



July 20, 2016

DNR File No. DC-0177

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

Subject: Revising the Central Urban Service Area boundary in the Village of McFarland

Dear Mr. Steinhoff:

We have completed our review of the McFarland sewer service area amendment request that was submitted to the Department by the Capital Area Regional Planning Commission. The Department hereby approves this request, subject to conditions 1 and 2 in the CARPC staff analysis issued on June 15, 2016 (pages 23 and 24).

The amendment totals 23 acres, and is located east of the Village of McFarland. A public hearing was held on July 14, 2016. The CARPC Commission passed a resolution recommending approval of the amendment on July 14, 2016.

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 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, Stats.

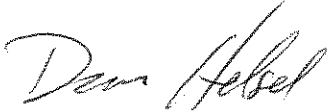
The approval of this sewer service area amendment does not constitute approval of any other local, state, or federal permit that may be required for sewer construction or associated land development activities.

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,

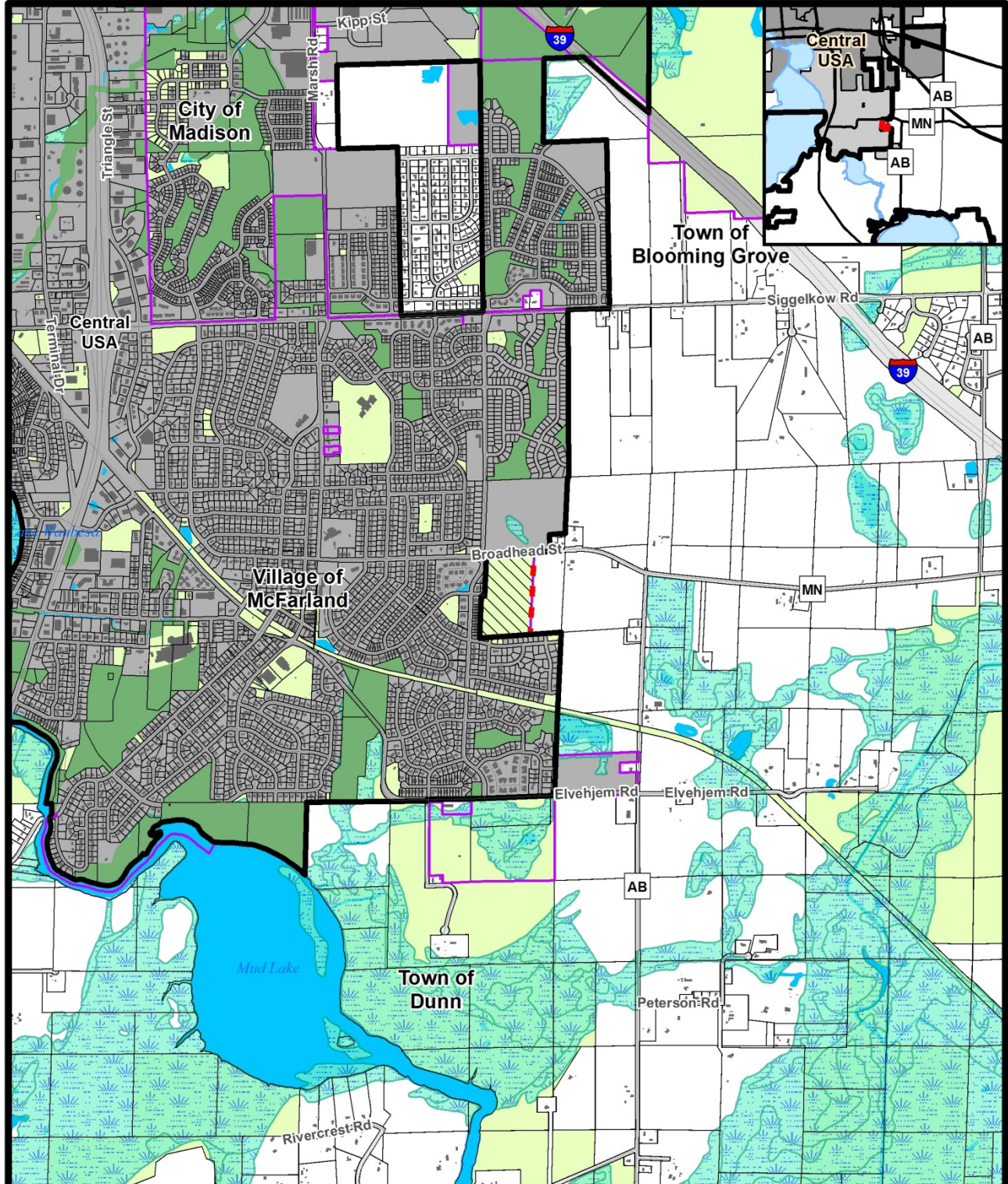
A handwritten signature in cursive script that reads "Dan Helsel".

Dan Helsel
Interim Deputy Water Quality Bureau Director
Bureau of Water Quality

cc:

Greg Searle - WDNR - SCR - Fitchburg
Lisa Helmuth - WDNR - WQ/3

Map 1 - Amendment Area

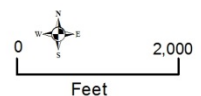


Map 1 Amendment Area

Proposed Amendment to the
 Dane County Land Use and Transportation Plan
 and Dane County Water Quality Plan, Revising
 the Central Urban Service Area Boundary
 in the Village of McFarland

-  Incorporated Area
-  Service Area to be Added (23.3 acres)
-  Existing Service Area
-  Existing Environmental Corridors
-  Public Land

Date: 6/6/2016



Prepared by staff
 of the CARPC.

4) Conclusions and Staff Water Quality Recommendations

There is sufficient wastewater collection and treatment plant system capacity to serve the proposed amendment area.

The proposed amendment area makes up about 0.5 percent of the Lower Mud Lake subwatershed. The vast majority of existing development in the watershed was built before the current volume control / infiltration standards for stormwater management.

The Village proposes to mitigate the urban nonpoint source impacts of the proposed development by implementing various stormwater best management practices that are designed and constructed to meet or exceed current standards for pollutant reduction, runoff volumes, peak flows, and groundwater recharge. This will reduce the likely urban nonpoint runoff impacts of the proposed development on the downstream receiving waters.

The Village of McFarland is also a partner in the Yahara Watershed Improvement Network (WINS) phosphorus reduction effort led by the MMSD. This effort is a great example of the type of the inter-jurisdictional coordination and cooperation that is necessary to address regional resource issues like groundwater and lake levels.

a) Conditions

CARPC staff recommends approval of this amendment, based on the land uses and services proposed, and conditioned on the Village of McFarland's commitment to 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 shall 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, in accordance with the Dane County Stormwater Ordinance.
 - 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, in accordance with the Dane County Stormwater Ordinance.
 - d. Maintain 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* (an average of 9.6 in./yr. for the amendment area) or by a site specific analysis.
 - e. Provide at least 80% sediment control for the amendment area based on the average annual rainfall record, with a minimum of 60% of that control occurring in a retention pond prior to infiltration, in accordance with the Dane County Stormwater Ordinance.
 - f. Treat the first 0.5 inch of runoff from parking lots to control oil and grease, in accordance with the Dane County Stormwater Ordinance.
 - g. Continue to work with the adjacent property owner to the east on a drainage easement.

2. Easements and perpetual legal maintenance agreements with the Village shall be provided to allow the Village to maintain the stormwater management facilities if the school district fails to do so.

b) Recommendations

It is also recommended that the Village of McFarland / McFarland School Board pursue the following measures:

1. The McFarland School Board should consider designing stormwater management practices in the amendment area 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. Consider amending the Village’s stormwater ordinance to require maintaining 100% of the pre-development stay-on volume for the one-year average annual rainfall period, as a means of contributing to a reduced potential for high lake levels and flooding on Lake Kegonsa, as well as, increased baseflow in the Yahara River. The effectiveness of this approach will ultimately depend on the collaboration of other municipalities within the watershed to adopt the same standard. This standard has been adopted in the Village of Cross Plains, Village of DeForest, and Town of Westport and will be considered by a joint Technical Advisory Committee of CARPC and the Dane County Lakes and Watersheds Commission.
3. 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.
4. Develop a water loss control plan to reduce the amount of groundwater pumping and water distribution necessary to serve the community.
5. Contact the Wisconsin Historical Society immediately if Native American burial mounds, unmarked burials or human bone are unearthed during any phase of the project.

5) Review of Advisory CARPC Goals

a) Consistency with Adopted Plans and Policies.

The school site subject to the amendment request is noted in the McFarland Comprehensive Plan. The school site sits within the “Eastside Growth Area” identified in both the Comprehensive Plan and the Village’s Future Land Use Map. The site is currently within the McFarland corporate limits, immediately adjacent the Town of Dunn on its eastern edge.

Dunn is party to an intergovernmental agreement with the Village of McFarland concerning, in part, the vicinity of this amendment request. The amendment area, which exists in the “Eastside Growth Area,” is an uncontested future expansion area agreed upon by both parties. The Village has agreed to not annex lands south of the Yahara River within the Town. In exchange, the Town has agreed to not purchase development rights within the “Eastside Growth Area.”

The Village Board adopted Resolution R-05-2016, finding consistency between the request and their Comprehensive Plan, on Monday June 13th.