

On Thu, Jul 22, 2021 at 12:22 PM Fries, Gregory <GFries@cityofmadison.com> wrote:

Mr. Gausmann,

I regret that we have been unable to resolve this issue to date. At this point I have limited suggestions on how to move forward which follow.

To the extent that your e-mails can be categorized as either 1) a request for an adjustment to the City Engineer's measurements of total area, impervious area and/or pervious area of your parcels under MGO Sec. 37.05(4)(c), or 2) a request for a fee adjustment or credit under MGO Sec. 37.05(4)(d), the City Engineering Division has reviewed your submissions and has made final adjustments as noted previously. Modifications were not made to the total area, impervious or pervious areas, but wetland credit was granted to one parcel based upon the City's approved Rate Adjustment and Credit Policy. Please consider that determination final as of the date of this e-mail.

Pursuant to MGO Sec. 37.05(4)(e) and 37.05(13), you have fifteen (15) days from the date of this e-mail to appeal this decision to the Board of Public Works. Notice of appeal shall be filed with the City Engineering Division, in writing at 210 Martin Luther King Jr. Blvd., Room 115, Madison, WI 53703. If an appeal is sought, please include the basis for the appeal.

Thank You

Greg

From: Gausmann <gaus3866@gmail.com>

Sent: Tuesday, July 20, 2021 8:17 PM

To: Fries, Gregory <GFries@cityofmadison.com>
Cc: Schmidt, Janet <jschmidt@cityofmadison.com>; Gaebler, Phil <PGaebler@cityofmadison.com>; OBrien, Chase <COBrien@cityofmadison.com>
Subject: Re: Storm water credits

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Greg,

Do you read the Emails before you respond ?

In discussion with you on one of our first conversations, You said if my water goes to Madison we would have to be charged to help pay for the drainage of Madison's storm water system. You said, if our water ran directly to a navigable way and not to the Madison chain, Madison had no authority because it doesn't go thru your storm water system. At that point you sent me a map showing the impossible, water going up hill. Look back in your emails, you guys sent it over, My Lawyer even laughed at that. That is when I went to the NRCS and got the correct map and sent it to you. As stated, our water is in the Door creek watershed dumping into Lake Kegonsa. This does not effect Madison at all. It is in the Door Creek Water Shed Hand Book. In my first conversation with Phil Gaebler, we talked and I explained everything in detail. After Listen to my concerns, he said this is a gray area, stumped ! Not knowing what to say. Why should the City get the gray area to play with and not the landowner of 40 years ?

You still didn't respond to the minutes and or the letter stating, when Madison takes over, nothing will change for the residents in Blooming Grove. What did you decide on the wells. You did read the last email correct ?

I am still waiting for an answer from Janet, We have property and crop damage from your storm water system, To someone who wants to charge for services must be willing to pay for

the damage it creates
down the road.

We should be Grandfathered on the watershed. This is the only smart thing to happen. As I stated in the previous emails. When the land get sold or developed it can be brought up to code at that time.

Your Utility is made up by your decisions, At this time they may need some adjustments because the decisions are bias and do not pertain to all parties.

Steve Gausmann

On Mon, Jul 19, 2021 at 6:02 PM Fries, Gregory <GFries@cityofmadison.com> wrote:

Hello Mr. Gausmann,

From what I can find you have 3 parcels in the City. I have outlined those parcels in blue on the attached PDF.

The largest parcel has been granted wetland credits. The other two parcels do not qualify for any credits based on the currently approved credit policy.

With regard to what watershed you drain to that does not matter from the perspective of the utility.

I am not sure what else I can offer you at this time.

All parties you have been talking to are acting in accord with the approved credit policy of the utility. We do not have the authority to work outside the policy.

If there are other parcels you own that you would like me to review I am happy to do so.

Thank You.

Greg

From: Gausmann <gaus3866@gmail.com>

Sent: Thursday, July 01, 2021 2:02 PM

To: OBrien, Chase <COBrien@cityofmadison.com>

Cc: Fries, Gregory <GFries@cityofmadison.com>; Schmidt, Janet

<jschmidt@cityofmadison.com>; Gaebler, Phil <PGaebler@cityofmadison.com>

Subject: Re: Storm water credits

Caution: This email was sent from an external source. Avoid unknown links and attachments.

To the people above,

You, all should go back and read the emails sent to you.

Nobody has answered any of the questions. You send a random response. You still have not proven why we should pay for something

that does not pertain to you or us at this time. Once this is

developed and the water flow gets changed you will have a master plan for the runoff. at that time this will be engineered to suit your needs.

You have failed to acknowledge the letter and the minutes from the meetings stating "Nothing will change with the annexation from blooming grove". We were already a madison address prior to this.

We should be GRANDFATHERED in till we either get services or the property get sold to a new owner, at that time bringing it up to compliance.

Janet has not answer issues about the runoff which is causing damage also. If you want to charge for storm water, you better come see where your pushing it.

Phil and Greg know this is a gray area. The gray area can't always be in favor of the city, Sometime common sense has to come into play.

This is not right, Everybody hides behind there computer pretending this will go away. This credit of \$5.00 per month ! Who came up with that !

Dane County and Madison Metrogrow checks are wells because of the landfill and spreading fertilizer, they have done that since the dump opened. Why do we need to pay \$355.00 each for my two homes for the same testing ??

Steve Gausmann

On Thu, Jul 1, 2021 at 10:48 AM OBrien, Chase <COBrien@cityofmadison.com> wrote:

Greg – I can confirm a credit of \$33.34 was applied on 5/26 (calculation of that amount is attached). Additionally, the existing late fees on the account were removed on 5/26. The most recent bill that went out reflected the reduced billable for the wetland area per the 5/26 email request from Phil/Greg below. This was all related to the 7704 E Buckeye parcel.

From: Fries, Gregory <GFries@cityofmadison.com>

Sent: Thursday, July 1, 2021 10:37 AM

To: 'Gausmann' <gaus3866@gmail.com>

Cc: OBrien, Chase <COBrien@cityofmadison.com>; Schmidt, Janet

<jschmidt@cityofmadison.com>; Gaebler, Phil <PGaebler@cityofmadison.com>

Subject: RE: Storm water credits

Hello Mr. Gausmann,

Janet Schmidt sent me your message from yesterday.

I had responded to you on May 26th - copy is below with regard to your parcel and the credits we are able to provide.

Chase please confirm these were applied.

Unless there is another parcel you are interested in discussing I am not sure how to help you further.

Thank you

Greg

From: Gaebler, Phil

Sent: Wednesday, May 26, 2021 11:06 PM

To: 'Gausmann' <gaus3866@gmail.com>

Cc: Fries, Gregory <GFries@cityofmadison.com>

Subject: RE: Storm water credits

Mr. Gausmann-

Parcel 07102402073 is 3.32 acres in total and has 1.74 acres of wetland according to WDNR surface water data viewer wetland layer.

The credits for the wetland area for this month (May) plus the wetland credits for each billing cycle since January should be applied to your next bill. There is not a line item that shows up on the water bill for the credit.

As a reference, the current credit policy, section 3.6 states:

Customers who own parcels of land that are zoned as wetlands or designated as wetland by a regulatory authority, shall, upon request, be entitled to a reduction of one-half of the area within the defined wetland. This adjustment shall be calculated prior to the adjustment provided by Paragraph 3.2.

The runoff from wetlands varies from site to site. A wetland can be considered a pond, in which all runoff would be expected to flow from the site. In the alternative, a wetland may be found to not discharge any water during a storm event. This adjustment is an average and does not preclude a property owner determining the runoff from a particular wetland with a more rigorous analysis in accordance with Paragraph 3.4 or 3.7.

Paragraph 3.4 and 3.7 are list below as a reference.

3.4 Customers may provide more specific data with regard to the measurement and calculation of impervious or pervious area.

3.7 Customers who own parcels of land used for Conservation purposes or parcels that have special or unique runoff circumstances may provide independent run-off calculations, to determine a percentage reduction in pervious area. The amount of the reduction will based upon the runoff generated, compared to a normal pervious surface with a runoff coefficient of 68. The percentage reduction is subject to the approval of the City Engineer.

Rate adjustments due to independent run-off calculations shall remain in effect until conditions change to alter the runoff characteristics. Customers shall promptly report any changes to the City Engineer. At the time of application, the customer or his/her agent shall provide all necessary information to the City Engineer to document eligibility. This information could include runoff calculations, monitoring results, documentation of a double ring infiltrometer test, or other evidence, stamped by a registered professional engineer.

Sincerely,
Phil Gaebler, P.E.
(he/him/his)
Water Resources Engineer
City of Madison
210 Martin Luther King Jr Blvd Rm 115
Madison ,WI 53703
Cell 608-316-0175 (preferred at this time)
From: Gausmann <gaus3866@gmail.com>
Sent: Wednesday, May 26, 2021 8:24 PM
To: Gaebler, Phil <PGaebler@cityofmadison.com>
Subject: Re: Storm water credits

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Good evening,
Just doing a follow up on the email you got on May 19,
2021. Can you call or contact me.

Thank You,

Steve Gausmann

On Wed, May 19, 2021 at 2:57 PM Gausmann <gaus3866@gmail.com> wrote:

Good Afternoon Phil,

Had some discussions with greg about the storm water,
he replied april 26th 2021. What he said is not correct.

As you can read in the attached email and map, I met
with the NRCS and talked with DNR, Both said our
water here goes to the Dane county watershed of Door
Creek. It is not going to madison which he and you
stated, it is a direct drainage to a navigable water of the
state. In turn please let me know

what or how I receive credit for that. Also want to
combine my parcels of 7646, 7704, 7802 E. Buckeye
Rd. which are zoned agriculture and registered at the
FSA as ag.

Please let me know in a timely manner. Greg does not
respond.

Thank You,

Steve Gausmann

----- Forwarded message -----

From: **Gausmann** <gaus3866@gmail.com>

Date: Mon, May 3, 2021 at 1:12 PM

Subject: Storm water credits

To: Fries, Gregory <gfries@cityofmadison.com>

Good afternoon,

Greg,

I visited the Department of Natural Resources and proceeded onto the NRCS office. They both assured me that I am in the Door Creek watershed, They said all our water

drains away from Madison facilities. This being said, We should be able to get our ag land reduction and our drainage reduction as you described to your previous email.

I have contacted the PSC, about the charges as written in the documents you sent to me, I am waiting for a response. I have an attached Map provided by the DNR showing

the watershed area along with meeting Eric Kreuger (NRCS) and following the drainage ditches to Door Creek as map shows. Who to do I contact about receiving the credits ?

I will follow up with you when I hear from the public service commission.

Thank You,

Steve Gausmann