



August 19, 2020

Mayor Tim Kabat
City Hall
400 La Crosse Street
La Crosse WI 54601

Subject: Notice of Noncompliance- Municipal Separate Storm Sewer System Permit

Dear Mr. Kabat:

On June 7th, 2018 several Department of Natural Resources staff, along with city staff, conducted an audit of the City of La Crosse's Municipal Separate Storm Sewer System (MS4) program to evaluate compliance with the MS4 Permit that the City holds with the Department. This audit revealed several portions of the permit that were not being fulfilled, and action was needed in order to comply the permit. Two of these items from the audit report have yet to be addressed:

1. A post construction ordinance needs to be in place and adopted by the city by the date of the next annual report in March of 2019. This item is a significant compliance deficiency and needs to be addressed by the next annual report submittal.
2. TSS modeling data is out of date and not reflective of current measures. The TSS modeling should be updated to get a more accurate representation of total TSS reductions occurring.

These items are essential for permit compliance, and to ensure that the City's stormwater management system and plan are achieving the required performance standards.

Please provide me the ratified ordinance, and the plan to complete the modeling data by the next MS4 annual report due date, March 31, 2021. (Note I do not expect the modeling to be completed by then, just an actionable plan to complete the modeling in an expedient manner).

Failure to address these items to comply with the permit will result in further enforcement action. Please let me know if you have any questions or would like to discuss.

Sincerely,

Matthew Jacobson
Stormwater Specialist
715-928-0485, Matthew.Jacobson@wisconsin.gov

CC: Bernard Lenz- Utilities Manager
Edward McCann-Conservation Warden