

City of Oshkosh, WI

**Post-Construction Storm Water Management Program
Municipal Separate Storm Sewer System**

Program Overview and Goals

The goals of the City of Oshkosh's Post-Construction Storm Water Management program are to:

- 1) Reduce stormwater pollution to the nearby receiving water including Lake Butte des Morts, Fox River, Sawyer Creek, Campbell Creek, and Lake Winnebago.
- 2) Maintain or reduce extent of flooding.
- 3) Support development while maintaining an efficient and structurally sound municipal separate storm sewer system.
- 4) Comply with state and federal regulations as defined in the City's MS4 Permit.

This Post-Construction Storm Water Management Program document describes the City's program as required by MS4 Permit Section 3.6 to develop a program related to Permit Section 2.5.2 to 2.5.4 (see Attachment 1).

The City's Post-Construction Storm Water Management Ordinance is contained in Article IV of Chapter 14 – Storm Water Management in the City of Oshkosh Municipal Code.

Components of the City's Post-Construction Storm Water Management Program

1. Administrative Procedures

Responsible Position: DPW / Engineering Division; Civil Engineer Supervisor
Current Position Staff: Alyssa Deckert;
Phone: (920) 236-5065
Email: adeckert@ci.oshkosh.wi.us

Program Description:

The City's program for administration of the post-construction storm water management program, including the process for obtaining local approval and responding to complaints, is as follows:

- 1) The process for obtaining local approval for post-construction storm water management is as follows:
 - a. All projects requiring a City of Oshkosh permit/approval are administered through the City of Oshkosh Online Permitting and Planning Services (Evolve System):
<https://www.ci.oshkosh.wi.us/EvolvePublic/>
 - b. The plan submittal and approval process is conducted through the Evolve System.
 - c. This process is more fully described below in 2. Storm Water Management Plan Review section of this document.
- 2) The City manages and responds to post construction storm water management complaints as follows:
 - a. Complaints are received regarding post-construction storm water management through multiple paths.
 - i. The City's Connect Oshkosh system is used by citizens to report non-emergency neighborhood issues.
 - ii. Complaints are received by phone calls, or emails, from residents or other City Staff to the Engineering Division.
 - b. When a post-construction stormwater management complaint is received it is directed to the responsible position for this procedure (DPW / Engineering Division; Civil Engineer

Supervisor). The Civil Engineer Supervisor may then respond appropriately, or delegate follow-up and response to a qualified individual within the Department of Public Works. This may vary based on the nature of the complaint.

- c. Response to a post-construction storm water management complaint may vary based on the nature of the issue. Response procedures may include one or more of the following:
 - i. Contacting the site owner, or responsible party for the site.
 - ii. Site inspection.
 - iii. Review of past storm water management plans and/or drainage plans for the site.
 - iv. Enforcement action, if warranted after, may be taken after other response(s) to complaint.
- d. Complaints and follow-up responses are tracked through Connect Oshkosh, the City's MS4 PermiTrack software, Reports made through Survey123 (ArcGIS Online) and saved onto server.

2. Storm Water Management Plan Review

Responsible Position: DPW / Engineering Division; Civil Engineer Supervisor

Current Position Staff: Alyssa Deckert;

Phone: (920) 236-5065

Email: adeckert@ci.oshkosh.wi.us

Program Description:

The procedure for storm water management plan review and approval is as follows:

- 1) Pre-submittal Meeting:
 - a. A pre-submittal meeting is required prior to site plan submittal with the City's Development Review Coordinator. This meeting may be waived based on the complexity of the project and/or the applicant's knowledge of the City's development requirements.
 - b. Additionally, for projects that require post-construction storm water management, a pre-submittal meeting with City Engineering staff is required. This meeting may be combined with the pre-submittal meeting under Item a. above.
 - c. Pre-submittal meetings are attended by the Civil Engineer Supervisor (Responsible Position for this procedure). Additional staff from the Engineering Division may attend at the discretion of the supervisor.
- 2) Applicant submittal:
 - a. The applicant uploads application materials into the Evolve System.
 - b. Alternatively, materials are provided to City of Oshkosh Permitting and Planning Services Staff, who in turn upload into the Evolve System.
 - c. This process may occur multiple times for a single project. If initial submittals are determined to be insufficient (see #3 below), resubmittal is required.
- 3) Review of submittal:
 - a. The Engineering Division / Civil Engineer supervisor is notified of a submittal. The submittal is assigned to a qualified individual for review of stormwater components. Review may be conducted by Engineering Division staff or a contracted qualified professional (Consultant).
 - b. The submittal materials are reviewed for compliance with Article IV of Municipal Code Chapter 14. Review of construction site erosion control and post-construction storm water management is conducted simultaneously.

- c. The submittal is discussed at the next weekly Site Plan Review Meeting following the submittal. Meetings are typically held Mondays at 1:00 p.m. Site Plan Review Meeting attendees may include;
 - i. Engineering Division Manager / City Engineer
 - ii. Civil Engineer Supervisor
 - iii. Engineering Division Staff (including those responsible review of general Civil submittal components)
 - iv. Contracted qualified professional
 - v. Planning Division staff
 - d. Discussion at the weekly Site Plan Review Meeting allows collaborative input from multiple reviewers and discussion of site with Engineering Division leaders.
 - e. Following Site Plan Review Meeting, the review of the submittal is finalized. The outcome of review is one of the following:
 - i. Not Approved: Site is deemed to not meet the requirements of Municipal Code Chapter 14. Review comments are provided to the applicant.
 - ii. Conditional: Site is deemed to meet the requirements of Municipal Code Chapter 14. An approval letter is provided to the applicant. Minor comments may remain, most typically they are associated with items to be completed by the end of construction. Frequent conditional approval comments include:
 - 1. Requirement for a final site inspection and preparation of as-built drawings / certification.
 - 2. Requirement for execution of an operation and maintenance agreement.
 - iii. Approved: Site is deemed to meet the requirements of Municipal Code Chapter 14. An approval letter is provided to the applicant.
 - iv. Hold: Outstanding items are identified. The review is placed on hold and the applicant is contacted (via email) to request additional materials to be submitted that are missing from the submittal. Following submittal of additional material, the review is completed and the review is finalized with one of the outcomes listed above.
 - f. This process is repeated as required for subsequent submittals of a project until a Conditional or Approved status is reached.
- 4) As-Built Certification
- a. Following completion of project construction, a final inspection with the Department of Public Works is required to be scheduled to verify the project is constructed in accordance with the approved plans.
 - b. As-built drawings and an as-built certification by a Professional Engineer of the storm water BMPs is required to be submitted.

3. Long-term Maintenance, Inspections and Enforcement

Responsible Position: DPW / Engineering Division; Civil Engineer Supervisor
Current Position Staff: Alyssa Deckert;
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Email: adeckert@ci.oshkosh.wi.us

Program Description:

Following the completion of the site inspection and as-built certification (See Section 2. 4) above), the project transitions from an active construction project into long-term operation and maintenance.

As part of the storm water management plan approval process an operation and maintenance plan and an operation and maintenance agreement is required. An approval will not be given until the agreement is executed. The executed document is formally recorded and also stored within the Evolve System.

Section 14-24 of the City's ordinance details the requirement for and provisions that gives the City authority for requiring a maintenance agreement.

- 1) Tracking Regulated Sites: The City uses two systems to track regulated sites.
 - a. For construction sites that occurred prior to the implementation of the Evolve System:
 - i. A GIS coverage (shapefile) is maintained that identifies parcels with a drainage plan on file with the City of Oshkosh.
 - ii. Drainage plans associated with the sites are stored on the City Server.
 - b. For construction sites that occurred after the implementation of the Evolve System:
 - i. The GIS coverage referenced above is maintained.
 - ii. The Evolve system maintains a history of all prior projects.
- 2) Long Term Maintenance Inspections
 - a. Inspections are conducted at least once every 5 years (WPDES Permit Term)
- 3) Inspection Documentation
 - a. Paper inspection forms are completed.
 - b. Inspection reports (PDF) are stored on City Server in appropriate folders.
- 4) Enforcement & Corrective Maintenance
 - a. If defects are identified with a BMP during a routine inspection or as a result of a complaint, the Administering Authority (City) will notify the responsible party of the defect and require corrective actions within a reasonable timeframe as set by the City.
 - b. If the responsible party does not make the required corrections within the specified time period, the City can perform the required corrective actions and charge the responsible party for the cost of the work through a special charge under Wis. Stats. ss66.0627.

**PROGRAM: Post-Construction Storm Water Management
MS4 Permit Language:**

3.6 Post-Construction Storm Water Management

The permittee shall submit to the Department the post-construction storm water management program developed for the term of this permit as required under sections 2.5.2 to 2.5.4 of this permit by March 31, 2022.

2.5.2 Administrative procedures. Written procedures for the administration of the post-construction storm water management program including the process for obtaining local approval and responding to complaints.

2.5.3 Storm water management plan review. Written procedures for post-construction site plan review which incorporate consideration of potential water quality impacts. Post-construction site plan reviews shall be conducted for all construction sites with greater than one acre of land disturbance.

2.5.4 Long-term maintenance, inspections and enforcement. Written procedures that will be used by the permittee through its ordinance jurisdiction, approval process, and authority to, at a minimum, track and enforce the long-term maintenance of storm water management facilities implemented to meet the applicable post-construction performance standards in section 2.5.1.c and d of this permit. The procedures shall include:

- a. A mechanism for tracking regulated sites.
- b. At a minimum, long-term maintenance inspections shall occur once per permit term.
- c. Inspection documentation.
- d. Follow up enforcement with timeframes for corrective maintenance.