

Summary of Stormwater Intergovernmental Agreements

Between Waukesha County and 26 Local Municipalities

Background on Municipal Stormwater Regulations

Urban runoff is a significant source of water pollution, therefore federal and state laws require permits for discharges from municipal separate storm sewer systems (MS4) as “point sources”. In Wisconsin, the Department of Natural Resources (DNR) issues MS4 Permits for communities that meet the population densities specified under Chapter NR 216 Wis. Admin. Code. MS4 Permits were phased in, starting in the late 1990’s, beginning with the most highly populated areas of the state.

About 245 municipalities around the state are now subject to MS4 Permits. Compliance requirements are updated every 5 years, but usually involve items such as: mapping municipal stormwater collection systems, demonstrating that discharges meet state standards, regulating stormwater from new construction, executing pollution prevention plans on municipal properties, detecting and regulating illicit discharges into the municipal stormwater system, and implementing a public education program.

What is Waukesha County’s Role?

Waukesha County has been a leader in stormwater management education and regulation for decades, including, but not limited to:

- Adopting a Construction Site Erosion Control Ordinance in 1992;
- Forming a Stormwater Advisory Committee (SAC) in 1995 to develop a model Stormwater Management Ordinance to encourage consistency in local ordinances;
- Adopting a combined Stormwater Management & Erosion Control Ordinance in 1998;
- Through SAC, updating the Ordinance in 2005 and 2016 to meet new state requirements;
- Publishing the first model Stormwater BMP Maintenance Ordinance in 2010;
- Publishing model erosion control/stormwater planning checklists, BMP maintenance agreements, inspection forms, fact sheets, and plan submittal documents (early 2000’s);
- Providing comprehensive water education programs for schools and the general public, as well as an annual stormwater workshop and other municipal training opportunities.

The County also offers intergovernmental agreements to local municipalities which, by sharing resources, provide cost-effective solutions to meet certain MS4 General Permit requirements.

What’s included in a Stormwater Intergovernmental Agreement (IGA)?

There are two types of MS4 Permit-required services the County offers through the IGA – stormwater education and ordinance implementation. There are currently 26 executed IGAs for these services. Map 1 shows which communities are currently provided each of these two services.

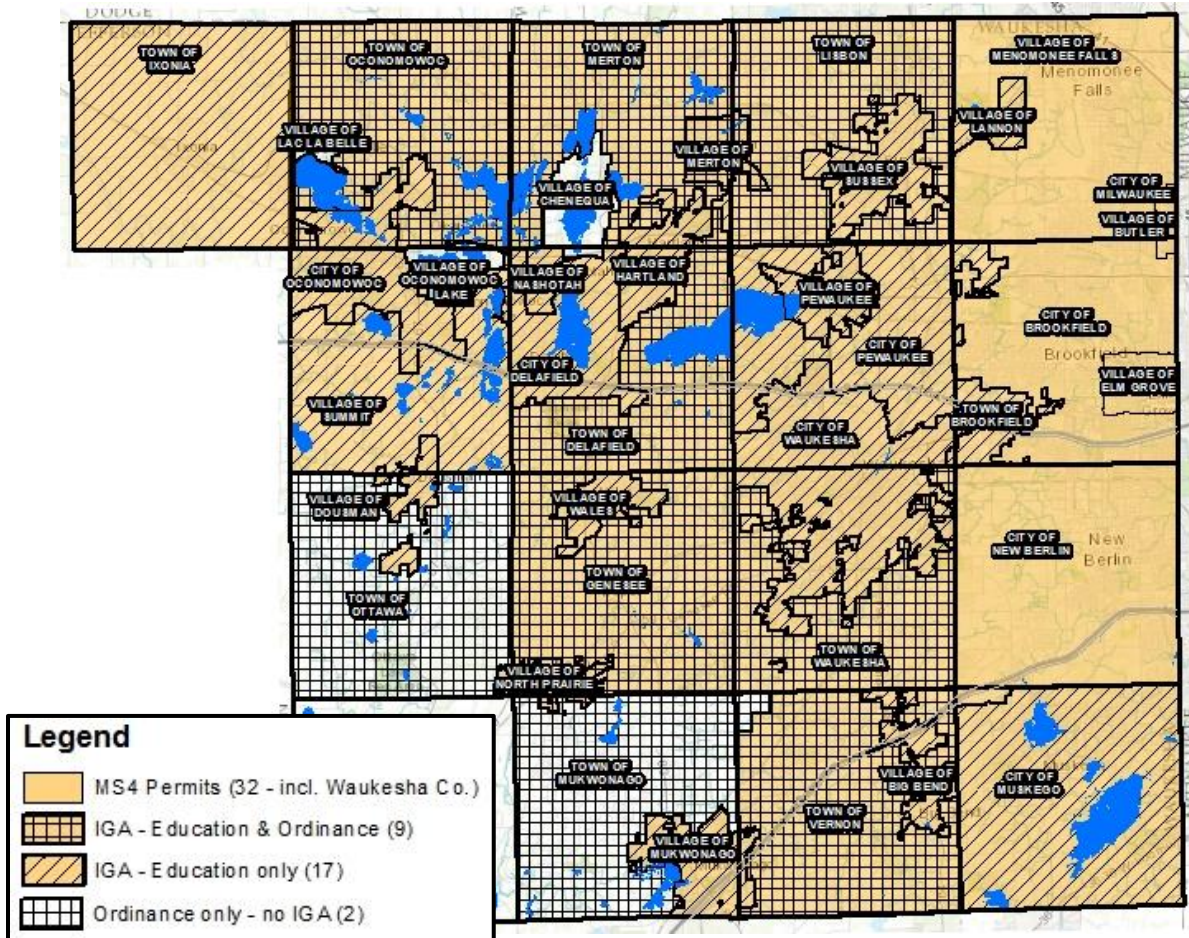
1) Stormwater Education. All IGA’s include stormwater education, with a comprehensive list of education program services, by target audience, included in an exhibit, such as: presentations, displays, flyers, newsletters, web site, workshops, field tours, teacher training, water quality monitoring, and outreach at special events. The IGA commits the community to pay an annual fee to the County, based on their population, to partially offset County staff and support costs to implement the education program, including one County position dedicated to the program.

2) *Ordinance Implementation.* The County also offers ordinance implementation services through the IGA, at no cost to the community (supported by permit fees). The Waukesha County Stormwater Management & Erosion Control Ordinance has been approved by DNR as meeting state standards and MS4 Permit requirements. Map 1 shows where the County ordinance currently applies, (9 towns and 2 villages), and which communities executed an IGA to meet MS4 permit requirements.

Since the DNR designated the County an “Authorized Local Program” in 2010, any County Stormwater Permit also provides the permit holder coverage under the state Construction Site General Permit under NR 216. Other key provisions of the IGA and program that are designed to facilitate local/County regulatory efforts include:

- Coordinated plan review and approval procedures for proposed land divisions and grading;
- Shared/coordinated financial assurances to ensure permit compliance;
- County screening for wetlands, endangered resources, and historical properties per WI statutes;
- Coordinated preconstruction meetings and permit enforcement procedures;
- Documented policies on utility placement in local right-of-ways and late season construction.

Map 1
MS4 Permit and Waukesha County
Intergovernmental Agreement (IGA) and Stormwater Ordinance Coverage: 2016



For more information on stormwater intergovernmental agreements with Waukesha County, contact: Perry Lindquist, Land Resources Manager at 262-548-7867 or plindquist@waukeshacounty.gov.