



City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 24466

File ID: 24466	File Type: Resolution	Status: Items Referred
Version: 1	Reference:	Controlling Body: BOARD OF ESTIMATES
Lead Referral: BOARD OF PUBLIC WORKS	Cost:	File Created Date : 11/07/2011
File Name: MOU with MMSD, WDNR & Dane County to participate in & evaluate the effectiveness of using adaptive management as a means to meeting the Phosphorous (P) & Total Suspended Solids (TSS) reductions mandated by the Rock River Total Maximum Daily Load (TMDL).		Final Action:
<p>Title: Authorizing the Mayor to enter into a Memorandum of Understanding with the Madison Metropolitan Sewerage District (MMSD), Wisconsin Department of Natural Resources (WDNR) and Dane County to participate in and evaluate the effectiveness of using adaptive management as a means to meeting the Phosphorous (P) and Total Suspended Solids (TSS) reductions mandated by the Rock River Total Maximum Daily Load (TMDL).</p>		
Notes: Greg Fries		
Code Sections:	CC Agenda Date: 11/29/2011	
Indexes:	Agenda Number: 7.	
Sponsors: Paul R. Soglin	Effective Date:	
Attachments: MOU for adaptive management MMSD DNR EPA-draft 11032011.pdf	Enactment Number:	
Author: Rob Phillips, City Engineer	Hearing Date:	
Entered by: mhacker@cityofmadison.com	Published Date:	

Approval History

Version	Date	Approver	Action
1	11/07/2011	Craig Franklin	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	11/07/2011	Referred for Introduction				

	Action Text:	This Resolution was Referred for Introduction				
	Notes:	Board of Public Works, Commission on the Environment, Board of Estimates.				
1	COMMON COUNCIL	11/29/2011	Referred	BOARD OF PUBLIC WORKS		
	Action Text:	This Resolution was Referred to the BOARD OF PUBLIC WORKS				
	Notes:	Additional referrals: Commission on the Environment, Board of Estimates				
1	BOARD OF PUBLIC WORKS	11/29/2011	Refer	COMMITTEE ON THE ENVIRONMENT	12/19/2011	
	Action Text:	This Resolution was Refer to the COMMITTEE ON THE ENVIRONMENT				
	Notes:					
1	BOARD OF PUBLIC WORKS	11/29/2011	Refer	BOARD OF ESTIMATES	12/05/2011	
	Action Text:	This Resolution was Refer to the BOARD OF ESTIMATES				
	Notes:					
1	BOARD OF ESTIMATES	12/05/2011	Return to Lead with the Recommendation for Approval	BOARD OF PUBLIC WORKS	Pass	
	Action Text:	A motion was made by Ald. Cnare, seconded by Ald. Verveer, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.				
	Notes:					
1	COMMITTEE ON THE ENVIRONMENT	12/19/2011	Return to Lead with the Recommendation for Approval	BOARD OF PUBLIC WORKS	Pass	
	Action Text:	A motion was made by Melton, seconded by Lasky, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.				
	Notes:	<p>Discussion included a brief presentation by Dave Taylor, MMSD, who is leading the effort to get a Memorandum of Understanding (MOU) signed by DNR, Dane County, MMSD, the City of Madison, and any other municipality or sewer district that is affected by the Rock River TMDL that agrees to participate in a 3-year pilot adaptive management study. The concept of the pilot study is for those municipalities, sewerage districts, and other point sources with a stormwater discharge permit to collectively pool their resources and fund best management practices in the Yahara Watershed with the intention of reducing phosphorus loading. The best management practices (BMPs) will very likely be primarily agricultural, though some urban BMPs will also likely be installed, and if any municipality installs BMPs on their own, they will still receive "credit" for them even if they are participating in the pilot study.</p> <p>Dave made it clear that he encourages each municipality or regulated group that he visits to continue to look at all options for meeting their TMDL requirements. For MMSD, the main choices are an adaptive management program or constructing a "brick and mortar" addition to the MMSD plant in order to reduce phosphorus in their effluent.</p> <p>He recently met with USGS representatives who indicated their interest in partnering and providing cost sharing for monitoring. Dave assumes about \$400,000 in monitoring costs over the 3 year pilot program. He conservatively estimated the City of Madison's financial contribution to the pilot program to be \$136,000 each year for 3 years, starting in 2013. Dane County Land and Water Resources Department staff will act as a broker in the pilot program, as they have the most experience working with farmers to install agricultural practices, etc.</p> <p>Commissioners asked what they were committing the city to if they agree to the resolution; the resolution is intended to indicate that the City agrees, in principle, to the language of the MOU, but does not hold them fiscally accountable. Discussions about funding would occur in 2012 for the 2013 budget.</p>				
	Notes:					
1	BOARD OF PUBLIC WORKS	01/18/2012				

Text of Legislative File 24466

Title

Authorizing the Mayor to enter into a Memorandum of Understanding with the Madison Metropolitan Sewerage District (MMSD), Wisconsin Department of Natural Resources (WDNR) and Dane County to participate in and evaluate the effectiveness of using adaptive management as a means to meeting the Phosphorous (P) and Total Suspended Solids (TSS) reductions mandated by the Rock River Total Maximum Daily Load (TMDL).

Body

WHEREAS, Section 66.0301 (formerly section 66.30) Wisconsin Statutes, authorizes cities, villages, towns, counties, and other public agencies to enter into agreements for the receipt and furnishing of services; and,

WHEREAS, the City of Madison is considered a point source in the Rock River TMDL (Total Maximum Daily Load) as adopted by the Wisconsin Department of Natural Resources (WDNR) and the Environmental Protection Agency (EPA); and

WHEREAS, the City of Madison has a stormwater discharge permit under the Clean Water Act from the EPA and WDNR; and

WHEREAS, that permit provides the WDNR a means to automatically enforce the reductions in Phosphorous (P) and Total Suspended Solids (TSS) allocated to the City of Madison by the TMDL; and

WHEREAS, the P reduction allocated to the City of Madison by the TMDL are approximately 16,000 pounds; and

WHEREAS, traditional stormwater management techniques (ponds, catchbasins, street sweeping) have limited effectiveness at removing P (a pond treating 350 residential acres will remove approximately 100 lbs of P at a capital cost of approximately 1,000,000.00); and

WHEREAS, MMSD has the ability under their permit to work toward compliance with the TMDL using an approach call adaptive management; and

WHEREAS, adaptive management may have the ability to significantly reduce the cost to the residents of the City of Madison to meet the requirements placed upon us by the WDNR;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is authorized to enter into a Memorandum of Understanding with the Wisconsin Department of Natural Resources, Madison Metropolitan Sewerage District, and Dane County for the purposes of evaluating adaptive management as a means to meeting the load reductions called for in the Rock River TMDL.

Fiscal Note

During 2012 the work associated with this MOU shall be limited to administrative work to prepare for the formal start of the project in 2013. Costs during 2012 year shall be absorbed by the Stormwater Utility under ongoing operations. The anticipated cost of the MOU to the City of Madison long term (three year duration) is \$300,000.00. This cost will be split between operation and capital and shall be allocated during the 2013 budget cycle.