



## Legislation Details (With Text)

**File #:** 24466      **Version:** 2      **Name:** SUBSTITUTE 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

**Type:** Resolution      **Status:** Passed

**File created:** 11/7/2011      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 2/7/2012      **Final action:** 2/7/2012

**Enactment date:** 2/10/2012      **Enactment #:** RES-12-00083

**Title:** SUBSTITUTE 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).

**Sponsors:** Paul R. Soglin

### Indexes:

### Code sections:

**Attachments:** 1. MOU for adaptive management MMSD DNR EPA-draft 11032011.pdf, 2. 24466-version1.pdf

Date	Ver.	Action By	Action	Result
2/7/2012	2	COMMON COUNCIL	Adopt	Pass
1/18/2012	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
12/19/2011	1	COMMITTEE ON THE ENVIRONMENT (ended 6/2020)	Return to Lead with the Recommendation for Approval	Pass
12/5/2011	1	BOARD OF ESTIMATES (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
11/29/2011	1	BOARD OF PUBLIC WORKS	Refer	
11/29/2011	1	BOARD OF PUBLIC WORKS	Refer	
11/29/2011	1	COMMON COUNCIL	Referred	
11/7/2011	1	Engineering Division	Referred for Introduction	

### 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 maximum cost of the MOU to the City of Madison long term (three year duration) is ~~\$300,000.00~~ \$408,000.00. This cost will be split between operation and capital and shall be allocated during the 2013 budget cycle.

### Title

SUBSTITUTE 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 called 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.