

Summary of changes in the 11-10-07 version of NR 151

Subchapter I

NR 151.002(6) Continue to work on the concept of connected imperviousness.

NR 151.003 Changes to reflect comments from the advisory committee.

Subchapter III

NR 151.11(3)(e) Remove exemption for routine maintenance in NR 151. The exemption for getting a permit will still appear in NR 216 but they will still be required to meet the performance standards. This same approach will be used when the exemption for oil and gas lines is added to NR 216. This approach is similar to how TRANS 401 is written.

NR 151.11(3)(f &g) These will need to remain because we are extending these permits when requested.

NR 151.11(6)(a) May need to revisit the TMDL process wording, add targeted performance standards to this section and others like it.

NR 151.11(6)(c)3. Inlet and culvert protection is needed where sediment may be delivered off-site. This will allow a contractor to forego inlet and culvert protection if the inlets and culverts drain to a sediment control structure on-site.

NR 151.12(2)(c) Propose removing this exemption. Then any redevelopment would have to meet the performance standards for redevelopment. This has become a huge loophole.

NR 151.12(2)(d) Keep connected imperviousness as a measure and reference the guidance document. Remove note about bike and pedestrian paths.

NR 151.12(5)(a)2. Change redevelopment to 60% and remove the acreage restriction and sunset date.

NR 151.12(5)(b) Peak flow will be revisited to reflect the latest research in bank-full condition.

NR 151.12(5)(c)1.&2. Will consider using a cut-off of percent connected imperviousness rather than residential or non-residential for the infiltration goal of 90% pre-development or 60% pre-development. The DNR guidance document will clarify how connected imperviousness can be applied.

NR 151.12(13) Added the words existing development in the 20/40% TSS reduction section, the possibility of having to go beyond the 40% TSS reduction for a TMDL and a note about the availability of a technical standard for nutrient management.

NR 151.12(14) Added note about the availability of a technical standard for nutrient management.

Subchapter IV

NR 151.20(2)(a) Delete as outdated.

NR 151.21(1) and (8) Simplified the definition of public-use airport thus eliminating the need for the airport definition.

NR 151.22 Should we revisit the responsible party language since references to contractors is most appropriate in TRANS 401 and not NR 151?

NR 151.24(10)(a) Swale treatment exempts the user from all but the protective area performance standards. Also in this section the transportation facility may need to meet a TMDL pursuant to NR 151.005.

NR 151.25 Add language to make it clear that the 20/40% TSS reduction from the existing development must be met municipality by municipality.