



November 10, 2014

DNR File No. DC-0163

Mr. Kamran Mesbah, Deputy Director
Capital Area Regional Planning Commission
City County Building, Room 362
210 Martin Luther King Jr. Blvd.
Madison, WI 53703

Subject: Amendment to the *Dane County Water Quality Plan*, Revising the Central Urban Service Area Boundary and Environmental Corridors in the City of Madison and Town of Middleton

Dear Mr. Mesbah:

We have completed our review of the subject amendment request that was submitted to the Department on October 23, 2014 by the Capital Area Regional Planning Commission. The Department hereby approves this amendment request which adds 149.3 acres to the Central Urban Service Area, located south of Old Sauk Rd, north of Mineral Point Rd and west of the current urban service area boundary. This area is a portion of the Elderberry Neighborhood, Phase III (See Map 1).

Approximately 116 acres are within the City of Madison and the remaining acreage is within the Town of Middleton. All of the Town lands will eventually be within the City of Madison pursuant to a cooperative plan. The amendment area includes 111 developable acres, 22.41 acres in existing development and right-of-way and 15.9 acres are proposed for environmental corridors.

The amendment was requested by the City of Madison on April 2, 2014, a public hearing was held on September 11, 2014 and the amendment was adopted by the Capital Area Regional Planning Commission per Resolution CARPC No. 2014-13 following the public hearing.

This amendment becomes a part of the *Dane County Water Quality Management Plan* and will be forwarded to the US Environmental Protection Agency to meet the requirements of the Clean Water Act of 1987 (Public Law 92-500 as amended by Public Law 95-217), and outlined in the federal regulations 40 CFR, Part 35.

This review is an equivalent analysis action under s. NR 150.20 (2) (a) 3, Wis. Adm. Code. By means of this review, the Department has complied with ch. NR 150, Wis. Adm. Code, and with s. 1.11, Stats.

The approval of this sewer service area amendment does not constitute approval of any other local, state, or federal permit that may be required for sewer construction or associated land development activities.

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing does not extend the 30 day period for filing a petition for judicial review.

Sincerely,



Thomas J. Mugan, P.E., Chief
Wastewater Section
Bureau of Water Quality

cc:

Paul Soglin, Mayor, City of Madison, 210 Martin Luther King, Jr. Blvd, Madison, WI 53703
Brian Grady, Planner, City of Madison, 215 Martin Luther King, Jr. Blvd, Madison, WI 53701
Ald. Paul Skidmore, District 9, 210 Martin Luther King, Jr. Blvd, Madison, WI 53703
Milo Breuning, Chair, Town of Middleton, 7555 W. Old Sauk Rd, Verona, WI 53593
David Shaw, Administrator, Town of Middleton, 7555 W. Old Sauk Rd, Verona, WI 53593
Greg Searle - WDNR – SCR – Fitchburg
Tim Ryan – WDNR – SCR – Fitchburg
Lisa Helmuth – WDNR – WQ/3
Fran Keally – WDNR – WQ/3



Map 1 Elderberry

Amendment to the Central Urban Service Area and Environmental Corridors in the City of Madison and Town of Middleton

-  Service Area to be added (149.3 acres)
-  Proposed Environmental Corridor (16.2 acres)
-  Public Land
-  Existing Environmental Corridor
-  Incorporated Area
-  Existing Urban Service Area Boundary
-  Proposed Urban Service Area Boundary

16 Apr. 2014

0 700 Feet

Prepared by staff of the CARPC.