



May 16, 2022

DNR Project No. DC-2201

Mr. Mike Rupiper, PE  
Deputy Agency Director  
Capital Area Regional Planning  
100 State Street, Suite 400  
Madison, WI 53703

*Subject: [Sewer Service Area Amendment #2201 – Central USA \(City of Madison / Yahara Hills Neighborhood\)](#)*

Dear Mr. Rupiper:

We have completed our review and approve of the subject sewer service area amendment request from the City of Madison (CARPC #2201) submitted to the Department on April 14, 2022.

**Amendment Area and Public Involvement:**

The amendment involves land in the City of Madison and the Town of Cottage Grove within the Lake Monona Yahara River (HUC 12: 070900020702) and Door Creek (HUC 12: 070900020901) watersheds.

The project area includes the Rodefild Limited Service Area (approximately 249 acres) and the Municipal Golf Course Limited Service Area (approximately 11 acres) into the Central Urban Service Area. The amendment also adds 676 acres of land, including 129 acres of existing development and road right-of-way, and 203 acres of proposed environmental corridors for a net acreage of 344 added to the Central Urban Service Area.

**Environmentally Sensitive Areas**

The amendment area includes 203 acres of proposed environmental corridors including several mapped wetlands and floodplains (see Attachment).

**Wastewater Treatment**

Wastewater from the amendment area will be treated at the Madison Metropolitan Sewerage District (MMSD) Wastewater Treatment Facility. The treated effluent is discharged to Badfish Creek and Badger Mill Creek, bypassing the Yahara chain of lakes.

**Public Involvement**

CARPC held a public hearing on the proposal March 10, 2022 at the Regional Planning Commission meeting and voted to recommend approval of this amendment to WDNR based on the land uses and services proposed, state and local requirements ([see CARPC WQM Letter](#), see attachment), and in recognition of the state and local requirements for the following:

1. Request a formal Endangered Resources Review by the WDNR or one of their certified reviewers for potential impacts to endangered resources like rare plants, animals and natural communities and take necessary habitat protection measures if species are found.
2. Continue to foster the responsible use of chlorides by collaborating with Wisconsin Salt Wise.

### **Administrative Decision**

The Department finds the proposed amendment is consistent with water quality standards under section 281.15, Wis. Stats., and is hereby approved with considerations recommended by CARPC in their April 14, 2022, transmittal letter. Note that if any of the provisions included in the approval are not able to be met prior to construction of the sanitary sewer, the City of Madison should initiate a formal plan amendment process with CARPC reflecting any necessary changes.

### **Statewide AWQM Plan Amendment**

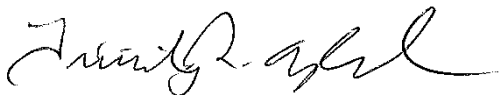
This amendment is a formal update to the state's Areawide Water Quality Management Plan and the *Dane County Water Quality Plan* and will be forwarded to the US Environmental Protection Agency to meet the requirements of the Clean Water Act of 1987 (Public Law 92-500 as amended by Public Law 95-217) and outlined in the federal regulations 40 CFR, Part 35. This review is an integrated 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, Wis. 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.

### **Appeal Rights:**

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., a party has 30 days after the decision is mailed, or otherwise served by the Department, to file a 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., a party has 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,



Timothy R. Asplund  
Monitoring Section Chief  
Bureau of Water Quality

Attachments:

[CARPC Transmittal Letter Requesting Amendment to the Dane County WQM Plan](#)

ecc:

Larry Palm – Executive Chairperson, CARPC

Kris Hampton – Secretary, CARPC

Lisa Helmuth – Water Resources Management Specialist, DNR

Kimberly Kuber – Water Quality Biologist, DNR

Mike Sorge – South Central Water Resources Supervisor, DNR

Tom Bauman – South Central Wastewater Supervisor, DNR

CAPITAL AREA RPC  
100 State St Suite 400, Madison, WI 53703



pm: 608.474.6017  
info@capitalarearpc.org

February 8, 2022

## **NOTICE OF PUBLIC HEARING**

### **March 10, 2022**

#### ***Amendment of the Dane County Water Quality Plan*** **by Revising the Sewer Service Area Boundary** **and Environmental Corridors in the Central Urban Service Area**

PLEASE TAKE NOTICE that the Capital Area Regional Planning Commission will hold a public hearing convening at 7:00 p.m. on March 10, 2022, for the purpose of public input on a proposed amendment to the *Dane County Water Quality Plan* revising the sewer service area boundary and environmental corridors in the Central Urban Service Area, requested by the City of Madison. The proposed amendment is currently in the City of Madison and the Town of Cottage Grove, in the Lake Monona-Yahara River (HUC 12: 070900020702) and Door Creek (HUC 12: 070900020901) watersheds. It includes the conversion of the Rodefild Limited Service Area (approximately 249 acres) and the Municipal Golf Course Limited Service Area (approximately 11 acres) to the Central Urban Service Area. It also includes the addition of approximately 676 acres of land, including approximately 129 acres of existing development and road right-of-way, and 203 acres of proposed environmental corridors for a net of approximately 344 new developable acres to the Central Urban Service Area. The [application](#) request has been posted on the service area amendment page of the CARPC website ([link to website](#)).

Due to the COVID-19 pandemic, this meeting will take place via Zoom. You may participate in the meeting from your computer, tablet, smartphone, or telephone by registering at [https://us02web.zoom.us/join/register/tZYrcO2sriqtGtWi\\_9zYTh9fSLVJl25EiODI](https://us02web.zoom.us/join/register/tZYrcO2sriqtGtWi_9zYTh9fSLVJl25EiODI). Registrants will receive an email with details on how to participate in the meeting. If you don't have Internet access, please call Haley Smith at 608-474-6017 to register.

Communities are encouraged to notify potentially affected property owners in their communities about the public hearing. There will also be another opportunity for public comment when the Commission acts on this amendment at the April 14, 2022, Commission meeting.

Written comments may be mailed to the CARPC office by March 2, 2022 or may be submitted by e-mail to [haleys@capitalarearpc.org](mailto:haleys@capitalarearpc.org) by March 9, 2022.

For information or questions, contact Mike Rupiper at [miker@capitalarearpc.org](mailto:miker@capitalarearpc.org) or 608-474-6016.

CAPITAL AREA RPC  
100 State St Suite 400, Madison, WI 53703



ph: 608.474.6017  
info@capitalarearpc.org

April 14, 2022

Mr. Timothy R. Asplund  
Monitoring Section Chief  
WDNR – Bureau of Water Quality  
101 S. Webster Street  
Madison, WI 53707-7921

RE: Water Quality Management Letter for Sewer Service Area Amendment Request #2201 – Central USA (City of Madison / Yahara Hills Neighborhood)

Dear Mr. Asplund:

The City of Madison has submitted a request for a sewer service area amendment to the *Dane County Water Quality Plan*. The proposed amendment is currently in the City of Madison and the Town of Cottage Grove, in the Lake Monona-Yahara River (HUC 12: 070900020702) and Door Creek (HUC 12: 070900020901) watersheds. It includes the conversion of the Rodefald Limited Service Area (approximately 249 acres) and the Municipal Golf Course Limited Service Area (approximately 11 acres) to the Central Urban Service Area. It also includes the addition of approximately 676 acres of land, including approximately 129 acres of existing development and road right-of-way, and 200 acres of proposed environmental corridors for a net of approximately 347 new developable acres to the Central Urban Service Area. A public hearing was held on the proposed amendment at the March 10, 2022, Regional Planning Commission meeting. The City's application and the Commission staff's analysis report of the proposed amendment have been submitted to the Department's Surface Water Integrated Monitoring System.

It is the Capital Area Regional Planning Commission staff's opinion that the proposed amendment is consistent with water quality standards under Wis. Stat. § 281.15, and the adopted Policies and Criteria for the Review of Sewer Service Area Amendments to the *Dane County Water Quality Plan*, by meeting state and local requirements and agreements identified below. Additional actions have also been recommended below to further improve water quality and environmental resource management.

At our April 14, 2022, meeting, the Capital Area Regional Planning Commission voted to recommend approval of this amendment to the Wisconsin Department of Natural Resources, based on the land uses and services proposed, and in recognition of the state and local requirements for the following:

1. State and local review and approval of stormwater management plan(s) is required, including Regional Planning Commission staff review and approval as part of the sewer extension review process.

Mr. Timothy R. Asplund  
April 14, 2022  
Page 2

- a. Stormwater and erosion control practices are required to be installed prior to other land disturbing activities. Infiltration practices are required to be protected from compaction and sedimentation during land disturbing activities.
  - b. Peak rates of runoff are required to be controlled for the 1-, 2-, 10-, 100-, and 200-year 24-hour design storms to "pre-development" levels, in accordance with the City of Madison and Dane County Stormwater Ordinances.
  - c. Sediment control is required that achieves at least 80% sediment control for the amendment area based on the average annual rainfall, with a minimum of 60% of that control occurring prior to infiltration, in accordance with the City of Madison and Dane County Stormwater Ordinances.
  - d. Runoff volume control is required that maintains the post development stay-on volume to at least 90% of the pre-development stay-on volume for the average annual rainfall period, in accordance with the City of Madison and Dane County Stormwater Ordinances.
  - e. Oil and grease control are required that treats the first one-half inch of runoff using best management practices at commercial and industrial sites, in accordance with the City of Madison and Dane County Stormwater Ordinances.
  - f. Maintaining pre-development groundwater recharge rates from the Wisconsin Geological and Natural History Survey's 2012 report, *Groundwater Recharge in Dane County, Wisconsin, Estimated by a GIS-Based Water-Balance Model* (a range of 9 to 10 inches/year for the amendment area or by a site specific analysis), when required by the City of Madison and Dane County Stormwater Ordinances.
2. Easements and perpetual legal maintenance agreements with the City, to allow the City to maintain stormwater management facilities if owners fail to do so, are required for any facilities located on private property.
  3. Field verification for areas of the development site considered suitable for infiltration including a site assessment for karst features is required by the Wisconsin Department of Natural Resources Conservation Practice Standard 1002 - Site Evaluation for Stormwater Infiltration.
  4. Environmental corridors are required to be delineated to meet the Environmental Corridor Policies and Criteria adopted in the *Dane County Water Quality Plan*.

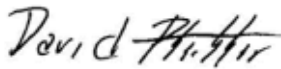
It is also recommended that the City of Madison pursue the following to further improve water quality and environmental resource management:

Mr. Timothy R. Asplund  
April 14, 2022  
Page 3

1. Request a formal Endangered Resources Review by the WDNR or one of their certified reviewers for potential impacts to endangered resources like rare plants, animals and natural communities and take necessary habitat protection measures if species are found.
2. Continue to foster the responsible use of chlorides by collaborating with Wisconsin Salt Wise.

If you have any questions regarding this matter, please do not hesitate to contact Mike Rupiper, the Commission's Deputy Agency Director.

Sincerely,



David Pfeiffer  
Chairperson



Kris Hampton  
Secretary

cc: Mr. Jeff Greger, Planner, City of Madison

Mr. Timothy R. Asplund  
 April 14, 2022  
 Page 4

