

Public Comments & DNR Responses  
to Proposed Guidance

**Developed Urban Areas Performance Standard  
20% TSS Reduction  
Addendum A (Urbanized Area)**

The DNR received two sets of comments: (1) Strand Associates, dated July 27, 2016, on behalf of the Village of Waunakee and Town Westport, and (2) Ruckert & Mielke, Inc., dated August 1, 2016 (comments attached). Thank you for taking the time to review and comment on the proposed guidance.

Brief summary of comment types and DNR responses:

**Strand:** Clarifications were requested as certain sections were interpreted as contradictory. Clarification with respect to modeling of TMDL and non-TMDL watersheds was requested.

**DNR Response:** The guidance has been adjusted to avoid potential contradiction. This guidance applies to MS4 developed urban area modeling, which applies to all watersheds regardless of an approved TMDL. DNR preferred to not discuss any detail of TMDL modeling in this guidance document as MS4 TMDL modeling is addressed under separate guidance documents.

**Ruckert Mielke:** Requested clarification where additional modeling may be needed in relation to meeting the 20% developed urban area standard, TMDLs and impaired waters.

**DNR Response:** Additional clarification has been added. DNR preferred to not discuss any detail of TMDL modeling in this guidance document as MS4 TMDL modeling is addressed under separate guidance documents.

The final guidance was given final approval by the Bureau Director on September 20, 2016.

Prepared by: Eric S. Rortvedt, Storm Water Engineer

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August 1, 2016

Mr. Eric Rortvedt  
Water Resources Engineer  
Department of Natural Resources  
3911 Fish Hatchery Road  
Fitchburg, WI 53711

Re: Comments on the Proposed Guidance Document: Developed Urban Areas Performance Standard – 20% TSS Reduction: Addendum A (Urbanized Area)

Dear Mr. Rortvedt:

Staff at Ruekert & Mielke, Inc. (R/M) have reviewed the proposed guidance document *Developed Urban Areas Performance Standard – 20% TSS Reduction: Addendum A (Urbanized Area)*, and provide the following comments for your consideration.

The draft guidance document addressed the question of whether a computer model should be run again to show compliance with the 20% TSS developed urban area reduction requirement found in s. NR 151.13(2)(b)1.b. after a new census and subsequent revised Urbanized Area map adds additional permit area to a community covered under a Municipal Separate Storm Sewer System (MS4) permit. Since this proposed guidance document only addresses a very specific scenario related to computer modeling, we recommend adding some examples to the document of other circumstances that may trigger the need for additional computer modeling, including:

- A. MS4 permit conditions designed to show progress toward meeting the goals of a TMDL;
- B. Municipalities that have not reached the 20% TSS reduction in s. NR 151.13(2)(b)1.b;
- C. Assessing the amount of other pollutants from developed lands that contribute to an impaired waterway as part of a strategy to meet the MS4 permit requirements for impaired waterways.

Readers of the proposed guidance document should understand that additional computer modeling may be needed or desired to assess the municipal storm water program, but not necessarily to meet the requirements of NR 151.13(2)(b)1.b.

This guidance document can help municipalities plan for future budget and resource needs by providing examples of situations when the computer model may be required or desired to assess the storm water impacts to a particular area.

~Civil-Municipal Dept > Storm Water User Group (SWUG) > Rortvedt-20160801-Comments on Proposed Guidance Document.docx~

Mr. Eric Rortvedt  
Comments on the Proposed Guidance Document  
August 1, 2016  
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Thank you to Department staff for considering these comments and for providing guidance to help effectively and efficiently implement the municipal storm water programs.

Very truly yours,

RUEKERT & MIELKE, INC.



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cc: Steven C. Wurster, P.E., Ruekert & Mielke, Inc.  
File

Waunakee and Westport  
Comments to WDNR on Developed Urban Areas Performance Standard - 20% TSS Reduction  
Addendum A (Urbanized Area)-WDNR's Proposed Guidance  
July 27, 2016  
Strand Associates, Inc.

- D.1.-Consider adding the following at the beginning of the first sentence: “For MS4s not previously meeting the 20 % TSS performance standard, “
- D.2.- Consider adding the following at the beginning of the first sentence: “For MS4s not previously meeting the 20 % TSS performance standard, “
- D.3.-No comments
- D.4.-This paragraph seems to conflict with D.1. and D.2. which is the impetus for comments for D.1. and D.2. It appears that the changes to D.1 and D.2. are necessary or alternatively D.4. could be revised to clarify.
- Consider adding Item D.5. as follows: “MS4s in TMDL watersheds are required to perform a MS4/TMDL Analysis following WDNR’s MS4/TMDL guidance which is different than the MS4 Developed Urban Area 20% TSS Analysis guidance. If the MS4 has previously met the 20% TSS performance standard, MS4s are not required to maintain the MS4 Developed Urban Area 20% TSS Analysis per D.4. but rather will update that modeling following the WDNR’s MS4/TMDL guidance. For MS4s that have lands in TMDL and non-TMDL watersheds, the MS4 would apply the MS4 Developed Urban Area 20% TSS Analysis guidance to the non-TMDL watersheds.”