

COMMISSION FILE NO: 20-054-4 **DATE INTRODUCED:** April 15, 2020

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Policy, Finance, and Personnel Committee

RELATING TO: Authorization of a Public Hearing Regarding Proposed Amendments to MMSD Rules, Chapter 13, Surface Water and Stormwater

SUMMARY:

The Commission is requested to authorize a public hearing, as required by Wis. Stat. sec. 200.45(1)(c), regarding proposed amendments to MMSD Rules, Chapter 13, Surface Water and Stormwater. The proposed amendments make clarifications, updates and process improvements.

ATTACHMENTS: **BACKGROUND** ☒ **KEY ISSUES** ☐ **RESOLUTION** ☒
FISCAL NOTE ☐ **S/W/MBE** ☐ **OTHER** ☒ Proposed Amendments to Chapter 13

PFP_Chapter_13_Amendments_Public_Hearing_legislative_file.docx
03-24-20

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

BACKGROUND

Authorization of a Public Hearing Regarding Proposed Amendments to MMSD Rules, Chapter 13, Surface Water and Stormwater

The District implements projects to reduce the number of structures in the regional floodplain under the authority of Wis. Stat. secs. 200.31(1) and 200.35(8). These projects reduce the unsafe conditions, property damage, economic losses, adverse health effects, and infiltration and inflow caused by flooding.

Chapter 13 identifies the watercourses where the District will work and the types of work the District will perform. The Commission originally approved Chapter 13 in 2001. Since then, the District has not updated the rules related to watercourse projects, secs. 13.201 to 13.206.

District experience implementing watercourse projects has identified a need to update the rules and harmonize them with current Commission policy and District practice. The following table identifies the significant changes.

Proposed Section	Subject	Purpose of the Amendments
13.201	District Flood Risk Reduction Projects	Clarify the general purpose Identify watercourse management plans as the critical step for developing individual projects
13.202	Location of District Flood Risk Reduction Projects	Clarify the process to identify watercourses where the District may work
13.203	Watercourse Maintenance where the District Does Not Own the Riparian Land	Clarify when the District will remove debris
13.204	Flood Risk Reduction Facilities with Supplemental Features Requested by Others	Clarify cost sharing for multipurpose facilities
13.205	District Recreational Immunity at Dual Use Flood Risk Reduction Facilities	Renumber from existing 13.206
13.206	Responsibilities of Riparian Landowners and Other Governmental Units	Reorganize provisions from existing secs. 13.201 and 13.202,

BACKGROUND (Cont'd)

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A complete copy of the proposed amended text is attached.

In March 2020, District staff presented the draft amendments to the Technical Advisory Team (TAT) for review and comments. The current text responds to comments received from the TAT as of the date Commission documents were submitted.

Staff anticipates holding the formal comment period and public hearing in May-June 2020, with a request for final adoption by the Commission in July 2020.

RESOLUTION

Authorization of a Public Hearing Regarding Proposed Amendments to MMSD Rules,
Chapter 13, Surface Water and Stormwater

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to publish a public notice, obtain written comments, and hold a public hearing as required by Wis. Stat. sec. 200.45(1)(c), regarding the proposed amendments to MMSD Rules, Chapter 13, as shown in the attachment.