



ANNUAL REPORT

FOR

CALENDAR YEAR 2007

**MENOMONEE RIVER GROUP MUNICIPAL STORM WATER DISCHARGE
PERMIT
WPDES PERMIT NO. WI-S050130-1**

March 2008

1. General Information

A. Municipal Information

Village of Butler
12621 West Hampton Avenue
Butler, WI 53007-1791

B. Municipal Contact Information

Timothy Rhode
Administrator/ Clerk
12621 West Hampton Avenue
Butler, WI 53007-1791
Main Phone: 262-781-2525
Fax: 262-783-2522

C. Annual Report Review Process

The following efforts have been undertaken by the Village of Butler to allow the governing body, municipal staff, interest groups, and the general public to review and comment on the annual report:

1. The annual report was posted on the Village's website.
2. The annual report was available for review at the Village Hall.
3. A copy of the annual report was given to the DPW, the Administrator, the Engineer and the Building Inspector.
4. The annual report was submitted to the Village Board.

D. Municipal Storm Water Discharge Permit Requirements

Elected municipal officials and municipal staff have been kept informed of the Wisconsin Pollutant Discharge Elimination Program (WPDES) Permit requirements through Village Board meetings and staff meetings.

E. Municipal-Wide Storm Water Management Plan

The Village of Butler has a storm water management plan which was created by Camp, Dresser & McKee in 1998. The Village also has a storm water utility which helps fund storm water related projects in the community.

F. Municipality Website

www.butlerwi.gov

The Village of Butler's website is listed above. The Village's website does not have any links or current information about the Municipal Separate Storm Sewer System (MS4) permit.

2. Status of Compliance with Permit Schedules

The Village of Butler has completed the following permit items and transmitted them to the Wisconsin Department of Natural Resources (WDNR) by the required date of March 31, 2008:

- A. Joint Storm Water Monitoring Notification
- B. Proposed Illicit Discharge Ordinance
- C. Proposed Construction Site Pollutant Control Ordinance
- D. Proposed Post-Construction Site Pollutant Control Ordinance
- E. Evaluation of Flood Control Structures
- F. No Controls and 20% Total Suspended Solids (TSS) Reduction Source Loading and Management Model (SLAMM) Modeling
- G. Storm Sewer System Map

3. Status of Implementing Permit Requirements

A. Joint Storm Water Monitoring – Part II.B

The Menomonee River Watershed Group of municipalities has proposed to perform a storm water monitoring plan in conjunction and cooperation with the Milwaukee Metropolitan Sewerage District (MMSD) called Surface Water Quality Monitoring Program for the Menomonee River Watershed (plan). The group plans on having the proposal completed by the March 31, 2008 deadline. Exhibit A displays the intergovernmental cooperation agreement.

B. Illicit Discharge, Detection and Elimination Program – Part III.B

The Village of Butler has taken the following actions to date to create an Illicit Discharge, Detection and Elimination Program:

1. The existing ordinances have been reviewed and a new ordinance has been proposed and submitted to the WDNR. This proposed ordinance will prevent and eliminate illicit discharges and connections to the municipal separate storm sewer system as required by the WPDES permit. This ordinance is scheduled to be adopted by September 30, 2008.
2. All major outfalls in the Village of Butler have been identified as shown in the attached Exhibit B. The field screening of these major outfalls are planned to be completed in the dry weather months of June to August of 2008. The field screening will meet all of the requirements of the WPDES permit.

C. Construction Site Pollutant Control Program – Part III.C

The Village of Butler has reviewed the existing ordinances and a new ordinance has been proposed and submitted to the WDNR that includes construction site erosion control. This ordinance will require erosion and sediment control at construction sites and sanctions to ensure compliance with the WPDES Permit requirements. The ordinance is planned to be adopted by September 30, 2008.

D. Post-Construction Storm Water Management Program – Part III.D

The Village of Butler has reviewed the existing ordinances and a new ordinance has been proposed and submitted to the WDNR that includes post-construction storm water management. This ordinance will control the quantity and quality of discharges from areas of new development and redevelopment, after construction is completed to meet the WPDES permit requirements.

E. Storm Water Quality Management Program – Part III.F

The Village of Butler took the following actions to implement a Storm Water Quality Management Program that would meet the requirements of the WPDES permit:

1. The evaluation of existing municipal owned or operated structural flood control facilities for the purpose of retrofitting to increase total suspended solids removal from runoff was completed by the March 10, 2008 deadline.
2. The Village-wide pollutant loading analysis was completed using the WinSLAMM model. The No Controls and the 20% TSS reduction analysis were completed by the March 10, 2008 deadline. The Village of Butler's existing TSS removal rate was found to be 7.93%. Analysis results are summarized in attached Table 1. Exhibit C displays the areas that were removed from the analysis and the Best Management Practices (BMP) that were included in the pollutant loading analysis. Since this removal rate does not meet the 20% TSS reduction goal required, a compliance plan was also submitted. The Village plans to meet with the WDNR in the coming months to discuss their current situation.

F. Storm Sewer System Map – Part III.G

The Village of Butler was required to create a storm sewer system map which was completed by the March 31, 2008 deadline. The storm sewer system map was required to include the following:

1. Identification of waters of the state, watershed boundaries, name and classification of receiving waters, identification of whether the receiving water is Outstanding Resource Water (ORW), Excellent Resource Water (ERW), or listed as an impaired water under section 303 (d) of the Clean Water Act, storm water drainage basin

boundaries for each MS4 outfall and municipal separate storm sewer conveyance systems.

2. Identification of all known municipal storm sewer system outfalls discharging to waters of the state or other municipal separate storm sewer systems. Major outfalls were uniquely identified.
3. Location of any known discharge to the municipal separate storm sewer system that has been issued a WPDES permit by the Department.
4. Location of municipally owned or operated structural storm water facilities including detention basins, infiltration basins, and manufactured treatment devices.
5. Identification of publicly owned parks, recreational areas, and other open lands.
6. Location of municipal garages and other public works facilities.
7. Identification of streets.

4. Pollution Prevention Program Summary

A. Inspections and Enforcement

Inspection of erosion control measures for all residential and commercial developments was completed by the Building Inspector on a site by site basis. There was one commercial project site that was monitored for proper erosion control measures by the Village's building inspector in 2007. The following is the name and address of the one project inspected:

Evergreen Fuel Stop and Mini-Mart – 4539 N 124th Street

No enforcement actions were taken by the Village in 2007.

B. Spill Responses

There were no spills reported in the Village of Butler in the year 2007.

C. Street Sweeping

The Village performed high efficiency regenerative air sweeping of all streets and alleys within the Village boundary twice a month from April through November using a Vac-Haul street sweeper. The waste collected by the street sweeper is stored at the DPW Yard to dry out before it is disposed of at Waste Management. In 2007, the Village crews recorded that a total of 42.5 tons of solids were collected.

D. Catch Basin Cleaning

Catch Basin cleaning is done on an as-needed basis. Solids captured from catch basin cleaning are stored at the DPW Yard to dry out before it is hauled to Waste Management. Approximately 10 cubic yards of waste was collected in 2007 from catch basin cleaning.

F. Pollutant Loading Removal Rates and Status of Meeting Standards

The No Controls and Existing Controls SLAMM modeling and the Assessment of Compliance were completed and submitted by the March 10, 2008 deadline. This analysis, as mentioned previously, resulted in a Village wide TSS removal rate of 7.93%.

G. Other Activities

1. Summary of Leaf and Grass Collection and Disposal Program

The Village's Leaf Collection Program consists of one pick up date in the time frame of late September to November. In 2007, Village crews collected approximately 1100 cubic yards of leaves and grass clippings. These collections were hauled to the public works yard and then eventually hauled to a local farmer to use for compost.

2. Summary of Applications of Fertilizer

The Village of Butler uses very little fertilizer applications. Fertilizer for weed control is applied once per year at yard areas at the municipal buildings and the baseball diamonds at Frontier Park, which are all less than 5 acre sites. The following is a list of actions taken in 2007 in an effort to pursue safe fertilizer application on these sites:

- A. Applied fertilizer in the spring only. Avoided applying fertilizer to frozen ground.
- B. Grass clippings are left on the lawn areas as fertilizer.
- C. Any fertilizer spilled on roads or sidewalks was promptly cleaned up.
- D. Left a buffer strip of unfertilized lawn along ditches, waterways and ponds.

7. Fiscal Analysis of Expenditures for 2007

The annual expenditures in 2007 consisted of village staff and outside consultant services to implement and track the numerous programs and procedures listed above. Expenditures also reflect labor, equipment rental and material costs involved with maintenance of the sewer collection system. The Village of Butler has a storm water utility that brings in \$194,000 annually to cover the costs of these expenditures. The 2007 Stormwater Expenditures have been summarized on Exhibit D.

8. Fiscal Budget for 2008

The proposed budget for storm water management activities in 2008 are also shown in the attached Exhibit D.

9. **Report Certification**

The appropriate Village of Butler staff members and elected officials have been, or will be, appraised of the content of this annual report.

Village Administrator

Date

c: Village Board
Tim Rhode-Administrator
Ken Potowils-Superintendent
Tim Barbeau -Village Engineer
File

EXHIBIT A

INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN THE VILLAGE OF BUTLER AND THE MILWAUKEE METROPOLITAN SEWERAGE DISTRICT CONCERNING WATER QUALITY MONITORING ON THE MEMONONEE RIVER

The Village of Butler, a general purpose municipal corporation, organized and operating pursuant to Wis. Stat. Ch. 61, hereafter "Village," and the Milwaukee Metropolitan Sewerage District, a municipal body corporate, organized and operating pursuant to Wis. Stat. §§ 200.21 through 200.65, hereafter "District," enter into this Intergovernmental Cooperation Agreement, pursuant to Wis. Stat. § 66.0301, on the last date of signature below, for the purpose of data compilation and report preparation concerning water quality monitoring on the Menomonee River:

WHEREAS, storm water originating from developed and undeveloped lands within the Village eventually drains into the Menomonee River, including discharges from Village-owned storm sewers and other facilities; and

WHEREAS, the Wisconsin Department of Natural Resources, hereafter "DNR," has issued a Wisconsin Pollution Discharge Elimination System, hereafter "WPDES," Permit, No. WI-S050130-1, to eight (8) municipalities, including the Village, which permit allows the named municipalities to discharge storm water generated within their respective municipal boundaries into the Menomonee River, subject to the terms and conditions of the permit; and

WHEREAS, the permit requires the Village to participate in or contribute funding for a storm water monitoring project; and

WHEREAS, the District has developed a surface water quality monitoring program for the Menomonee River watershed, including the monitoring of storm water discharges into the Menomonee River and reporting on the effects of such discharges on the Menomonee River; and

WHEREAS, the Village has determined that it is in the Village's best interest to pool funds with other municipalities along the Menomonee River and contribute such funds to the District to participate in the District's surface water quality monitoring program in exchange for data gathering and report generation; and

WHEREAS, the DNR has determined that contributing pooled financial resources to the District's surface water quality monitoring program will comply with Condition II. B. in WPDES Permit No. WI-S050130-1, which requires the Village to participate in or contribute funds towards a storm water monitoring project;

NOW, THEREFORE, in light of the above and foregoing declarations, the Village and the District enter into this Intergovernmental Cooperation Agreement setting forth the applicable procedures, practices, duties, rights and responsibilities applicable to each with relation to collecting data for and preparing reports documenting water quality monitoring information generated from the Menomonee River:

I. DISTRICT DUTIES AND RESPONSIBILITIES.

- A. District Services to Provide Water Quality Monitoring for the Village. The District will provide the following water quality monitoring services on the Menomonee River for the Village in accordance with the Milwaukee Metropolitan Sewerage District (MMSD) Surface Water Quality Monitoring Program for the Menomonee River Watershed (which is hereby incorporated by reference into this agreement): 1) continue to operate five (5) continuous monitoring sites; 2) establish and operate five (5) new continuous monitoring sites; 3) upgrade the monitoring site at the point where 16th Street crosses the Menomonee River; and 4) upgrade four (4) United States Geologic Survey sites so as to allow sampling at such sites for a broad range of parameters.

- B. Additional District Services for the Village. In addition to the installation of equipment, the District will provide quality

EXHIBIT A

assurance/quality control of each survey and will provide an annual report, which will include some trend analysis. Furthermore, the District will review the data generated to ascertain whether the data displays anomalies which require further, in depth monitoring, including entry into the storm water discharge facilities of the Village and, if necessary, entry into the sanitary sewerage system of the Village.

II. VILLAGE'S DUTIES AND RESPONSIBILITIES.

A. Village Contribution to Monitoring Costs. The Village will arrange a one time payment to the District of the sum of Three Hundred Five and 63/100 Dollars (\$305.63) within sixty (60) days of passing a resolution approving this agreement.

B. Village Storm Water and Sanitary Sewerage Accessible by the District. Upon specific request by the District and approval by the director/manager of public works, the Village will make its storm water and sanitary sewerage facilities available to District crews performing monitoring activities. Through such approval, the Village hereby grants permission to the District to follow illicit discharges upstream into the Village's storm water sewerage system and, in the event an illicit cross connection to the storm sewer system from the sanitary sewerage system is discovered, such permission shall extend to following illicit discharges to the storm water system into the sanitary sewerage system.

C. Identification and Repair of Illicit Connections. The Village will use the data provided by the District or provide its own inspections of the storm sewer and sanitary sewer systems to identify, halt, and otherwise prevent illicit discharges within the Village's storm water and sanitary sewerage systems. In the event illicit discharges are determined to be located in facilities on private property tributary to the Village's storm water or sanitary sewerage systems, the Village will act to cause the private property owner to eliminate or correct the illicit discharge to the maximum extent practicable within three (3) work days. In the event illicit connections are identified on infrastructure owned by

the Village, the Village agrees to eliminate illicit discharges or connections within three (3) work days to the maximum extent practicable. If an illicit discharge or connection on the Village's storm water or sanitary sewerage systems cannot be eliminated within three (3) work days, the Village agrees to notify the DNR's assigned water resources storm water specialist of such inability and together they shall identify appropriate action or an appropriate time frame in which to prevent further illicit discharge or to make the needed disconnection. Among the available remedies the parties shall discuss is whether to include such repairs on the next budget year's list of mandatory infrastructure repairs and agree to assign a high priority to performing the repair.

III. TERM OF THIS AGREEMENT. This agreement is to be effective for three (3) years following the date of the last signature by the parties.

WHEREFORE, the authorized representatives of the parties to this Intergovernmental Cooperation Agreement affix their signatures, being duly authorized to do so.

VILLAGE OF BUTLER
Executed this 21 day of March, 2008, pursuant to approval granted on the 19 day of February, 2008, by the Board of Trustees of the Village of Butler.

By: Richard Ersslin
Richard Ersslin, Village President

Date: 3/24/08

By: Timothy Rhode
Timothy Rhode, Village Clerk

Date: March 18 2008

MILWAUKEE METROPOLITAN SEWERAGE DISTRICT

By: Kevin L. Shater, P.E.
Kevin L. Shater, P.E.
Executive Director

Date: _____

Village of Butler

Waukesha County, Wisconsin



EXHIBIT B

Map of Major Outfalls

Legend

- Waters of the State - Waterways
- Waters of the State - Open Waters
- Major Outfall Locations
- Village Boundary
- Subbasin Boundary
- WPDES Permit Locations
- Public Works Facilities
- Publicly Owned Land

Storm Sewer Facilities

- Catch Basin
- Culvert
- Manhole
- Wet Pond
- Dry Pond

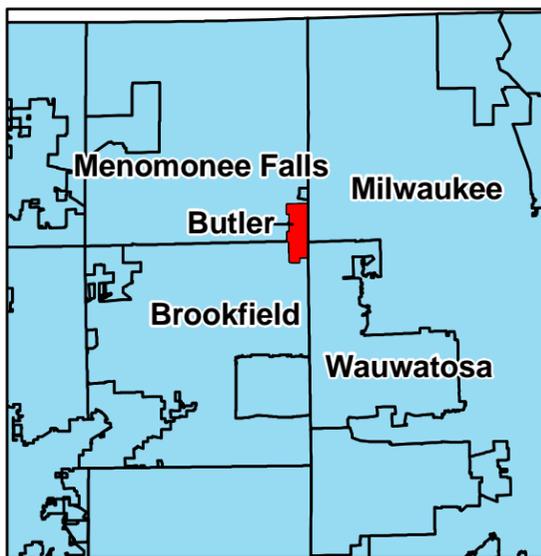
Storm Sewer Main

- Village Maintained Sewer
- Private Maintained Sewer

Storm Sewer Drainage Feature

- Drainage Route
- Culvert

Major Outfalls		
Outfall ID	Subbasin ID	Pipe Size
1	C	12"
2	E	42"
3	O	144" x 96"
4	F	42"
5	Q	36"
6	R	48"
7	T	15"
8	V	42"
9	W	48"



March 27, 2008

1 inch equals 600 feet

R.A. Smith National

*Beyond Surveying
and Engineering*

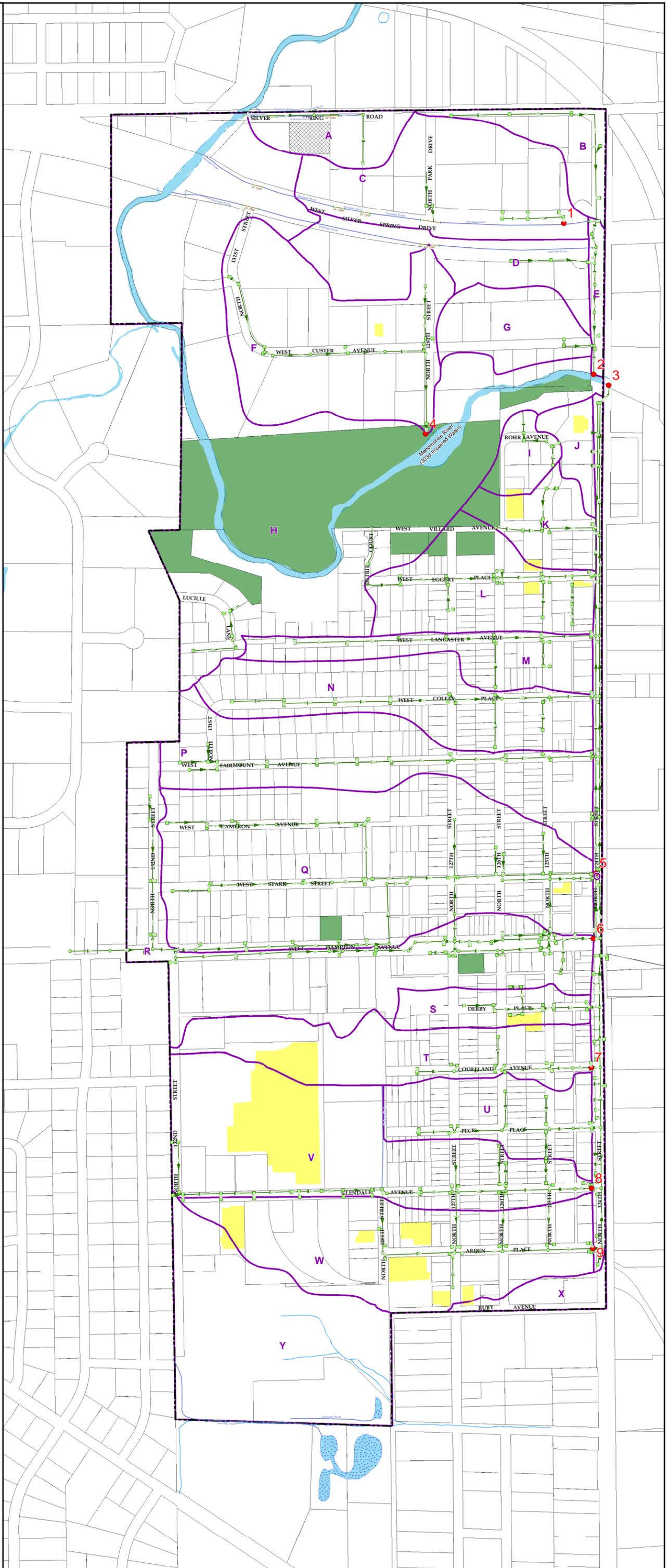


TABLE 1
VILLAGE OF BUTLER
POLLUTANT LOADING REDUCTION ANALYSIS
March 10, 2008

SUBBASIN	AREA (Ac)	NO CONTROLS Phosphorus (lbs/yr)	EXISTING Phosphorus (lbs/yr)	PERCENT DIFFERENCE (%)	NO CONTROLS TSS (lbs/yr)	EXISTING TSS (lbs/yr)	PERCENT DIFFERENCE (%)
A	6.22	4.95	4.70	5.08%	3236.86	3069.54	5.17%
B	5.67	4.39	4.26	2.78%	3307.20	3205.18	3.08%
C	16.53	12.23	11.86	3.04%	8804.39	8522.29	3.20%
D	9.85	7.11	6.95	2.25%	5544.03	5406.91	2.47%
E	1.22	0.93	0.90	2.58%	714.92	694.18	2.90%
F	29.50	18.41	17.91	2.72%	14395.68	14007.10	2.70%
G	9.11	7.13	6.84	3.98%	4735.84	4533.38	4.27%
H	11.53	7.99	7.41	7.28%	2647.83	2395.30	9.54%
I	3.37	2.49	2.43	2.30%	1884.49	1836.95	2.52%
J	3.07	2.05	1.98	3.36%	1499.88	1447.65	3.48%
K	6.04	4.62	4.49	2.75%	3415.14	3310.13	3.07%
L	15.35	10.89	10.26	5.73%	4903.68	4598.47	6.22%
M	11.37	8.94	8.39	6.17%	3824.38	3543.55	7.34%
N	21.70	15.30	14.27	6.72%	5735.02	5272.14	8.07%
O	6.88	5.37	5.21	3.08%	3900.11	3770.07	3.33%
P	26.44	18.61	17.42	6.36%	7040.75	6504.62	7.61%
Q	53.61	39.59	37.02	6.49%	14747.29	13554.68	8.09%
R	28.10	23.01	21.65	5.90%	10436.04	9727.44	6.79%
S	6.22	4.76	4.54	4.68%	2176.86	2059.80	5.38%
T	17.78	12.43	11.96	3.78%	7906.34	7624.76	3.56%
U	13.12	9.51	8.90	6.41%	3836.98	3548.69	7.51%
V	28.42	18.87	18.03	4.45%	11349.62	10862.19	4.29%
W	26.92	18.56	18.05	2.75%	13507.28	13144.41	2.69%
X	3.37	2.50	2.41	3.77%	1653.64	1591.76	3.74%
Y	30.34	16.88	10.17	39.76%	13023.82	7764.17	40.38%
TOTAL	391.70	277.50	258.02	7.02%	154,228.09	141,995.37	7.93%

Village of Butler

Waukesha County, Wisconsin



EXHIBIT C

Area Removed for Pollutant Loading Analysis

Legend

- Waters of the State - Waterways
- Waters of the State - Open Waters
- Major Outfall Locations
- Village Boundary
- Subbasin Boundary
- WPDES Permit Locations
- Public Works Facilities
- Publicly Owned Land

Storm Sewer Facilities

- CatchBasin
- Culvert
- Manhole
- Wet Pond
- Dry Pond

Storm Sewer Main

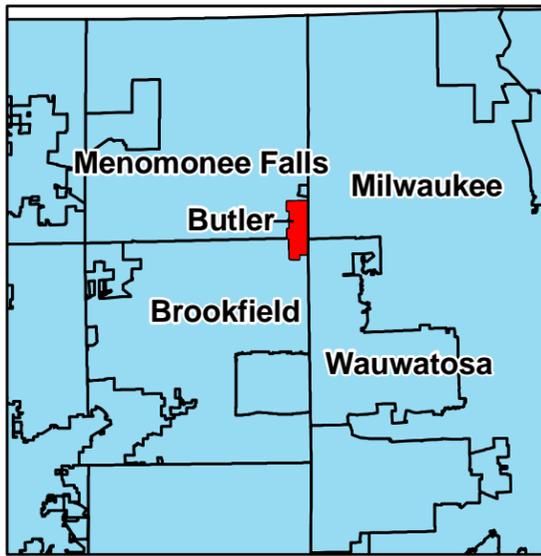
- Village Maintained Sewer
- Private Maintained Sewer

Storm Sewer Drainage Feature

- Drainage Route
- Culvert

Areas Removed for Pollutant Modeling

- County Owned Land
- WPDES Permitted Land
- Railroad
- Direct Drainage to Waters of State



March 27, 2008

1 inch equals 600 feet

R.A. Smith National

*Beyond Surveying
and Engineering*

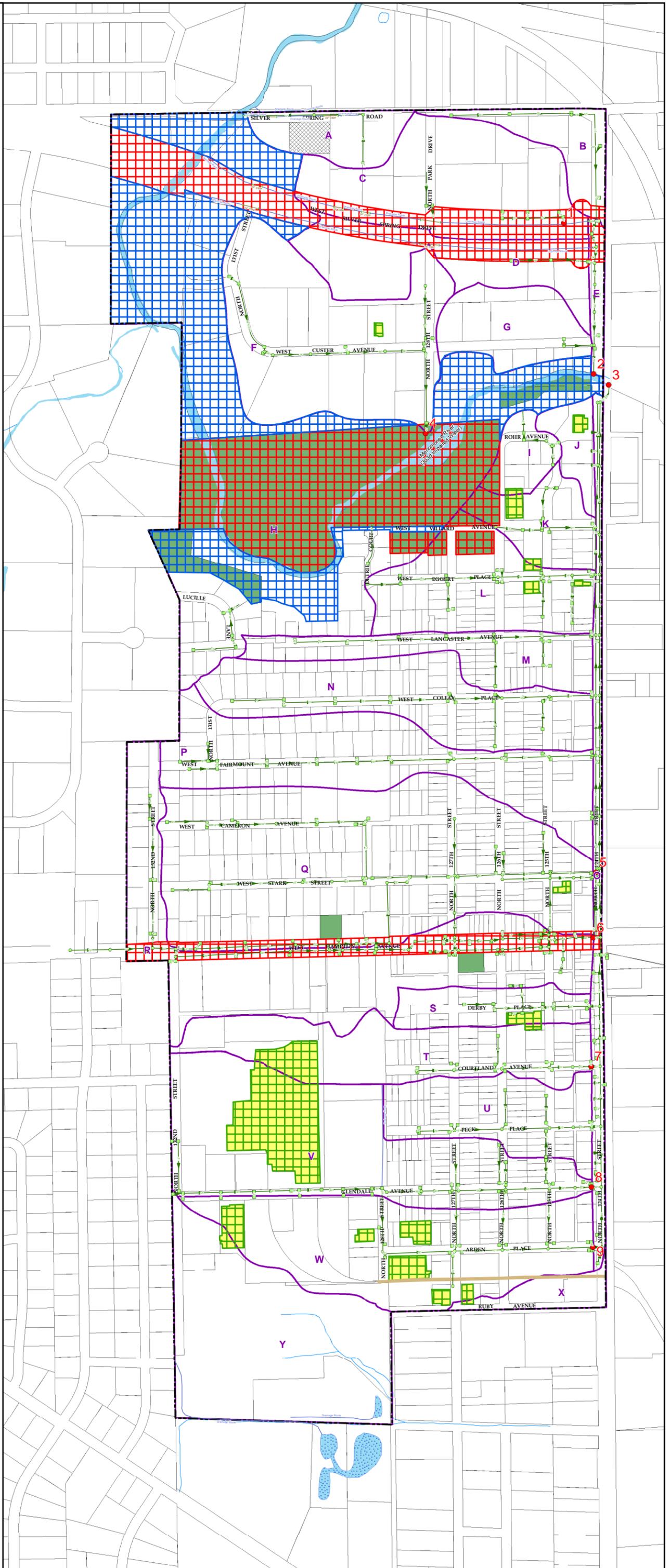


EXHIBIT D

REVENUES

STORMWATER MANAGEMENT UTILITY

2003 ACTUAL	2004 ACTUAL	2005 ACTUAL	2006 ACTUAL	2007 BUDGET	REVENUES	2008 BUDGET	% CHANGE
194,085	193,756	194,205	194,370	194,000	Billings to Customers	194,000	0.00%
4,740	3,505	11,297	21,019	12,000	Interest Income	27,500	56.36%
786	457	722	727	713	Miscellaneous Rev.	800	10.88%
11,501	13,197	0	0	0	Fund Surplus Applied	0	
211,112	210,915	206,224	216,116	206,713	TOTALS	222,300	7.01%

UTILITY EXPENDITURES

STORMWATER MANAGEMENT UTILITY

2003 ACTUAL	2004 ACTUAL	2005 ACTUAL	2006 ACTUAL	2007 BUDGET	EXPENDITURES	2008 BUDGET	% CHANGE
19,031	8,250	17,000	8,022	19,000	Administration	19,000	0.00%
203	1,715	2,000	706	2,000	Engineering/Planning	2,155	7.19%
17,178	15,213	20,000	17,405	20,000	Operation & Maintenance	22,000	9.09%
5,001	4,184	4,500	32	4,500	Insurance Expense	4,500	0.00%
	7,052		9,092	8,500	Employee Benefits	9,000	5.56%
0	21,000	21,000	21,000	21,000	Rental Fees	22,000	4.55%
61,316	42,188	0	13,925	20,000	Capital Projects	30,000	33.33%
108,383	111,313	109,013	111,712	111,713	Debt Service	113,645	1.70%
211,112	210,915	173,513	181,894	206,713		222,300	7.01%

BUDGET COMMENTS:

EXPLANATION OF EXPENDITURES:

- * Revenues are based on a \$5.50/Month Equivalent Runoff Unit Charge
- * Funds are provided for Administration, Operation and Maintenance of the Stormwater System in the Village including engineering, insurance, billing, auditing, street sweeping repairs and construction.