

# What's Going On In Our Corner?

## South Central Wisconsin MS4 Permittees



### Municipally Owned Vs. Operated Stormwater (BMPs): What's The Difference?

The term 'municipally owned' are stormwater best management practices (BMPs) owned by the municipality and likely located on municipally owned property. Also referred to as public BMPs, these BMPs are required to be maintained by the municipality.

The term 'municipally operated' is used to define any privately owned BMPs the municipality has maintenance authority on (e.g., long-term maintenance agreement, easement agreement, etc.).

With maintenance authority on private BMPs, the municipality can ensure the private BMP is being inspected and maintained. Typically, private BMP owners should be inspecting their BMP per the long-term maintenance agreement. However, to ensure this is occurring, it's vital the municipality verifies this by requesting reports.



Photo Credit: Wisconsin DNR



Photo Credit: Wisconsin DNR

## Topics

P.1 Erosion Control Inspections

P.2 Improving Stormwater Quality At Larson Lagoon

P.3 Upcoming Dates, Reminders And Events

## Erosion Control Inspections

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

For active construction sites with one acre or more of land disturbance, site developers are required to conduct their own erosion control inspections. However, MS4 permittees are also required to conduct their own inspections at these sites. This municipal oversight is required for public and private developments. Municipally conducted erosion control inspections at these active sites are required in MS4 permits. Here are three questions we often come across:

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

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

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

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

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

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

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

# Spring Cleaning: Stormwater Best Management Practices

'April showers bring May flowers' indicates spring is on its way, and so is the rain. Therefore, it is a crucial time to implement a variety of different 'spring cleaning' BMPs to reduce or eliminate stormwater pollutants in your municipality's runoff in time for heavy rain events. Below are just a few examples of spring-cleaning activities:

## Structural Stormwater BMP Inspections (retention ponds, infiltration basins, etc.)

Snowmelt events can carry debris and litter that may clog stormwater inlet structures. Maintaining BMP inlet structures so they are clear is important to avoid flooding and to ensure the stormwater BMP is functioning as designed. Inspecting stormwater BMPs after the winter season will help make sure the municipality's stormwater BMPs are ready for the rain. As a reminder, the MS4 Permit requires stormwater BMPs to be inspected at least once every five years.

## Street Sweeping

When the snow melts, this can leave behind debris and other pollutants that have accumulated over the winter months. Street sweeping shortly after the snow melts or increasing the frequency of street sweeping during this timeframe can help get this material off the streets before a big rain event washes it to the nearest stormwater drains.

## Spring Cleanup Events

Hosting spring cleanup volunteer events to pick up trash and other debris in your community helps keep our environment clean and assists in BMP function, but it can also count as a public involvement or education activity. Several cleanup events were held this past Earth Day (April 20, 2024) across the state of Wisconsin! For example, Milwaukee Riverkeeper held its [spring cleanup event](#) at more than 90 locations across the Milwaukee River Basin. Madison Parks also held an [Earth Day Challenge](#) to clean up local parks. In the La Crosse area, there was a [community river cleanup](#) on May 11, 2024.

## Introducing MS4 Quarterly Highlights To South Central Region: "What's Going On In Our Corner?"

In 2023, Southeast Region DNR staff initiated a pilot project which developed MS4 Quarterly Highlights called "What's going on in our corner?". The purpose of regional highlights is to provide a platform where MS4 permittees can share success stories, practical procedures that work well for their MS4 program, etc. so this information can be shared with the rest of the municipalities in the region.

After issuing the Quarterly Highlights for a year in Southeast Region, DNR staff conducted a survey to determine if they would continue their Quarterly MS4 Highlights in their region. The results showed an overall response rate around 33%, with over half the respondents

Based on the responses, Southeast DNR staff have continued to issue these Quarterly Highlights.

These Quarterly Highlights are intended to provide helpful information on MS4 permits, but it also helps establish relationships and share regional MS4 stories to permittees across the region.

With success in another Region, South Central DNR staff are excited to implement the Quarterly Highlights this year and would like to hear from you!

Please contact Sean Spencer, DNR stormwater specialist, at [Sean.Spencer@wisconsin.gov](mailto:Sean.Spencer@wisconsin.gov) to be included.

## Plowing Snow: Damage To Landscaping

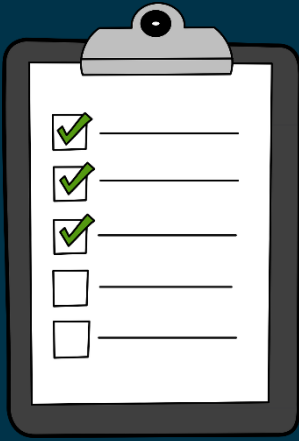
As the snow melts, damages to landscaping may begin to show along public walkways, parks and other areas kept clear of snow. These unstable areas can create a muddy mess but could also run off into nearby waterways or stormwater drains.

Stabilizing these areas to ensure vegetation will grow back is a beneficial spring-cleaning BMP that could be implemented.

Other BMPs, such as clearly identifying the boundaries of lawn areas when the ground is covered in snow, can help avoid this issue in the first place. For example, reflective snowplow markers or large bright stakes could help outline the edges, landscape and plant materials. However, be sure to install these makers before the ground is frozen and the first anticipated snowfall.



Photo Credit: [Winter Lawn Tips: Snow Plow Damage](#) ([nutrilawn.com](http://nutrilawn.com))



## Want To Be Featured In The MS4 Summer Edition?

We want to hear about your municipality's success stories and practical procedures.

Please reach out to Wisconsin DNR stormwater staff with stories to include in upcoming editions:

Sean Spencer

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# Upcoming Dates, Reminders And Events

## MS4 General MS4 Permit Expiration

The MS4 General Permit expired on April 30, 2024. Though the MS4 General Permit will not be reissued by May 1, the permit will be administratively extended since all MS4 General Permittees reapplied for permit coverage with their fourth year MS4 Annual Report submittal. MS4 General Permittees should continue to implement current permit conditions until the next permit is issued. If you have questions, please contact your regional stormwater specialist.

## DNR Awards \$6 Million In Grants To Help Restore And Protect Wisconsin's Surface Water

The Wisconsin Department of Natural Resources (DNR) recently announced approximately \$6 million in grant funding to lake organizations, nonprofit organizations and municipal and county governments throughout Wisconsin. Funding, which includes Healthy Lakes and Rivers grants as well as support for the Clean Boats, Clean Waters and Lake Monitoring and Protection Network programs, will be used to help restore and protect the state's surface water resources in 2024 and beyond. The [FY24 Surface Water Grants Proposed Funding List](#) can be found on [the DNR's Surface Water webpage](#).

## Wisconsin DNR 2022 Water Conditions List

The [2022 Water Condition Lists](#) may be used to check the receiving water status for both the impaired waters list and restoration waters list section of a total maximum daily load.

## Save The Date: Wisconsin Stormwater Week 2024

The second annual Wisconsin Stormwater Week will be held on Sept. 21-29, 2024! Check back soon to learn more and discover [Wisconsin Stormwater Week events](#) in your area for 2024.