



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary

101 S. Webster St.  
Box 7921  
Madison, Wisconsin 53707-7921  
Telephone 608-266-2621  
FAX 608-267-3579  
TTY Access via relay - 711

August 7, 2009

DNR File No. DC-0131

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 July 9, 2009 by the Capital Area Regional Planning Commission. The Department hereby approves this amendment request which adds 58.3 acres to the Central Urban Service Area, including 15.4 acres of existing development and 2.9 acres of environmental corridors, with a net developable area of 40.0 acres. The amendment area is located between West Old Sauk Road and Blackhawk Road at Schewe Road, adjacent to the existing Central Urban Service Area (See Map 1).

The proposed amendment was requested by the City of Madison on January 20, 2009 and was adopted by the Capital Area Regional Planning Commission per Resolution CARPC No. 2009-7 on May 14, 2009.

This Department approval is subject to the condition that the City of Madison comply with all the conditions stated in Resolution CARPC No. 2009-07 as follows:

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:
  - Install stormwater practices for each area prior to other land disturbing activities.
  - Control peak rates of runoff for all storms up to and including the 100-year 24 hour event to predevelopment levels.
  - Maximize the infiltration of rainfall to maintain pre-development runoff volumes to the extent practicable and protect infiltration areas from compaction and sedimentation. This is especially critical in the small area of existing residential development which is in the Black Earth Creek watershed.
  - Provide deep tilling in all open space areas.
  - Prevent increased erosion.
  - Provide stormwater quality ponds for all developed areas within the amendment area.

- Stormwater practices should be publicly managed, or have a perpetual legal maintenance agreement finalized with the City.

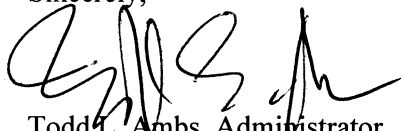
The approval of this sewer service area amendment does not constitute approval of any other local, state, or federal permit that may be required for sewer construction or associated land development activities.

If you believe you have a right to challenge this decision made by the Department, you should know that Wisconsin statutes, administrative codes and case law establish time periods and requirements for reviewing Department decisions.

To seek judicial review of the Department's decision, sections 227.52 and 227.53, Stats., establish criteria for filing a petition for judicial review. Such a petition shall be filed with the appropriate circuit court and shall be served on the Department. The petition shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Stats., and ch. NR 2, Wis. Adm. Code, 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. The filing of a request for a contested case hearing is not a prerequisite for judicial review.

Sincerely,



Todd L. Ambs, Administrator  
Division of Water

cc:

Brad Murphy, City of Madison Planning Unit, 215 MLK Jr. Blvd.. #LL100, Madison, WI 53703

Larry Nelson, City of Madison Engineering , 210 MLK Jr. Blvd. #115, Madison, WI 53703

Milo Breuning, Chair, Town of Middleton, 7555 W. Old Sauk Rd., Verona, WI 53593-9700

Sue Josheff – DNR - SCR – Fitchburg

Larry Benson – DNR – SCR – Fitchburg

Andy Morton –DNR – SCR – Dodgeville

Bob Hansis – DNR – SCR - Fitchburg

Tom Gilbert – WT/3



CITY OF MIDDLETON

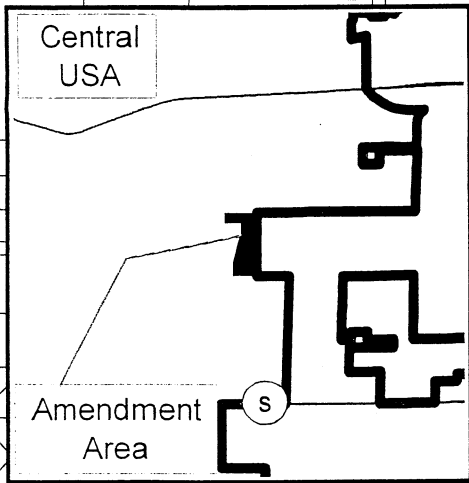
Black Earth  
Creek Watershed

TOWN OF MIDDLETON

CITY OF MADISON

Six Mile and Pheasant  
Branch Creek  
Watershed

Upper Sugar River  
Watershed



**Map 1**  
Amendment to the  
Central Urban Service  
Area in the  
City of Madison and  
the Town of Middleton

- Existing Urban Service Area Boundary
- Service Area to be Added (58.3 acres)
- Proposed Urban Service Area Boundary
- Environmental Corridor to be Added (2.9 acres)
- Watershed Boundary
- Parcels
- Existing Environmental Corridor Incorporated Area

2 Apr. 2009

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Feet

Prepared by staff  
of the CARPC.