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# CITY OF SUPERIOR



THE CITY OF  
**SUPERIOR**

W I S C O N S I N

Living up to our name.

## **Receiving Water Credit Application and Instructions**

Prepared by:  
Environmental Services Division of Public Works



# CITY OF SUPERIOR RECEIVING WATER CREDIT APPLICATION INSTRUCTIONS

## Application Form

### Application Fee

A credit application will not be processed unless accompanied by the application fee. The credit application fee is \$150.00 and covers one credit application form for one site. Customers seeking credit on multiple sites are required to submit an application and accompanying fee for each site. The application fee is nonrefundable. Make checks payable to: City of Superior – Stormwater Utility Credit Application Fee.

### Property Owner Information

Enter the name and mailing address of the property owner (must be the owner as recorded with the County Registrar of Deeds). If you have questions or want to make a change regarding either the owner name or owner mailing address, contact the Douglas County Treasurer at (715) 395-1348.

Enter the owner's email address, if available.

### Property Information

- Enter in the address of the property for which credit is being requested.
- Record the size of the whole property in square feet. (1 acre = 43,560 square feet)
- Record the total amount of impervious area in square feet. [This will be shown on the ESD provided map.]
- Enter the owner's account number from the City of Superior Utility Bill.
- Enter the parcel number(s) that contain the area for which credit is being applied.
- Briefly describe the basis or reasoning for the credit request in the space provided.

### Contact Information

- Enter the name and title for the person responsible for the property.
- Enter the address where correspondence regarding the credit application should be sent.
- Enter an email address and phone number for the contact person.

### Owner/Representative Certification

This section must be signed and dated by the property owner or an individual with delegated authority to execute instructions for the owner. By signing this form, the owner or representative is certifying that the information within the application is true and correct to the best of his/her knowledge and belief and that he/she agrees to provide updated information should there be any change in the information provided.

Any changes in information should be sent to: City of Superior Environmental Services Division, Attn: Water Resources Program Coordinator, 51 E. 1<sup>st</sup> St., Superior, WI 54880.

### ERUs Eligible for Credit

Credits are offered as a percent reduction of the stormwater utility fee. Credits pertain to specific impervious surfaces within a site. It is NOT a site average measurement.

A Receiving Water credit of 85.49% is available for eligible NSFU customers whose excess runoff drains directly into a designated receiving water body without flowing in or through any portion of the City's MS4. Designated receiving waters are Lake Superior, the Pokegama River, and the St. Louis River.

For more specific information about requirements, see the "City of Superior Stormwater Utility Program."

Utilizing the services of a land surveyor or professional engineer, evaluate the site drainage. If necessary, perform a topographic survey of sufficient detail to establish which portion of the impervious surfaces are tributary to the receiving water and which portions are tributary to the City's MS4. If a watershed divide exists on the site, it must be clearly shown on a site map relative to topographic features on the property. The applicant must transfer this information to the GIS map provided by the City of Superior, either physically or electronically, with sufficient detail to accurately reflect field conditions.

After any drainage divides within the property have been defined, determine the amount of impervious area that is tributary to a receiving water body. Divide that number by 2,933 ft<sup>2</sup> to determine the number of ERUs that are eligible for credit:

Enter these numbers, rounded to the nearest tenth of an ERU, on the application in the section titled "ERUs eligible for Credit." The ERUs eligible must total at least 20 ERUs or constitute at least 50% of the total ERUs located on the site to qualify for credit.

Indicate whether the flow is tributary to Lake Superior, the Pokegama River, or the St. Louis River.

The City of Superior will evaluate the applicant's interpretation of the number of ERUs eligible for receiving water credit by entering the information into the City GIS database. A final determination of eligible receiving water credits will be made by the City.

### **Professional Land Surveying or Engineering Certification**

- Enter the name of the surveying or engineering company that the professional is affiliated with along with the company address, city, state, zip code, phone and fax number.
- Enter the name of the professional and the title or authority.
- The professional must sign, date, enter the license type and number, and a cell phone number and email address if available. The professional must also review and appropriately initial the ESD provided map regarding the ESD provided contours. If necessary to reflect site conditions, the professional must certify any additional mapping or survey information submitted as part of the application.

### **License Agreement**

This section must be signed and dated by the owner or an individual with delegated authority to execute instructions for the owner. **By signing this form the owner or representative is agreeing to allow the City access to the property to conduct inspections to verify compliance with the stormwater credit requirements.**

## **Narrative**

### **Site Description**

Describe the property location relative to major geographical features, waterbodies, roads, etc. Identify all outfalls discharging from the property.

Generally describe the impervious area on the property discussing separately those impervious areas tributary to receiving waters and those impervious areas tributary to the City's MS4. Use the GIS map provided by the City as a guide in this description.

Include the name and location of receiving waters.

The location of commercial or industrial activities and materials that have the potential to contaminate storm water must be described.

### **Credit Justification**

Identify the receiving water body that will be used to qualify for credit and check the appropriate box on page 2 of the application form. Define the route the runoff takes from your property on its way to the receiving water body.

## **Survey Map**

On the map provided by ESD, the property will be identified with the current parcel layer. If the representation of the parcel(s) is not adequate, a CSM or Map of Survey should be submitted. The Douglas County's Register of Deeds houses existing maps and are available for purchase.

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## **Stormwater Mapping**

Provide map(s) containing all of the following information about your property (City provided GIS map plus additional maps as needed to clearly show all required information):

- ESD provided contours.
    - ESD will provide 1ft contours on the GIS map; however, if the contours provided are not representative of the existing conditions, the applicant is responsible for providing contours that are representative of the site or the specific areas not accurately represented by the ESD contours. For the Receiving Water Credit, contours must exist for the entire surficial flow path of the water from the site to the receiving water body or privately owned piping. If privately owned piping is part of the conveyance system to the receiving water, the location, size, and material of the pipe must be shown. In addition, the location of both the inlet(s) and outlet(s) must be shown.
      - Land features not visible with contours.
        - Any land feature (i.e. sink or hill) that is not visible on the contours shall be drawn on the map.
  - All drainage divides and flow patterns.
    - This includes all flows affected by ditches and pipe systems. Flow arrows must be shown. Each area on the site must be labeled as "tributary to receiving water" or "tributary to City MS4". For areas tributary to a Receiving Water body, the drainage divides and flow patterns must be shown for the entire path of the water through the site and to the Receiving Water body.
  - Location of stormwater controls/conveyance systems.
    - The location of stormwater controls and conveyances, public and private, including all known surface and subsurface conveyances, structural storm water controls and BMPs, including any secondary or other containment structures, shall be mapped and labeled. All public conveyances utilized, including pipes, ditches, culverts and street stormwater systems, shall be clearly labeled as "public".
      - Roads/streets/alleys – paved and unpaved
      - Inlets/Catch Basins
      - Culverts
      - Channels
      - Curbs
      - BMPs
      - Gutters
      - Other
      - Ditches
      - Outfalls – Including WPDES permitted outfalls that discharge channelized flow to surface water, groundwater, or wetlands (number each for reference)
  - Additional Impervious area.
    - Any impervious area that is not shown on the ESD provided GIS map's aerial photograph shall be added to the map and labeled as "Impervious" (i.e. newly constructed buildings, parking areas, roads, etc.)
    - Contact the Water Resources Program Coordinator at 715-394-0392 or [deverak@ci.superior.wi.us](mailto:deverak@ci.superior.wi.us) to request the GIS map with contours.
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# STORMWATER UTILITY RECEIVING WATER CREDIT APPLICATION

Application Fee \$150

Make checks payable to: City of Superior – Stormwater Credit Application Fee

<b>Property Owner Information (Please print or type)</b>
Owner's Name: _____ (Same as "Owner's Name" on Municipal Stormwater Utility Bill)
Owner's Address: _____ (Same as "Owner's Address" on Municipal Stormwater Utility Bill)
Email Address: _____

<b>Property Information</b>
Property Address/Location: _____
Property size (square feet): _____ Impervious area (square feet) _____
Account Number (from your Stormwater Utility Bill): _____
Parcel Number(s) (from ESD provided map): _____
Briefly describe the basis or reasoning for the credit request: _____ _____

<b>Contact Information</b>
Name: _____
Title: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Phone: _____ Cell: _____
Email Address: _____

<b>Owner/Representative Certification</b>
The information within this application is true and correct to the best of my knowledge and belief. I agree to provide updated information should there be any change in the information provided herein. (This form must be signed by the owner or individual with delegated authority to execute instructions for owner.)
Signature _____ Date _____

**ERUs eligible for Receiving Water Credit**

Total number of ERUs on the property \_\_\_\_\_

Number of ERUs eligible for RW credits \_\_\_\_\_

Name of Receiving Water:  Lake Superior  St. Louis River  Pokegama River

**Land Surveyor or Professional Engineer Certification**

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax \_\_\_\_\_

Email: \_\_\_\_\_

**Certification: The following certification is required for approval of all credits for which a certified technical submission is required:**

The information above and within this application was prepared either by or under the supervision of myself as the qualified professional and is true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Type or print name Title or Authority

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Professional License Type and Number

\_\_\_\_\_  
Phone Number Email:



## LICENSE AGREEMENT

**THIS LICENSE AGREEMENT** (this "*Agreement*") is made by the applicant named below (together with its successors and assigns, "*Applicant*"), for the benefit of the City of Superior, Wisconsin, a municipal corporation (the "*City*"). Applicant has applied to the City for credits under the City's Stormwater Utility Credit Program (as in effect from time to time, the "*Stormwater Program*"). For good and valuable consideration, Applicant agrees as follows:

1. License. Applicant grants to the City a license to enter upon all or any portion of the real property set forth as "*APPLICANT'S STREET ADDRESS, CITY, STATE & ZIP*" below (the "*Property*"), for the limited purpose of inspecting the Property for compliance with the terms and conditions of the Stormwater Program and the paragraphs that follow. Any such right of entry by the City pursuant to the foregoing license shall be made upon at least 24 hours notice to Applicant, which may be given by telephone or email. The license may be revoked by Applicant only in the manner described below.
2. Creditable Activity. For purposes of this Agreement, the term "*Creditable Activity*" refers to any and all activities undertaken by Applicant on the Property to receive any credit under the Stormwater Program, including, without limitation, site grading, stormwater improvements, best managements practices for stormwater management, or related stormwater runoff managed by Applicant, as well as the construction, installation, condition, repair, maintenance or operation of the same.
3. Compliance. Applicant represents and warrants to the City that all Creditable Activity is, and will remain, in compliance with all Federal, State or local laws, ordinances, codes, rules and regulations, with all local technical or performance standards, and with all related stormwater management plans or programs, as each of them are in effect from time to time and applicable to the Property (collectively, "*Applicable Laws*"). Applicant is charged with knowledge of all Applicable Laws, as well as any changes to Applicable Laws during the period of time during which this instrument is effective.
4. Maintenance. All Creditable Activity shall be and remain privately owned and maintained, and shall not be accepted by the City, and shall not become a part of the maintenance program of the Stormwater Utility or the Public Works Department of the City. All responsibility and liability for maintenance of any Creditable Activity shall be and remain with Applicant.
5. Waiver of Claims. Applicant assumes all risks that may arise in connection with its Creditable Activity. Applicant agrees that the City assumes and bears no liability or responsibility for Applicant's Creditable Activity. Applicant waives any and all claims it may have against the City for its Creditable Activity, for the exercise by the City of its right of entry pursuant to the license granted by Applicant above, or otherwise in connection with the Stormwater Program.

6. Revocation of Credits. This Agreement is being delivered as a prerequisite to Applicant's participation in the Stormwater Utility Credit Program, but confers no rights or interests in such program. Any credits that had been granted to Applicant under the Stormwater Utility Credit Program shall be automatically revoked upon the occurrence of any of the following events: (a) Applicant is in default under any of the terms of this Agreement or the Stormwater Utility Credit Program; or (b) Applicant discontinues any Creditable Activity; or (c) Applicant transfers the Property, as evidenced by an instrument of conveyance recorded in the real property records of Douglas County, Wisconsin, and the new owner fails within 30 days to execute and deliver an agreement containing all of the same terms and conditions of this Agreement. Applicant will not be entitled to restoration of such credits unless Applicant re-applies for the same pursuant to the terms of the Stormwater Utility Credit Program.

7. Revocation of License. Applicant may revoke the license granted above only by written notice to the City by certified mail, return receipt requested, to the attention of the Water Resources Program Coordinator, City of Superior – Environmental Services Division of Public Works, 51 East 1<sup>st</sup> Street, Superior, WI 54880.

8. General. Any notices required or permitted hereunder shall be sent by certified mail, addressed to Applicant at its address first listed above, and to the City c/o Water Resources Program Coordinator, City of Superior – Environmental Services Division of Public Works, 51 East 1<sup>st</sup> Street, Superior, WI 54880. If any provision hereof is invalid or unenforceable to any extent, that provision and the remainder of this instrument shall continue in effect and be enforceable to the fullest extent permitted by law.

<i>SIGNATURE OF AUTHORIZED AGENT OR EMPLOYEE OF APPLICANT</i>	<i>PRINTED NAME &amp; TITLE OF AUTHORIZED SIGNATORY (e.g. "John Doe, President")</i>
<i>LEGAL NAME &amp; ENTITY OF APPLICANT (e.g. Doe, Inc., a Wisconsin corporation)</i>	<i>APPLICANT'S STREET ADDRESS, CITY, STATE &amp; ZIP</i>
<i>APPLICANT'S TELEPHONE NUMBER:</i>	<i>DATE OF SIGNATURE</i>