Yahara WINS – August 30, 2016 Meeting

Agenda Item:
Approval of Revised Timeframe for Submittal of DNR Updated Stormwater Modeling Information to Yahara WINS

Background:
Section 9 of the “Intergovernmental Agreement For An Adaptive Management Plan For The Yahara Watershed” includes a process whereby charges to MS4 Members can be adjusted based on the results of updated stormwater modeling information. The IGA states that if the revised phosphorus reduction information, which is the basis for making adjustments, is received by the Executive Committee on or before September 1st of any year, the resultant revised cost (charge) will be applied to all years going forward.

Several MS4s have recently submitted updated stormwater modeling information to DNR for review. Pending review and approval by DNR, the information is expected to result in a phosphorus reduction that is different than what was used to develop their preliminary cost allocation as presented in Exhibit B of the IGA. Yahara WINS has received a formal request on behalf of two IGA MS4 members to extend the submittal date for revised phosphorus reduction information to October 1st, 2017, due to a concern that DNR may not be able to complete its review process by September 1st. In addition, at least one informal inquiry has been received regarding a possible extension of the September 1st date.

Options:
1. Make no change to the September 1st submittal date
2. For 2017 only, extend the submittal date to October 1st
3. For 2017 only, extend the submittal date to a date selected by the Executive Committee

Discussion:
The September 1st date in the IGA was chosen because revenue information is needed as input to the annual Yahara WINS budgeting process. Per Section 8 of the IGA, a draft annual budget needs to be prepared by September 30th of each year and a final budget needs to be approved by October 31st of each year. Changing the submittal date compresses the budgeting timeframe, although revenue estimates can be made based on draft revised phosphorus reduction information. The number of updated stormwater modeling review requests submitted to DNR in this first year of the IGA may make it difficult for DNR to meet all review requests by September 1st.

Recommendation:
For 2017 only, extend the submittal date to October 1st for those MS4s that submitted review requests to DNR prior to September 1st. Require those impacted MS4s to submit preliminary revised phosphorus reduction information to Yahara WINS as soon as it is available to assist WINS in making revenue projects for budgeting purposes.