR 216, Wisconsin Administrative Code. This includes achieving requirement for those sites with less than 1 acre of land disturbance per s. NR 151.105, Wis. Adm.

Code.

3. Inspection of all land disturbing activities for proper erosion and sediment control weekly and within 24 hours after a rainfall event of 0.5 inch or greater. A “rainfall event” may be considered to be the total amount of rainfall recorded in any continuous 24-hour period. Inspection records must be kept onsite. A model inspection report is available online at <http://dnr.wi.gov/topic/stormwater/construction/forms.html>
4. Repair or replacement of erosion and sediment control BMPs must be completed as necessary within 24 hours of an inspection or notification indicating that repair or replacement is needed. Any changes made shall be noted in the inspection records.

E. POST-CONSTRUCTION STORM WATER MANAGEMENT

1. The SEWPBPD shall develop a written program which describes the system or legal mechanisms the District will use to ensure that all projects are designed and installed to meet State post-construction performance standards and the requirements of this permit.
2. All new post-construction stormwater BMPs shall have an accompanying operations and maintenance plan.

F. POLLUTION PREVENTION

The SEWPBPD shall develop and implement a written pollution prevention program and establish measurable goals for pollution prevention. The program shall include:

1. Continued inspection and maintenance of structural storm water management facilities owned or operated by the SEWPBPD to maintain their pollutant removal operating efficiency.
 - a) The stormwater detention pond shall be inspected on a quarterly basis.
 - b) The stormwater detention pond sediment depth evaluation shall be conducted at a minimum frequency of once every five years beginning the 2nd year of the permit term (calendar year 2022). Results of the evaluation must be documented in a report and submitted to the Department. Any maintenance activities involving the removal of accumulated sediment shall follow Ch. NR 528, Wis. Adm. Code requirements.
 - c) Ground cover must be maintained, and any cut material shall be removed to ensure maximum effectiveness of storm water management facilities, including removal of woody brush or trees. Invasive species shall be controlled to encourage establishment of native species consistent with the surrounding planting plan.
 - d) Sediment Plume Investigation. The District shall conduct an investigation to identify the source of sediment discharging from the stormwater pond by August 1, 2021. The District shall submit a report on investigation results by September 1, 2021.
2. Catch Basin Cleaning
 - a) Inspect each catch basin annually.
 - b) Clean out catch basins when greater than 45% full.
 - c) Implement a tracking system to document the date each catch basin is inspected, the sediment depth in each catch basin, and date of clean out.

d) The catch basin cleaning schedule may be modified if future storm water management planning and or modeling suggests changes are necessary to meet the performance standards and is approved by the Department.

3. Street Sweeping

a) Except during periods of snow cover, sweeping of ring roads and parking lots shall occur after each event at the District. During periods without events, street sweeping shall occur on roads at a minimum of once per month.

b) A written street sweeping plan that describes street sweeping standard operating procedures shall be developed and submitted for Department approval as part of the SEWPBPD Stormwater Management Program. Parking lots not used during November through March shall be swept on an as needed basis, as described in the street sweeping plan. Litter removal from SEWPBPD parking lots shall be considered as part of the street sweeping procedure. The street sweeping plan shall be reviewed for adequacy at a minimum of once per year. Proposed modifications to this plan shall be submitted to the Department for review and approval prior to implementation.

4. Material Disposal

a) Material collected through street sweeping and catch basin cleaning 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 subsection 2 and 3 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.wisconsin.gov/topic/Waste>. Information on WPDES permits for non-storm water discharges is available on the Department's Internet site at: <https://dnr.wisconsin.gov/topic/Wastewater>.

5. Trash and Recycling Receptacles

a) The District shall develop a program to monitor and adjust the number and accessibility of available trash and recycling receptacles in SEWPBPD parking lots. The number of receptacles shall be reviewed for adequacy on a monthly basis and adjusted based upon observation of SEWPBPD representatives and event attendance. A summary of this review shall be included in the annual report.

6. Restrooms

a) The District shall develop a program to monitor and adjust the number and accessibility of restrooms in SEWPBPD parking lots. The number of restrooms and location shall be based upon projected attendance, weather, and observation of SEWPBPD representatives during events. The number of restrooms available shall be reviewed for adequacy on a monthly basis and adjusted as necessary. Summary of monthly reviews shall be submitted in the annual report.

Note: The Portable Sanitation Association International developed a chart of recommended number of restrooms based upon event attendance and duration. Additional factors to consider include temperature, alcohol consumption, and flux of use. The chart can be located here: <https://www.psai.org/>.

7. Winter Road Management

- a) If road salt or other deicers are applied, no more shall be applied than the amount necessary to maintain public safety. The permittee shall develop and implement a written salt application or salt reduction strategy to minimize overapplication of deicers.
- b) All salt application equipment shall be calibrated annually beginning November 2021.
- c) Salt storage shall be in a manner consistent with State, Local, and Federal regulations.

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.

8. Track the usage of pesticides, herbicides, and fertilizers on lawn and garden areas. Turf management on areas of 5 acres or more shall be completed in accordance with a nutrient management plan based upon appropriate soil tests.
9. Ensure appropriate staff is aware of general WPDES permits and requirements, such as the hydrostatic test water and water supply system water when discharging to the MS4. A list of these permits and requirements can be found at the following website: <http://dnr.wi.gov/org/water/wm/ww/pmttypes.htm#general>.
10. Storm Water Pollution Prevention Planning Activities
 - a) A Storm Water Pollution Prevention Plan (SWPPP) shall be developed and submitted to the department by December 31, 2021. The SWPPP shall include a description of procedures, good housekeeping activities, and any BMPs installed to reduce or eliminate storm water contamination. The SWPPP shall be updated when site conditions or operations change at the District. The SWPPP shall include the following items:
 - (1) Garbage and Recycling Operations
 - (2) Bulk Material Management and Storage, including street sweeping waste
 - (3) Leaf, brush, and lawn clipping management
 - (4) Any other activity at the site which can contaminate stormwater runoff.
 - b) Conduct and document quarterly visual inspections and an annual facility compliance inspection of Lot 13.
 - c) The permittee shall conduct annual training of staff on implementation of the SWPPP.

- d) If leaves and grass clippings are stored at Lot 13, they shall be kept in a manner to reduce runoff from storage piles. If materials will not be reused, they shall be disposed of in a timely manner.
 - e) The SWPPP shall include timeline for completing the activities in the Lot 13 Maintenance Plan submitted on February 18, 2021.
 - f) The District shall identify options to address the compactor leachate and runoff by February 1, 2022 and shall submit an evaluation of options to the Department. Options to consider include containment of runoff, covering the area, capture, treatment, connection to sanitary sewer or other methods identified by the District. By March 1, 2022, the District shall select an option to address the the compactor runoff and submit the proposal to the Department for approval. The District shall implement the selected option no later than March 1, 2023.
11. Continuing to implement, maintain and update, as necessary, the Stormwater Management Program. At a minimum, the Stormwater Management Manual shall be reviewed for adequacy on an annual basis. Revisions to the Stormwater Management Manual shall be submitted to the Department for review and approval prior to implementing the change. The SEWPBPD shall amend the Stormwater Management Manual if any of the following occur:
- a) When facility expansion or other activities are planned which will result in significant increases in the exposure of pollutants to storm water discharged either to waters of the state or to storm water treatment devices. The amendment shall contain a description of the new activities that contribute to the increased pollutant loading, planned source control activities that will be used to control pollutant loads, an estimate of the new or increased discharge of pollutants following treatment and, when appropriate, a description of the effect of the new or increased discharge on existing storm water treatment facilities.
 - b) The SEWPBPD finds through its inspection and maintenance of best management practices or through other means that the provisions of the Stormwater Management Manual are ineffective in controlling storm water pollutants discharged to waters of the state.
 - c) Upon written notice that the Department finds the Stormwater Management Manual to be ineffective in achieving the conditions of this permit

G. STORM WATER QUALITY MANAGEMENT

The SEWPBPD shall develop and implement a municipal storm water management program that control the discharge of total suspended solids from the MS4 system to waters of the state.

1. The storm water management program shall achieve compliance with the developed urban area performance standards of s. NR 151.13(2), Wis. Adm. Code, for those areas of the municipality that were not subject to the post-construction performance standards of s. NR 151.12 or 151.24, Wis. Adm. Code. (Note: projects prior to Oct. 1, 2004).
2. The permittee shall ensure continued operation and maintenance of all best management practices implemented on or before July 1, 2011 to achieve a total suspended solids reduction of more than 20 percent as compared to no controls.

H. STORM SEWER SYSTEM MAP

The SEWPBPD shall maintain a current municipal separate storm sewer system map. The municipal storm sewer system map shall include:

1. Identification of waters of the state, watershed boundaries, name and classification of receiving waters, and identification of whether the receiving water is listed as an impaired water under s. 303 (d) of the Clean Water Act.
2. Identification of all known municipal storm sewer system outfalls discharging to waters of the state or other municipal separate storm sewer systems. Each outfall shall be uniquely identified, and pipe size provided.
3. Stormwater drainage basin boundaries for each MS4 outfall, municipal separate storm sewer conveyance systems with flow direction, and other major municipal, government, or privately-owned storm water conveyance systems lying within, but not owned by the permittee shall be identified.
4. Location of any known discharge to the municipal separate storm sewer system that has been issued WPDES permit coverage by the Department.
5. Location of District owned or operated structural storm water controls including detention basins, infiltration basins, and manufactured treatment devices.
6. Identification of recreational areas and other open lands.
7. Location of municipal garages and other public works facilities.
8. A boundary defining the municipal border and the storm water planning area.
9. Identification of streets.
10. Identification of other potential sources of pollution.

I. 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.

J. ANNUAL REPORT

The SEWPBPD shall submit an annual report by **March 31st of the following year** for each calendar year unless the Department authorizes biennial reporting to be submitted the 2nd (2023) and 4th year (2025) of the permit term pursuant to s. NR 216.07(8) Wis. Adm. Code. The

governing body, interest groups and the general public shall be provided opportunity to review and comment on the annual report. The annual report shall include:

1. 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 II of this permit or lack of progress towards meeting a measurable goal, the permittee shall initiate program changes to improve their effectiveness.
2. Updated storm sewer system maps, where necessary, to identify any new outfalls, structural controls, or other noteworthy changes.
3. An IDDE Report that includes:
 - a) A summary of screen results from outfalls evaluated under Section II.C.2
 - b) Identified illicit discharges: A summary of each identified illicit discharge and follow up actions.
 - c) Spills: A summary of spills including location, material, quantity, and follow up actions.
4. A summary describing:
 - a) Public education programs for each of the six areas.
 - b) Street sweeping frequency and the amount collected.
 - c) Catch basin cleaning frequency and the amount collected.
 - d) Stormwater detention pond inspection and maintenance.
 - e) Lot 13 SWPPP inspections.
 - f) Pollutant Loading removal rates and status of meeting performance standards.
 - g) Any other activities that have measurable results.
5. A fiscal analysis which includes the annual expenditures and budget for the reporting year, and the proposed budget for the next year.
6. Identification of any known water quality improvements or degradation in the receiving water to which the permittee's MS4 discharges as required in Section I I. 1. Where degradation is identified, identify why and what actions are being taken to improve the water quality of the receiving water.
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.

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>

K. 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 submit an application package to the Department by **February 28, 2026** for continued coverage under a reissued version of this permit. The application package shall include:

1. For each storm water management program, the proposed program modifications and measurable goals for the next permit term. This includes specific actions and activities or structural BMPs and expected dates of implementation.
2. An assessment of the proposed storm water management program's adequacy to reduce pollutants to the MEP. The assessment must include:
 - a) Explanation and rationale on how implementation of the programs provides the highest level of performance that is achievable during the next permit term considering other environmental problems, technical capability, current technology, and available resources.
 - b) Estimate the additional pollution reduction and water quality benefits from the proposed action. This includes proposed BMPs for pollutants causing impairments not included in a TMDL.
3. A fiscal evaluation summarizing program expenditures for the current permit cycle and projected program allocations for the next permit cycle.
4. An updated estimate of annual storm water pollutant loads for TSS and TP. A description of how the pollutant loads were calculated shall be provided.
5. The established TMDL pollutant load reduction benchmarks, as required by Section III. A. 3.
6. The proposed fecal coliform reduction benchmarks for the next permit term, as discussed in Section III. A. 4.
7. Updated MS4 maps showing service boundary of the MS4, projected changes in land use and future growth, and industrial WPDES permittees which discharge to the MS4.

III. SPECIAL CONDITIONS

A. TOTAL MAXIMUM DAILY LOADS (TMDLs):

The Requirements of this section apply to discharges covered under the “Total Maximum Daily Loads for Total Phosphorus, Total Suspended Solids, and Fecal Coliform Milwaukee River Basin, Wisconsin” as approved by USEPA on March 9, 2018. The Permittee shall complete the following:

1. TMDL POLLUTANT LOAD REDUCTION EVALUATION FOR TSS AND TP:

The progress towards reducing TMDL pollutant loads shall be evaluated by the Permittee through modeling analysis, or through substantially similar or equivalent methods as approved by the Department. The results of the pollutant reduction evaluation shall be described in a report and submitted to the Department by July 31, 2024. The report must contain the following items:

- a) A map that identifies:
 - (1) The TMDL reachshed boundaries within the municipal boundary.
 - (2) The MS4 drainage boundaries within each TMDL reachshed.
 - (3) Identification of areas within the municipal boundary the permittee believes should be excluded from its analysis to show progress towards reducing TMDL pollutant loads.
 - (4) Structural BMPs and associated drainage area for each BMP used for pollutant reduction.
- b) The associated area, in acres, for each of the lands identified in Section III. A.1.a (1) through (4).
- c) An explanation for why the area identified in Section III. A.1.a (3) are to be excluded from analysis.
- d) The methodology and rationale used to evaluate progress towards reducing TMDL pollutant loads.
- e) For each reachshed, an estimate of the current pollutant loading without considering implementation of BMPs and an estimate of the current pollutant loadings considering BMP implementation. The difference between these two estimates is the existing load reduction. For privately owned BMPs, the permittee must have a maintenance agreement to count the load reduction.
- f) A comparison of the applicable TMDL WLA for each reachshed to the estimated pollutant loading with and without BMPs. The applicable TMDL reachshed reductions from the no controls condition are identified in Section VII.
- g) For each structural BMP, a tabular summary which identifies the type of BMP, area treated in acres, pollutant loading reduction efficiency, and documentation of the maintenance agreement for any private BMP.
- h) A description of the effectiveness of non-structural BMPs, if applicable, and the rationale for the selected approach.

- i) A narrative summarizing progress towards the applicable TMDL WLAs, and if applicable, existing TMDL benchmarks.
- j) If the permittee estimates that the TMDL WLAs are achieved with existing BMP implementation, the permittee must provide a statement supporting this conclusion.

2. WLA ATTAINMENT ANALYSIS:

The permittee shall complete an assessment of TSS and TP WLA attainment, including identifying information related to the type and extent of BMPs necessary to achieve the pollutant load reductions in the Milwaukee River Basin TMDL and the financial costs and other resources that may be associated with the implementation, operation and maintenance of BMPs. The analysis shall also consider current funding, alternative sources of funding, and operational efficiencies in relation to how additional pollutant reduction will be achieved. The results of the assessment must be submitted to the Department by January 30, 2025.

3. ESTABLISHMENT OF WLA BENCHMARKS FOR TSS AND TP

A TMDL pollutant reduction benchmark must be developed for TSS and TP where existing BMP implementation is not achieving the WLA. Updated pollutant benchmarks must be submitted by February 28, 2026. The submittal must include:

- a) The pollutant load reduction benchmark proposed to achieve additional progress towards the TMDL WLA during the next permit term (2026-2031).
- b) An explanation of the relationship between the TMDL WLA and the TMDL benchmark for each TMDL pollutant.
- c) A description of how SWMP implementation contributes to the overall reduction of the TMDL pollutants during the next permit term.
- d) Identification of additional BMPs or modified BMPs that will result in further reductions in the discharge of the applicable TMDL pollutants, including the rationale for proposing the BMPs.
- e) An estimate of current pollutant loading that reflect implementation of the current BMPs and the BMPs proposed to be implemented during the next permit term.

4. FECAL COLIFORM REDUCTION EFFORTS:

- a) Each permittee shall develop an action benchmark for bacteria for their Illicit Discharge Screening program as described in Section II. C. 2. f) by August 1, 2022.
- b) Fecal Coliform Inventory: By July 31, 2024, the permittee shall develop and submit to the Department an inventory of fecal coliform sources and a map indicating the locations of the potential sources of fecal coliform entering the MS4. The inventory shall be in tabular format and include a label code, location, description, and ownership of the source. The map shall identify the location of the sources by label code. The inventory shall consider flow variation in its identification of sources. The inventory and map shall include the following sources:
 - (1) Known or suspected leaking or failing septic systems

- (2) Sanitary sewer overflow locations
 - (3) Livestock and domesticated animals housed or raised within the MS4 permitted area and discharging into the MS4, but not including household pets
 - (4) Zoos, kennels, animal breeders, pet stores, and dog training facilities
 - (5) Waste hauling, storage, and transfer facilities
 - (6) Areas that attract congregations of nuisance urban birds and wildlife
 - (7) Known or suspected properties with inadequate food or organic waste handling or storage
 - (8) Composting sites or facilities
 - (9) Known or suspected areas with improper human sanitation use
 - (10) Any other source that the permittee identifies as discharging to the MS4
- c) By February 28, 2026, the permittee shall develop and submit to the Department a fecal coliform source elimination plan. The plan shall include:
- (1) Prioritization of source removal with and explanation of the prioritization criteria. Prioritization criteria shall include, at a minimum, fecal coliform source, exposure risk, ease of removal, and cost.
 - (2) A description of the type and extent BMPs to be employed to address each source.
 - (3) A cost estimate of BMP implementation, operation, and maintenance.
 - (4) A schedule for implementation of the bacteria elimination plan that reflects expeditious reduction with specific actions or benchmarks identified to be implemented during the next permit term.
 - (5) BMPs identified may be structural, non-structural, targeted outreach, new or revised ordinances, new design criteria, or new plan review considerations, but the plan shall include rationale for using each BMP, the reasons selection of each BMP, and the expected result of BMP implementation.

IV. COMPLIANCE SCHEDULE

The SEWPBPD shall comply with the specific permit conditions contained in Sections II and III of the permit in accordance with the schedule in Table 3. SEWPBPD shall begin implementing any updates to their stormwater management programs no later than August 1, 2022. 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>

Table 3: Implementation Schedule for Permit Requirements

PERMIT SECTION	ACTIVITY	COMPLIANCE DATE
Section I.I.1	Identify discharges to an impaired waterbody.	12 months after 303(d) list is updated.
Section II. F.1.d)	Report on Sediment Plume Investigation	September 1, 2021
Section II.F.7.b)	Pollution Prevention – Calibrate salt application machinery.	Annually beginning November 2021.
Section II.F.10.a)	Pollution Prevention – Submit storm water pollution prevention plans (SWPPP) for Lot 13.	December 31, 2021
Section II. F.1.b)	Pond Sediment Depth Evaluation	2022, and every 5 years after
Section II.F.10.g)	Identify options for compactor leachate and runoff	February 1, 2022
Section II.F.10.g)	Select option to address compactor leachate and runoff and submit to the Department for approval	March 1, 2022
Section II	Submit written Storm Water Management Program document updates and begin implementation.	August 1, 2022
Section III.A.4 a)	Total Maximum Daily Load—Develop bacteria action level for illicit discharge screening.	August 1, 2022
Section II.F.10.g)	Complete Implementation of BMPs to address compactor leachate and runoff	March 1, 2023

Section II.J	Submit Biennial Report for calendar year 2021 and 2022.	March 31, 2023
Section III.A.1	Total Maximum Daily Load—Submit pollutant reduction analysis report.	July 31, 2024
Section III.A.4 (b)	Total Maximum Daily Load—Submit fecal coliform source inventory.	July 31, 2024
Section III.A.2	Total Maximum Daily Load—Submit wasteload allocation attainment analysis.	January 30, 2025
Section II.J	Submit Biennial Report for calendar year 2023 and 2024.	March 31, 2025
Section II.K	Submit Permit Application	February 28, 2026
Section III.A.3	Total Maximum Daily Load—Submit TSS and TP benchmarks for the next permit term.	February 28, 2026
Section III.A.4 (c)	Total Maximum Daily Load—Submit fecal coliform source elimination plan.	February 28, 2026

V. STANDARD CONDITIONS

The conditions in s. NR 205.07(1) and (3), Wis. Adm. Code, are incorporated by reference in this permit. The Menomonee River Watershed Permittees shall meet these requirements. Some of these requirements are outlined below in paragraph A. through R. Requirements not specifically outlined below can be found in s. NR 205.07(1) and (3), Wis. Adm. Code.

A. DUTY TO COMPLY:

The municipalities shall comply with all conditions of the permit. Any permit noncompliance is a violation of the permit and is grounds for enforcement action, permit revocation or modification, or denial of a permit reissuance application.

B. 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 schedule 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 municipality's ability to meet the remaining schedule dates.

C. NONCOMPLIANCE NOTIFICATION:

1. Upon becoming aware of any permit noncompliance that may endanger public health or the environment, each municipality shall report this information by a telephone call to the Department within 24 hours. A written report describing the noncompliance shall be submitted to the Department within 5 days after the municipality 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.
2. Reports of any other noncompliance not covered under General Condition's B, C.1, or E shall be submitted with the annual report. The reports shall contain all the information listed in General Condition C.1.

D. DUTY TO MITIGATE

Each municipality shall take all reasonable steps to minimize or prevent any adverse impact on the waters of the state resulting from noncompliance with the permit.

E. 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>

F. 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 program. 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.

G. BYPASS:

The Permittee may temporarily bypass storm water treatment facilities if necessary for maintenance, or due to runoff from a storm event which exceeds the design capacity of the treatment facility, or during an emergency.

H. DUTY TO HALT OR REDUCE ACTIVITY:

Upon failure or impairment of best management practices identified in the storm water management program, each municipality shall, to the extent practicable and necessary to maintain permit compliance, modify or curtail operations until the best management practices are restored, or an alternative method of storm water pollution control is provided.

I. 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.

J. ADDITIONAL MONITORING:

If a municipality monitors any pollutant more frequently than required by the permit, the results of that monitoring shall be recorded and reported in accordance with this chapter. Results of this additional monitoring shall be included in the calculation and reporting of the data submitted in the annual report.

K. INSPECTION AND ENTRY:

Each municipality shall allow an authorized representative of the Department, upon the presentation of credentials, to:

1. Enter upon the municipal premises where a regulated facility or activity is located or conducted, or where records are required under the conditions of the permit.
2. Have access to and copy, at reasonable times, any records that are required under the conditions of the permit.

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under the permit.
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance, any substances or parameters at any location.

L. DUTY TO PROVIDE INFORMATION:

Each municipality shall furnish the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking or reissuing the permit or to determine compliance with the permit. Each municipality shall also furnish the Department, upon request, copies of records required to be kept by the municipality.

M. 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.

N. DUTY TO REAPPLY:

If any of the Menomonee River Watershed Permittees wish to continue an activity regulated by the permit after the expiration date of the permit, the municipality shall apply for a new permit at least 180 days prior to the expiration date of the permit. If a timely and complete application for a new permit is filed and the permit is not reissued by the time the existing permit expires, the existing permit remains in effect until the application is acted upon.

O. OTHER INFORMATION:

Where a municipality becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the department, it shall promptly submit such facts or correct information to the department.

P. RECORDS RETENTION:

Each municipality shall retain records of all monitoring information, copies of all reports required by the permit, and records of all data used to complete the application for the permit for a period of at least 5 years from the date of the sample, measurement, report or application. The Department may request that this period be extended by issuing a public notice to modify the permit to extend this period.

Q. PERMIT ACTIONS:

As provided in s. 283.53, Wis. Stats., after notice and opportunity for a hearing the permit may be modified or revoked and reissued for cause. If a municipality files a request for a permit modification, revocation or reissuance, or a notification of planned changes or anticipated noncompliance, this action by itself does not relieve the municipalities of any permit condition.

R. SIGNATORY REQUIREMENT:

All applications, reports or information submitted to the Department shall be signed for by a ranking elected official, or other person authorized by them who has responsibility for the overall operation of the municipal separate storm sewer system and storm water management program activities regulated by the permit. The representative shall certify that the information

was gathered and prepared under their supervision and based on inquiry of the people directly under their supervision that, to the best of their knowledge, the information is true, accurate, and complete.

S. ENFORCEMENT ACTION:

The Department is authorized under s. 283.89 and 283.91, Wis. Stats., to use citations or referrals to the 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 violation.

T. ATTAINMENT OF WATER QUALITY STANDARDS AFTER AUTHORIZATION:

Except for situations where a TMDL has been approved by US EPA during the permit term, 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:

1. Develop and implement an action plan to address the identified water quality concern to the satisfaction of the Department.
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.

VI. DEFINITIONS

Definitions for some of the terms found in this permit are as follows:

- A. Department** means the Wisconsin Department of Natural Resources.
- B. Development** means residential, commercial, industrial and institutional land uses and associated roads.
- C. Erosion** means the process by which the land's surface is worn away by the action of wind, water, ice or gravity.
- D. 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.
- E. Illicit connection** means any man-made conveyance connecting an illicit discharge to a municipal separate storm sewer system.
- F. 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, firefighting, 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.
- G. 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.
- H. Infiltration** means the entry and movement of precipitation or runoff into or through soil.
- I. 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.
- J. 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.

K. Maximum Extent Practicable has the meaning given it in s. NR 151.002(25), Wis. Adm. Code.

L. Major outfall means a municipal separate storm sewer outfall that meets one of the following criteria:

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.
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.

M. 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.

N. Municipality Operated BMP means a structural storm water management practice or BMP which is not owned by the Municipality which the municipality has a maintenance agreement with the owner and takes credit for pollutants removed from the BMP.

O. 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:

1. Owned or operated by a municipality.
2. Designed or used for collecting or conveying storm water.
3. Which is not a combined sewer conveying both sanitary and storm water.
4. Which is not part of a publicly owned wastewater treatment works that provides secondary or more stringent treatment

P. 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.

- Q. 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).
- R. 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.
- S. 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
- T. Pollutants of concern** means a pollutant that is causing impairment of a waterbody.
- U. Reach** means a specific stream segment, lake or reservoir as identified in a TMDL.
- V. Reachshed** means the drainage area contributing runoff to a given reach.
- W. Redevelopment** means areas where development is replacing older development.
- X. Riparian landowners** are the owners of lands bordering lakes and rivers.
- Y. Sediment** means settleable solid material that is transported by runoff, suspended within runoff or deposited by runoff away from its original location.
- Z. Start Date** is the date of permit coverage under this permit, which is specified in the Department letter authorizing coverage.
- AA. Storm water management practice or Best Management Practice (BMP)** means structural or non-structural measures, practices, techniques or devices employed to avoid or minimize soil, sediment or pollutants carried in stormwater runoff to waters of the state.
- BB. 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.
- CC. 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.
- DD. 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.

EE. Wasteload Allocation or WLA means the allocation resulting from the process of distributing or apportioning the total maximum daily load to each individual point source discharge.

FF. Waters of the State has the meaning given it in s. 283.01(20), Wis. Stats.

GG. WPDES permit means a Wisconsin Pollutant Discharge Elimination System permit issued pursuant to ch. 283, Wis. Stats.

VII. TSS AND TP WASTELOAD ALLOCATIONS

The following tables identifies the total suspended solids (TSS) and total phosphorus (TP) reduction goals for each reachshed identified in the “Total Maximum Daily Loads for Total Phosphorus, Total Suspended Solids, and Fecal Coliform Milwaukee River Basin, Wisconsin” Report. The values represent the load reductions required from a no-controls scenario.

Table 1: Milwaukee River Basin

Reachshed (TMDL Subbasin)	Waterbody Name	Waterbody Extents	TSS % Reduction from No-controls	TP % Reduction from No-controls
MN-16	Menomonee River	From Estuary to Honey Creek	72.0%	49.4%

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.