

Notice: Application is hereby made to the Wisconsin Department of Natural Resources, Bureau of Watershed Management for grant assistance consistent with s. 281.66, Wis. Stats., and Chapter NR 155, Wis. Adm. Code. Collection of this information is authorized under the authority of s. 281.66, Wis. Stats. The information contained in this form will be used for program budget analysis and project evaluation in the Urban Nonpoint Source Water Pollution Abatement and Storm Water Management Grant Program. Personally identifiable information collected will be used for program administration and may be made available to requesters as required under Wisconsin's Open Records Law [ss. 19.31 - 19.39, Wis. Stats.]. *Unless otherwise noted, all citations refer to Wisconsin Administrative Code.*

Instructions: Complete all sections as applicable.

Applicant Information

Governmental Unit Applying: (name & type) (example: Madison, Town of)

Fox Point, Village of

Name of Authorized Representative (First, Last) Scott Brandmeier			Name of Governmental Contact Person (First Last) (if different)		
Title Director of Public Works and Village Engineer			Title		
Area Code + Telephone Number 414-351-8900			Area Code + Telephone Number		
Area Code + Fax Number 414-351-8909			Area Code + Fax Number		
E-Mail Address sbrandmeier@vil.fox-point.wi.us			E-Mail Address		
Mailing Address - Street or Route 7200 N. Santa Monica Boulevard			Mailing Address - Street or Route		
City Fox Point	State WI	Zip Code 53217	City	State	Zip Code

Consulting Firm Name (if applicable)

Earth Tech

Consulting Contact Person Name

John Ferris

Title

Senior Water Resources Engineer

Area Code + Telephone Number 414-225-5134			DNR Use Only		
Area Code + Fax Number 414-225-5111					
E-Mail Address John.Ferris@earthtech.com					
Mailing Address - Street or Route 1020 N. Broadway, Suite 400					
City Milwaukee	State WI	Zip Code 53202			

Project Information

A. Project Name

Fox Point Storm Water Utility Implementation

This document was drafted by the Department of Natural Resources.

UNPS&SW Grant Project Name
Fox Point Storm Water Utility Implementation

Project Information (continued)

B. Project Area Location

County: Milwaukee County

Minor Civil Division (city, village, town, etc.-example: Wrightstown, Village of)	Township (N)	Range (E/W)	Section
Fox Point, Village of	08N	22E	8-10
Fox Point, Village of	08N	22E	15-17
Fox Point, Village of	08N	22E	20-21

Please identify the latitude and longitude of a point located approximately in the center of the planning area, and select the "Method for Determining" the center point.

				Method for Determining (check one)
	Degrees	Minutes	Seconds	
Center Point Latitude (N)	43	9	0.6	<input type="checkbox"/> GPS <input checked="" type="checkbox"/> DNR WebView or Surface Water Data Viewer <input type="checkbox"/> Other (specify):
Center Point Longitude (W)	-87	54	3.7	

C. Project Summary and Description

UNPS&SW Grant Project Name
Fox Point Storm Water Utility Implementation

Project Information (continued)

The Village of Fox Point is in the process of conducting a two-phase Storm Water Utility study, consisting of a Storm Water Feasibility Study and an implementation phase. The feasibility study will be completed during 2007. Beginning in 2008, the Storm Water Utility Implementation phase will take place. This phase will be completed by April 2008 to allow billings in the 2nd quarter of 2008.

This grant application is for the Storm Water Utility Implementation phase.

The Village of Fox Point is part of the South Milwaukee River Watershed. This watershed includes both the Milwaukee River and Indian Creek. Both of these are listed on the 303(d) impaired waters list.

During the implementation phase, data will be collected from the Village including a current land use map, aerial photography, storm water management reports, budget information, water/sewer customer summary and other information needed to complete the rate study and program analysis. Rate structures and customers will be characterized and inventoried by customer type using parcels, land use, land area, and impervious area. The MCAMLIS data will be modified using a Geographic Information System (GIS) to create a more useable data set.

Public information meetings will be held to explain the proposed Village utility program. These presentations may be made to community groups, general residents, or other entities identified by the Village. These will provide another forum for the public to learn about storm water issues, the utility and to ask questions. A public informational brochure will also be provided to the Village for them to distribute in utility billings, an annual newsletter and/or through strategic placement throughout the Village.

D. Watershed and Waterbody (see Attachment A)

Watershed Name	Township Name (for respective Town/Range/ Section, listed above)	Watershed Code (for respective Town/Range/ Section, listed above)	% of Project Area (for respective Town/Range/ Section, listed above)	Primary Waterbody (for respective Town/Range/Section, listed above)
Milwaukee River South	08N22E16	MI02	100%	Milwaukee River
			%	
			%	
			%	
			%	

Note: The planning project area can include more than one watershed. Do not submit separate applications for the same activity in each watershed.

Part I. Screening Requirements

Yes No **A. Map**
 An 8.5" x 11" topographic map from USGS or the DNR viewers, showing the project area, is attached.

B. Planning Activities For Which DNR Funding Is Requested (check all that apply)

- Storm water management planning (including plans for new and/or existing development).
- Ordinance development and administration (including construction site erosion control and/or storm water management).
- Evaluation and/or establishment of local financing options (such as storm water utilities).
- Public education and outreach.

Other (specify):

(see **Attachment D** for additional planning activity information)

Yes No **C. Filters**
Note: You must be able to answer "Yes" to each of the following to be eligible for a grant.

- 1. Project is in an area that is urban or will be urban within 20 years. (see **Attachment B**)
- 2. Project will be completed within 24 months of the start of the grant period.
- 3. Staff and consultants designated to work on this project have adequate training, knowledge, and experience to implement the proposed project.
- 4. Staff or contractual services, in addition to those funded by this grant, will be provided if needed.
- 5. Planning products prepared under this grant will not work at cross-purposes to (are consistent with) non-agricultural performance standards under ch. NR 151. (see **Attachment E**)
- 6. The local DNR Regional Nonpoint Source Coordinator (see **Attachment C**) has been contacted about this project.

Name of the Regional Nonpoint Source Coordinator contacted	Date contacted	Subject of contact
Susan Eichelkraut	4/2/07	Grant application submittal

- 7. Can you declare that at least one of the two statements below is TRUE?
Statement A. The grant application is for a local governmental unit that does have jurisdiction over the project area. (Jurisdiction over the project area means that the governmental unit has control over whether the planning recommendations are carried out.)
Statement B. The applicant does not have jurisdiction over the project area. The applicant is required to obtain a permit under subchapter I of ch. NR 216. Attached to this application is an intergovernmental agreement that meets the requirements of **Attachment H**.
- 8. Can you declare that at least one of the two statements below is TRUE?
Statement A. The applicant is not the University of Wisconsin Board of Regents.
Statement B. The applicant is the University of Wisconsin Board of Regents **and** the project will develop recommendations for a UW Campus area located in a municipality that meets **both** of the following criteria:
 - The municipality is required to obtain a municipal storm water permit under ch. NR 216;
 - The municipality is located either in a priority watershed or lake area identified under s. 281.65, Wis. Stats., or in an area of concern as identified by the International Joint Commission under the Great Lakes Water Quality Agreement.

If the governmental unit answered "No" to any of the items in Question C. above, stop here. This project is ineligible.

Part II. Minimum Qualifications

Question 1. Fiscal Accountability

A. Timeline and Source of Staff

For each applicable milestone listed below, fill in the appropriate data:

Milestone	Target Completion Date (month/year)	Source of Staff
Prepare preliminary scope of services and discuss with DNR NPS Coordinator	10/2007	Engineering Staff & Consultant
Prepare Request for Proposal	11/2007	Engineering Staff
Select Consultant		
Finalize Scope of Service and Professional Services Contract	1/2008	Engineering Staff & Consultant
Get DNR Approval of Professional Services Contract	1/2008	Engineering Staff
Hold "kick-off" meeting	1/2008	Engineering Staff & Consultant
Additional Milestones: (list below)	-	-
Interim Meeting with DNR	2/2008	Engineering Staff & Consultant
Presentation to Municipal Council	2/2008	Engineering Staff & Consultant
Present and adopt Utility Ordinance	3/2008	Engineering Staff
Submit customer billing file to Village	4/2008	Consultant
Submit project and final report to DNR	4/2008	Engineering Staff & Consultant

B. Adequate Financial Budget

Provide the following information for the project.

The state share may not exceed 70% of eligible costs. The grant amount is capped at \$85,000 for the eligible planning activities.

FINANCIAL BUDGET TABLE – PLANNING ACTIVITIES

A	B	C
Project Activity for which DNR Funding is Requested	Estimated Total Cost (\$)	Amount from Column B Eligible for DNR Cost Sharing (\$)
Phase 1 - Storm Water Utility Feasibility Study	19,537	\$0
Phase 2 - Storm Water Utility Implementation	0	\$0
1. Public Outreach	13,300	\$13,300
2. Final Rate Structure and Ordinance	\$17,900	\$17,900
3. Set up Billing System and Procedures	\$15,800	\$15,800
1. Total	\$66,537	\$47,000

UNPS&SW Grant Project Name
Fox Point Storm Water Utility Implementation

Project Information (continued)

Cost-Sharing Worksheet

Eligible Costs:

2. 70% of column C, Total (1) above	\$32,900
Cap Test:	
3. Maximum State Share [Lesser of (2) or \$85,000]	\$32,900
State & Local Share:	
4. Requested State-Share Amount (=Requested Grant Amount)	\$28,200
5. Local-Share Amount [Total (1), column B less (4)]	\$38,337

Describe the Quality of Cost Estimates (in your description, discuss whether the cost estimate is based on a competitive bid, scope of services, similar projects conducted locally, similar projects conducted elsewhere in the state or region, or other more generalized data):

The Quality of Cost Estimates is based upon engineering estimates using local unit prices for similar projects. Costs for Utility projects for the Village of Sussex, City of Kenosha and City of South Milwaukee were used to assist in developing the cost estimate for this project.

Question 2. Project Evaluation Strategy

- Yes No Information that will be developed and presented to DNR to evaluate the environmental benefits of completing this project. (check all that apply)
- A. Information that quantifies how project implementation is projected to decrease storm water impacts on state waters will be provided to DNR. The information may be provided as part of the planning product (e.g., storm water plan, I&E plan) or in the Final Report.
- B. Tracking
1. Information that tracks progress in carrying out recommendations of this project will be provided to the Department for one (1) to two (2) years after the project is completed.
2. Specify the number of years that tracking information will be provided, and describe in concept how this annual post-project tracking process will work:

This tracking strategy will include tracking progress recommendations made in operating the storm water utility for 1 year after the adoption of the storm water utility.

Question 3. Evidence of Local Support

- Yes No The level of local support that currently exists for the proposed project.
- A. **Government**
1. The local-share funds for the project expenses are already included specifically in an adopted budget.
OR
2. The local-share funds for the project expenses are or will be included in a proposed budget.
- B. **Community**
1. There is community support specifically for the project in this application, and evidence of this support is included with the application submittal.

UNPS&SW Grant Project Name
Fox Point Storm Water Utility Implementation

Project Information (continued)

OR

2. There is community support for addressing general water resource needs in the community, even though there may not be evidence of support for this specific project.

Question 4. Basin Priorities (check one)

- A. Clean Water Act s. 303(d) List**
Project with water quality goals directly dealing with a water body (lake or stream) on the latest Clean Water Act (CWA) s. 303(d) List of Impaired Waters, where the cause of the impairment in nonpoint source pollution and the project will reduce the type of nonpoint pollutants for which the water is listed.
- B. Outstanding and Exceptional Resource Waters**
Waterbody is included in s. NR 102.10 (Outstanding Resource Waters) and/or s. NR 102.11 (Exceptional Resource Waters).
- C. NPS Rankings**
Project is located in a large-scale watershed, a small-scale watershed, lake watershed, or other area ranked high or medium on the NPS Rankings List, where the goals of the project are directly associated with the reason for the ranking on the NPS Rankings List.
- D. Amendment of the NPS Rankings List Using State of the Basin Reports**
Project is located within a watershed ranked low or not ranked on the NPS Rankings List, but information in a DNR State of the Basin report indicates a need to amend the NPS Rankings List because the stream or stream segment or lake is being affected by nonpoint sources of pollution.
- E. Amendment of the NPS Rankings List Using Other Data Sources**
Project is located within a watershed ranked low or not ranked on the NPS Rankings List, but adequate data exists to request a ranking of high or medium for a waterbody that is being affected by nonpoint sources of pollution.
- F. Sources of Information for Areas Not Included in State of the Basin Reports**
For some border waters, there is no State of the Basin report (i.e., along the Mississippi River or the Great Lakes). For these situations, another governmental document, accepted by the Regional NPS Coordinator, can be used to classify the resource as having a significant nonpoint source pollution impairment.
- G. Not Included in Other Categories Above**
50% or more of the planning area is not included in the categories above (A-F).

Part III. Competitive Elements

Question 5. Water Quality Needs

For each watershed in the project area, identify the category that best identifies the project goals. If more than one category is checked (because the project area contains more than one watershed), estimate the portion of the project area to be assigned to each category.

Note: For border waters where a State of the Basin Report does not exist, another governmental document acceptable to the Regional Nonpoint Source Coordinator may be used to identify the water quality need.

- | Percent of
Project Area | Surface Water Considerations |
|--|--|
| <input checked="" type="checkbox"/> 100% | A. 303(d) Listed Waterbody
Project with water quality goals directly dealing with a water body (lake or stream) on the latest Clean Water Act (CWA) s. 303(d) List of Impaired Waters, where the cause of the impairment in nonpoint source pollution and the project will reduce the type of nonpoint pollutants for which the water is listed. |
| <input type="checkbox"/> | B. Not Fully Meeting Uses
A waterbody (lake or stream) identified in a DNR State of the Basin report as not meeting or partially meeting designated uses due to nonpoint sources, but is not on the 303(d) List. |
| <input type="checkbox"/> | C. Threatened Waterbody
A waterbody (lake or stream) viewed as "threatened" by nonpoint sources in a DNR State of the Basin report. |
| <input type="checkbox"/> | D. Outstanding or Exceptional Resource Waters
Prevention of degradation due to nonpoint sources of outstanding or exceptional resource waters or high quality, recreationally significant waters, but not including waters listed as "threatened." |
| <input type="checkbox"/> | E. Surface Water Quality
Prevention of degradation of surface water quality due to nonpoint sources. Waters in this category are neither high quality, recreationally significant waters nor "threatened" waters. |
| Groundwater Considerations* | |
| <input type="checkbox"/> | F. Exceeds Groundwater Enforcement Standard
Groundwater within the project area where representative information indicates that stormwater pollutants in groundwater exceed the Enforcement Standard (ES). |
| <input type="checkbox"/> | G. Groundwater Quality (see Attachment G)
The project area is within a geological area defined in Attachment G as susceptible to groundwater contamination. |
| <input type="checkbox"/> | H. Exceeds Groundwater Preventive Action Limit
Groundwater within the project area where representative information indicates that stormwater pollutants in groundwater exceed the Preventative Action Limit (PAL). |

*Consult the Regional Drinking Water and Groundwater Specialist or the County Extension office.

Bonus Points (see Attachment F):

- | Yes | No | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Water quality goals relate to the control of nonpoint source contaminants in public drinking water supplies. |
| | 1. | If yes, and the source of drinking water affected by the project area is <u>groundwater</u> , the project protects: |
| <input type="checkbox"/> | a. | One wellhead |
| | | OR |
| <input type="checkbox"/> | b. | More than one wellhead |

2. If yes, and the source of drinking water affected by the project area is surface water, check the source water assessment area in which the project is located. If more than one assessment area is checked (because the project area contains more than one watershed), estimate the portion of the project area to be assigned to each category.

<u>Source Water Drainage Area</u>	<u>Portion of Project in Assessment Area (%)</u>
<input type="checkbox"/> Pike River & Creek	
<input type="checkbox"/> Root River	
<input type="checkbox"/> Oak Creek	
<input checked="" type="checkbox"/> Milwaukee River	100%
<input type="checkbox"/> Sauk Creek	
<input type="checkbox"/> Sheboygan & Onion Rivers	
<input type="checkbox"/> Manitowoc River	
<input type="checkbox"/> Twin Rivers	
<input type="checkbox"/> Kewaunee & Ahnapee Rivers	
<input type="checkbox"/> Menominee River	
<input type="checkbox"/> Fish Creek	
<input type="checkbox"/> St. Louis & Nemadji Rivers	
<input type="checkbox"/> Lake Winnebago	

Question 6. Extent of Pollutant Control

A project can consist of one or more of the following parts (A-F). For each part below, check the boxes that describe work products that will be produced under this grant. Do not check boxes based on prior work.

A. Ordinances

The project will develop or complete one or more of the following ordinances, including associated information, education and public participation activities. (check all that apply)

- 1. Construction erosion control ordinance including all the requirements of s. NR 151.11.
- 2. Storm water ordinance for new development and re-development including all the requirements of s. NR 151.12.
- 3. Low impact development/conservation subdivision ordinances.
- 4. Other ordinances such as an illicit discharge ordinance, storm water ordinances affecting runoff from developed urban areas (e.g., pet waste management ordinances, nutrient management ordinances), or ordinances that regulate the application of fertilizers to non-municipal properties in accordance with NR 151.14

B. Financing Mechanisms

The project will evaluate financing mechanisms for storm water management, including associated information, education and public participation activities. Recommendations will be presented to the governing board for approval and DNR will be notified of the governing board's action. (check one of the following)

- 1. The project develops a dedicated revenue source, such as a storm water utility, to implement a storm water program focusing on implementation of performance standards in Subchapter III of ch. NR 151.
OR
- 2. The project is a general feasibility analysis of alternative funding mechanisms.

C. Storm Water Plan for Developed Urban Areas

The project will develop a storm water management plan for developed urban areas that addresses all of the performance standards under s. NR 151.13 including associated information, education and public participation activities. (check one of the following)

- 1. This project will cover the entire geographic area of the governmental unit.
OR
- 2. This project will cover only part of the geographic area of the governmental unit.

D. Storm Water Plan for New or Redevelopment

The project will develop a storm water management plan for new development and re-development that addresses all of the performance standards under s. NR 151.12 including associated information, education and public participation activities. (check one of the following)

- 1. This project will cover the entire geographic area of the governmental unit.
OR
- 2. This project will cover only part of the geographic area of the governmental unit.

UNPS&SW Grant Project Name
Fox Point Storm Water Utility Implementation

Project Information (continued)

E. Information & Education Program

The project will develop and/or implement an information and education program. (This does not include the information and education activities required as part of project under A. through D., above.)

F. Inter-Municipal Cooperation (bonus)

This project is being conducted as part of an inter-governmental storm water management strategy for a common water resource. Describe the inter-governmental effort that will be used to complete the project. If more than one local unit of government is joining in this project application, (a "joint application"), then an inter-governmental agreement meeting the requirements of **Attachment H.** must be submitted with this application.

Question 7. Consistency with Resource Management Plans

Yes No

A. Consistency with Resource Management Plans

The project implements a water quality recommendation specifically included in a locally approved resource management plan.

B. Summarize the water quality recommendation from the local plan. Cite the name and date(s) of publication of the document.

1. A construction site erosion control ordinance consistent with the performance standards of s. NR 151.11.

Existing Ordinance: Section 38 of the Village Code

2. A storm water management ordinance consistent with the performance standards of s. NR 151.12.

Existing Ordinance: Section 37 of the Village Code

Question 8. Use of Additional Funding

Yes No

Funding requested is below the 70% cost-share rate and below the \$85,000 cap.

Question 9. City of Racine

Yes No

This is an application from the City of Racine for a project that is necessary for the city to comply with state storm water permitting requirements.

Part IV. Eligibility for Multipliers

Completion of this part of the application is optional. However, an applicant can increase the final project score by qualifying for a project multiplier.

Local Implementation Program (select all that are in place as of the application submittal date)

Yes No NA

A. The governmental unit is implementing a pollution prevention information and education program targeted for property owners and other residents.

B. The governmental unit is implementing a nutrient management plan for municipally owned properties of at least five (5) acres of pervious area where nutrients are applied.

C. The governmental unit is tracking storm water permitting activity (construction and post-construction) in the governmental unit and can make summary information available to the DNR upon request.

Optional Additional Information

Carefully review the answers to all of the questions above. Is there additional information that will add to the understanding of this project? If so, describe here.

Part II, Question 3 -- Phase 1, Feasibility Study is being conducted in 2007 and is entirely funded by the Village in 2007. This project will be included in the 2008 Village budget.

Part III, Question 7 -- The 1999 Storm Water Management Plan recommended establishment of funding mechanisms including, but not limited to, a Stormwater Utility.

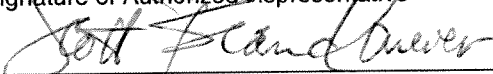
Applicant Certification

An Authorized Representative must sign and date the application form prior to submittal to the DNR. All **four (4)** copies must include the signature of the Authorized Representative.

I certify that, to the best of my knowledge, the information contained in this application and attachments is correct and true.

Signature of Authorized Representative

Date Signed



April 13, 2007

Scott Brandmeier Director of Public Works and Village [name and title]

Engineer

Telephone Number 414-351-8900

Fax Number 414-351-8909

E-Mail Address sbrandmeier@vil.fox-point.wi.us

Mailing Address 7200 N. Santa Monica Boulevard Fox Point WI 53217

To be considered for funding, provide the following for each application submitted:

- One copy of the completed application form (DNR Form 8700-300 (R 1/07) with original signature in blue ink;
- Three additional signed copies of the completed application form;
- One electronic copy of the completed application form on CD or diskette.

All application materials must be postmarked by midnight April 16, 2007.

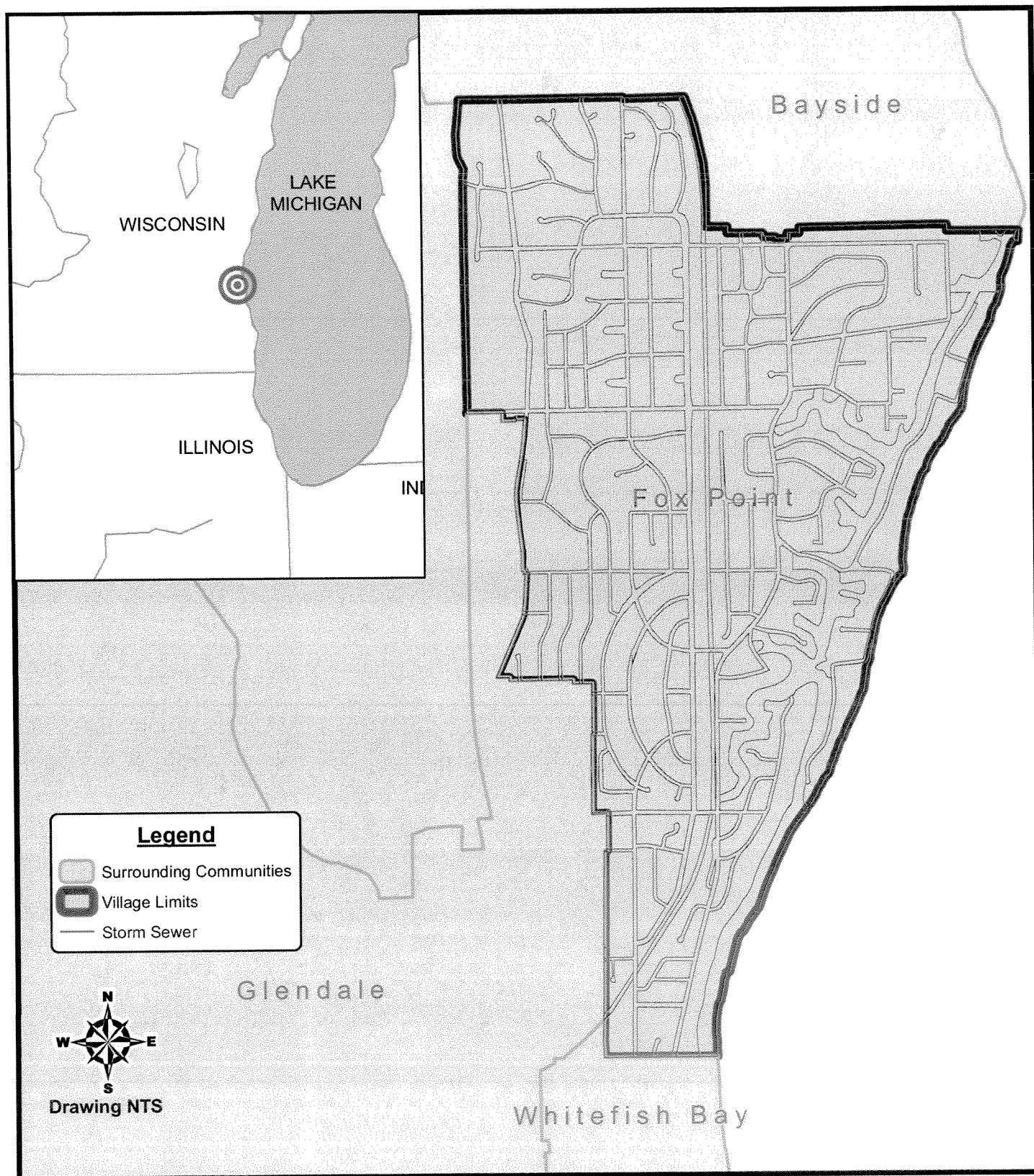
Mail to: Department of Natural Resources
attn: Kathy Thompson, WT/2
P.O. Box 7921
Madison, WI 53707-7921

Fox Point Storm Water Utility Implementation

Part I. Screening Requirements

A. Map of Project Location

The proposed project is located in Southeastern Wisconsin in the Village of Fox Point. The approximate latitude and longitude are 43° 9' 0.6" and -87° 48' 3.7" respectively.



**RESOLUTION 2007-07
FOR
DNR URBAN STORMWATER GRANT
IMPLEMENTATION OF A STORMWATER UTILITY PROGRAM**

Resolution authorizing the submittal of a state grant application by the Department of Public Works and the subsequent appropriation of funds from the Village of Fox Point General Funds for the Implementation of a Stormwater Utility Program.

WHEREAS the requirements of the Wisconsin Department of Natural Resources Stormwater Permit (permit number S061565) has mandated the increased expenditures of funds for the management of stormwater,

WHEREAS the Village of Fox Point is currently funding the preparation of a Feasibility Study for a Stormwater Utility that will evaluate the fair and equitable distribution of the cost of stormwater management and the impact on the residents of the community,

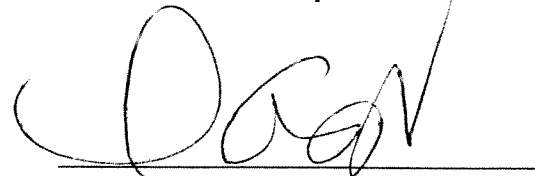
WHEREAS: protecting the high quality of Lake Michigan, the source of drinking water for our community and it is the receiving water for all stormwater runoff from the Village, and the receiving water for all pollutants which are "flushed" from the land along with rainwater, is in our best interest,

WHEREAS the Village of Fox Point wishes to be proactive when it comes to proper management of stormwater from it's municipal boundaries,

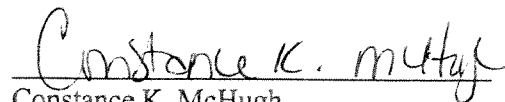
WHEREAS the Village of Fox Point Board of Trustees supports the possible Implementation of a Stormwater Utility Program. We further request the support of the Department of Natural Resources through the Urban Nonpoint Source and Storm Water Grants Program.

IT IS THEREFORE RESOLVED THAT THE VILLAGE BOARD HEREBY AUTHORIZES the Public Works Director to act on behalf of the Village of Fox Point to submit an application to the State of Wisconsin for financial aid for the Implementation of a Stormwater Utility Program and to sign documents, and take necessary action to undertake, direct, and complete such construction.

Adopted this day of April 10, 2007



Michael A. West
Village President



Constance K. McHugh
Village Clerk