

Chapter 19.10**STORMWATER DEFINITIONS****Sections:****19.10.010 Definitions.****19.10.010 Definitions.** In this title:

- A. "Adequate sod, or self-sustaining vegetative cover" means maintenance of sufficient vegetation types and densities such that the physical integrity of the streambank or lakeshore is preserved. Self-sustaining vegetative cover includes grasses, forbs, sedges and duff layers of fallen leaves and woody debris.
- B. "Atlas 14" means the National Oceanic and Atmospheric Administration (NOAA) Atlas 14 Precipitation-Frequency Atlas of the United States,
- C. "Average annual rainfall" means a calendar year of precipitation, excluding snow, determined to be Minneapolis, 1959 (March 13 - November 4).
- D. "Best management practice" or "BMP" means structural or non-structural measures, practices, techniques or devices employed to avoid or minimize soil, sediment or pollutants carried in runoff off-site.
- E. "BOD5" means biological oxygen demand measured over a five day period at a temperature of 20 degrees Celsius.
- F. "Clear water waste" means that defined in Section H.62.12 Wisconsin Administrative Code.
- G. "Closed depression" means a low area that does not have a drainage outlet.
- H. "Construction site" means an area upon which one or more land disturbing construction activities occur, including areas that are part of a larger common plan of development or sale where multiple separate and distinct land disturbing construction activities may be taking place at different times on different schedules but under one plan. A long-range planning document that describes separate construction projects, such as a 20-year transportation improvement plan, is not a common plan of development.
- I. "Design Storm" means a hypothetical discrete rainstorm characterized by a specific duration, temporal distribution, rainfall intensity, return frequency and total depth of rainfall.
- J. "Detention" means a stormwater management facility having a controlled release other than pumping, infiltration, or evaporation.
- K. "Development" means residential, commercial, industrial or institutional land uses and associated roads.
- L. "Drainage Way" means an area where runoff from adjacent areas either collects or passes through the site, regardless of whether the runoff is from private, public property or road right-of-way. A drainage way under this section may be natural or constructed.
- M. "Erosion" means the process by which the land's surface is worn away by the action of wind, water, ice or gravity.
- N. "Erosion and sediment control plan" means a comprehensive plan developed to address pollution caused by erosion and sedimentation of soil particles or rock fragments during construction.
- O. "Exceptional resource waters" means waters listed in s. NR 102.11, Wis. Adm. Code.
- P. "Final stabilization" means that all land disturbing construction activities at the construction site have been completed and that a uniform perennial vegetative cover has been established with a density of at least 70 percent of the cover for the unpaved areas and areas not covered by permanent structures or that employ equivalent permanent stabilization measures.
- Q. "Highest local groundwater elevation" means the highest groundwater elevation on a site as indicated by the depth of mottled soil or measured groundwater elevations.
- R. "Impervious surface" means an area that releases as runoff all or a large portion of the precipitation that falls on it, except for frozen soil. Rooftops, sidewalks, driveways, gravel or paved parking lots and streets are examples of areas that typically are impervious.
- S. "In-fill" means an undeveloped area of land located within an existing urban sewer service area, currently served by city utilities, and surrounded by development or development and natural or man-made features where development cannot occur.
- T. "Infiltration" means the entry of precipitation or runoff into or through the soil.
- U. "Land disturbing activity" means any man-made alteration of the land surface resulting in a change in the topography or existing vegetative or non-vegetative soil cover, that may result in runoff and lead to an increase in soil erosion and movement of sediment off-site. Land disturbing construction

activity includes , without limitation, clearing and grubbing, demolition, excavating, pit trench dewatering, filling, and grading activities.

V. "Landowner" means any person holding fee title, an easement or other interest in property, which allows the person to undertake cropping, livestock management, land disturbing construction activity or maintenance of stormwater BMPs on the property.

W. "Maintenance plan" means a legal document that provides for long-term maintenance of stormwater management practices.

X. "Maximum Extent Practicable" or "MEP" means a level of implementing best management practices in order to achieve a performance standard different from the performance standard specified in this chapter, which takes into account the best available technology, cost effectiveness, and other competing issues such as human safety and welfare, endangered and threatened resources, historic properties and geographic features. MEP allows flexibility in the way to meet the performance standards and may vary based on the performance standards and site conditions. MEP applies only when the responsible party has demonstrated to the Director of Engineering's satisfaction that a performance standard is not achievable and that a lower level of performance is appropriate.

Y. "New development" means development resulting from the conversion of previously undeveloped land or agricultural land uses.

Z. "NRCS MSE3 or MSE4 distribution" means a specific precipitation distribution developed by the United States Department of Agriculture, Natural Resources Conservation Service, using county-specific precipitation amounts from Atlas 14 for Eau Claire County, WI.

AA. "Off-site" means located outside the property boundary described in the permit application.

BB. "On-site" means located within the property boundary described in the permit application.

CC. "Ordinary high-water mark" has the meaning given in s. NR 115.03 (6), Wis. Adm. Code.

DD. "Outstanding resource waters" means waters listed in s. NR 102.10, Wis. Adm. Code.

EE. "Performance standard" means a narrative or measurable number specifying the minimum acceptable outcome for a facility or practice.

FF. "Permit" means a written authorization made by the Director of Engineering to the applicant to conduct land disturbing construction activity or to discharge post-construction runoff to waters of the state.

GG. "Pollutant" has the meaning given in s. 283.01 (13), Wis. Stats.

HH. "Pollution" has the meaning given in s. 281.01 (10), Wis. Stats.

II. "Post-construction site" means a construction site following the completion of land disturbing construction activity and final site stabilization.

JJ. "Pre-development condition" means the extent and distribution of land cover types present before the initiation of land disturbing construction activity, assuming that all land uses prior to development activity are managed in an environmentally sound manner.

KK. "Preventive action limit" has the meaning given in s. NR 140.05 (17), Wis. Adm. Code.

LL. "Protective area" means an area of land that commences at the top of the channel of lakes, streams and rivers, or at the delineated boundary of wetlands, and that is the greatest of the widths defined in s. 19.30.070 A, as measured horizontally from the top of the channel or delineated wetland boundary to the closest impervious surface.

MM. "Redevelopment" means areas where development is replacing older development.

NN. "Responsible party" means the landowner or any other entity performing services to meet the requirements of this ordinance through a contract or other agreement.

OO. "Retention" means a stormwater management facility that does not have a controlled release point other than pumping, infiltration, or evaporation.

PP. "Runoff" means stormwater or precipitation including rain, snow or ice melt, or similar water that moves on the land surface via sheet or channelized flow.

QQ. "Sediment" means settleable solid material that is transported by runoff, suspended within runoff or deposited by runoff away from its original location.

RR. "Site" means the entire area included in the legal description of the parcel on which the land disturbing construction activity is proposed in the permit application.

SS. "Stormwater management plan" means a comprehensive plan designed to reduce the discharge of pollutants from stormwater, after the site has undergone final stabilization, following completion of the construction activity.

TT. "Stormwater management system plan" is a comprehensive plan designed to reduce the discharge of runoff and pollutants from hydrologic units on a regional or municipal scale.

UU. "Storm Sewer System" means all stormwater conveyance systems including, piped storm sewers, stormwater facilities, swales, ditches, streams, public ponds, lakes, and rivers.

VV. "Technical standard" means a document that specifies design, predicted performance and operation and maintenance specifications for a material, device or method.

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WW. "Top of the channel" means an edge, or point on the landscape landward from the ordinary high water mark of a surface water of the state, where the slope of the land begins to be less than 12 percent continually for at least 50 feet. If the slope of the land is 12 percent or less continually for the initial 50 feet landward from the ordinary high-water mark, the top of the channel is the ordinary high-water mark.

XX. "Total maximum daily load" or "TMDL" means the amount of pollutants specified as a function of one or more water quality parameters, that can be discharged per day into a water quality limited segment and still ensure attainment of the applicable water quality standard.

YY. "TR-55" means the United States department of agriculture, natural resources conservation service (previously soil conservation service), Urban Hydrology for Small Watersheds, Second Edition, Technical Release 55, June 1986, which is incorporated by reference for this chapter.

ZZ. "TSS" means total suspended solids.

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