

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



November 23, 2015

DNR File No. DC-0168

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 and Environmental Corridors in the City of Madison

Dear Mr. Mesbah:

We have completed our review of the amendment request submitted to the Department on October 28, 2015 by the Capital Area Regional Planning Commission. The Department hereby approves the sewer service area amendment request to add 468 acres to the Central Urban Service Area. The amendment area is located on the west side of the City of Madison, north of Mid-Town Road, east of Pioneer Road and Meadow Road, and south of Mineral Point Road.

The amendment area is located in the Dry Tributary to Badger Mill Creek sub-watershed of the Sugar River Watershed in the Sugar-Pecatonica River Basin. This amendment area is approximately 6.6 percent of the watershed.

The amendment was requested by the City of Madison on June 18, 2015. The Capital Area Regional Planning Commission adopted Resolution CARPC No. 2015-11 approving the amendment at its October 8, 2015 meeting following a public hearing. Please note the local recommendations listed in the resolution.

The plan amendment becomes part of 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 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.

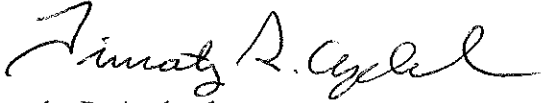
The approval of this sewer service area amendment does not constitute approval of any other local, state or federal permit that may be required for sewer construction or associated land development activities.

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,



Timothy R. Asplund
Monitoring Section Chief
Bureau of Water Quality

cc:

Brian Grady, Planner, City of Madison, 215 Martin Luther King, Jr. Blvd, Madison, WI, 53701
Paul R. Soglin, Mayor, City of Madison, 210 Martin Luther King Jr. Blvd, Madison, WI 53703
Ald. Barbara McKinney, District 1, 210 Martin Luther King Jr. Blvd, Madison, WI 53703
Ald. Paul E. Skidmore, District 9, 210 Martin Luther King Jr. Blvd, Madison, WI 53703
Bill Kolar, 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 South Central Office
Michael J. Sorge, WDNR South Central Office
Eric Rortvedt, WDNR South Central Office
Lisa Helmuth, WDNR WQ/3
Josie Lathrop, WDNR WQ/3



October 28, 2015

Mr. Tim Asplund
Wisconsin Department of Natural Resources
101 S. Webster, WT/3
Madison, WI 53707

RE: Recommended 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. Asplund:

We are submitting a proposed 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 for Department review and approval. The Capital Area Regional Planning Commission adopted Resolution CARPC No. 2015-11 at its October 8, 2015 meeting. This resolution recommends approval based on the land uses and services proposed and the conditions of approval indicated in the adopting Resolution.

This amendment was requested by the City of Madison, and adds approximately 467.5 acres to the Central Urban Service Area; approximately 221.7 acres of the amendment area are developable. Right-of-way and existing development account for 95.2 acres; 150.6 acres are proposed for environmental corridors. The amendment area is proposed as a continuation of the City's Pioneer and Mid-Town Neighborhood plans. Development will include 884 low-density residential units and 268 low-to-medium density units.

Enclosed, please find a copy of the following supporting materials: (1) Request letter from the City of Madison dated June 18, 2015, and supporting application materials; (2) public hearing notice dated September 4, 2015; (3) CARPC staff analysis of the proposed amendment dated September 4, 2015; (4) agenda item Cover Sheet /Executive Summary of the October 8, 2015 public hearing; and (5) Signed Resolution CARPC No. 2015-11. A copy of the CARPC minutes of the October 8, 2015 meeting are not included at this time, CARPC will send approved minutes when they are completed.

We appreciate your review and approval of this amendment to the *Dane County Water Quality Plan*. If you have questions or need additional information or assistance in reviewing this amendment, please do not hesitate to contact me at 266-9283.

Sincerely,

Per pro. Greg Orum, P.E.

Kamran Mesbah, PE, AICP
Deputy Director, and Director of Environmental Resources Planning

cc: Brian Grady, Planner, City of Madison, 215 Martin Luther King, Jr. Blvd, Madison, WI 53701
Paul R. Soglin, Mayor, City of Madison, 210 Martin Luther King Jr Blvd, Madison, WI 53703
Ald. Barbara McKinney, District 1, 210 Martin Luther King Jr Blvd, Madison, WI 53703
Ald. Paul E. Skidmore, District 9, 210 Martin Luther King Jr Blvd, Madison, WI 53703
Bill Kolar, 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

cc/enc.: Lisa Helmuth, WDNR Statewide WQM Planning Coordinator
Josie Lathrop, WDNR Statewide SSA Program Staff
Greg Searle, WDNR Regional Water Resources Manager
Michael J. Sorge, WDNR Water Resources Specialist
Eric Rortvedt, WDNR Stormwater Specialist



Resolution CARPC No. 2015-11

**Amending the *Dane County Land Use and Transportation Plan*
and the *Dane County Water Quality Plan* by Revising the Central Urban
Service Area Boundary and Environmental Corridors in the City of Madison**

WHEREAS, the Capital Area Regional Planning Commission has adopted, amended and reaffirmed the *Dane County Land Use and Transportation Plan* and *Water Quality Plan*; and

WHEREAS, said plans delineate urban service areas and environmental corridors as amended through June 2015; and

WHEREAS, the City of Madison has requested an addition to the Central Urban Service Area; and

WHEREAS, a staff analysis of the proposed amendment has been prepared, which indicates that the amendment is generally consistent with adopted regional plans and policies.

NOW, THEREFORE, BE IT RESOLVED that in accordance with §66.0309, Wis. Stats., and Sec. 208 of Public Law 92–500, the Capital Area Regional Planning Commission amends the *Dane County Land Use and Transportation Plan* and recommends the amendment of the *Dane County Water Quality Plan* by revising the Central Urban Service Area and environmental corridors boundaries as shown on the attached map.

Adoption of this amendment is based on the land use and urban service plans submitted in support of this amendment, and conditioned on the City of Madison pursuing the following:

1. Submit a detailed stormwater management plan for CARPC and DCL&WCD staff review and approval prior to any land disturbing activities in the amendment area. The stormwater management plan should include the following:
 - a. Install stormwater and erosion control practices prior to other land disturbing activities. Protect infiltration practices from compaction and sedimentation during land disturbing activities.
 - b. Control peak rates of runoff for the 1, 2, 10, and 100-year 24-hour design storms to “pre-development” levels (i.e. maximum Runoff Curve Number = 68 for agricultural land use and hydrologic soil group B).
 - c. Maintain the post development stay-on volume to at least 90% of the pre-development stay-on volume for the one-year average annual rainfall period, as defined by WDNR.
 - d. Maintain pre-development groundwater recharge rates from the Wisconsin Geological and Natural History Survey’s 2009 report, *Groundwater Recharge in Dane County, Wisconsin, Estimated by a GIS-Based Water-Balance Model* (an average of 9-10 in./yr. for the amendment area) or by a site specific analysis.

- e. Mitigate the thermal impacts of stormwater discharge in accordance with existing ordinances.
 - f. Provide at least 80% sediment control for the amendment area in accordance with existing ordinances.
 - g. Stormwater practices should have perpetual legal maintenance agreements with the City, to allow the City to maintain facilities if owners fail to do so.
2. All stormwater management facilities should be designated as environmental corridors, and stormwater easements should be provided for the facilities located on private property.


It is also recommended that the City of Madison pursue the following:

1. Attempt to maintain the post development stay-on volume to 100% of the pre-development stay-on volume for the one-year average annual rainfall period, as defined by WDNR.
2. The XP-SWMM model for the area will be updated to reflect post-development conditions within the watershed.
3. A preliminary site investigation for location of karst formations be done prior to design placement of stormwater infiltration facilities as required by the State of Wisconsin in Site Evaluation for Stormwater Infiltration (1002).
4. Request a formal Endangered Resources review by the WDNR (<http://dnr.wi.gov/topic/ERReview/Review.html>) or one of their certified reviewers and take necessary habitat protection measures if species are found.
5. Require an on the ground archaeological survey of the amendment area to be performed by a qualified archaeologist, and provide three copies of the report to the CARPC.
6. A Euro-American burial site (DA-1274), a human burial site, has been reported for the general area of the amendment. Because ground disturbing are proposed for this area, please contact Chip Brown at 800-342-7834 or chip.brown@wisconsinhistory.org at the Wisconsin Historical Society to be in compliance with Wis. Stat. §157.70.
7. The Water Utility should continue to promote conservation and provide incentives for water conservation activities and practices.
8. Upon final determination of roadway orientation and ROW requirements for the alignment of Pioneer Road/Meadow Road, amend the CUSA boundary to exclude (remove) Town lands west of the road centerline.
9. Work with Dane County to plan and budget for future improvements to CTH S/Mineral Point Road west of Pleasant View Road, including intersection improvements (e.g., turn lanes, traffic signal) and reconstruction to a four-lane divided urban facility with pedestrian and bicycle facilities.
10. Continue to work with the City of Middleton to plan and budget for the reconstruction of Pleasant View Road (USH 14 to Mineral Point Road) to a four-lane divided urban facility with pedestrian and bicycle facilities.
11. Give careful consideration to how residential lots are oriented towards Pioneer Road/Meadow Road and Valley View Road. While there are positive neighborhood attributes from having development front on rather than back up to a collector street, driveways create conflict points for motorists, bicyclists, and pedestrians. When traffic volumes reach higher levels, it can also be difficult for residents to get out of their driveways. Given the lack of other continuous north-south routes west of Pleasant View Road, Pioneer/Meadow Road in particular will become an

increasingly important travel corridor in the future and thus driveway access should be limited on that roadway. City of Madison planning staff indicated that while the Pioneer Neighborhood Plan shows development fronting Pioneer Road, their subsequent agreement with the town of Middleton prohibits driveway access to the roadway. Long-range traffic forecasts upon build out of all Westside neighborhoods should be reviewed prior to decisions on roadway cross-sections and platting so that access to lots can be planned appropriately.

12. Allow for the accommodation of bus service on all collector and arterial streets. This includes the design of intersections that accommodate bus movements and access to bus stops as well as site layouts that are likely to be in the vicinity of bus stops. Higher intensity areas may need to have space set aside for the future provision of a bus shelter.

October 8, 2015
Date Adopted


Larry Palm, Chairperson

Map 1 - Amendment Area

