



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

May 26, 2009



DNR File No. DC-0130

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 Pumpkin Hollow Neighborhood in the City of Madison and Town of Burke.

Dear Mr. Mesbah:

We have completed our review of the subject amendment request that was submitted to the Department on April 24, 2009 by the Capital Area Regional Planning Commission. The Department hereby approves this amendment request which adds 519.5 acres to the Central Urban Service Area, including 96.7 acres of existing development and 113.4 acres of environmental corridors, with a net developable area of 312.4 acres. The amendment area is located east of Interstate Highway 39-90-94, north of the American Center and south of Anderson Road (See Map 1-dated March 11, 2009).

The proposed amendment was requested by the City of Madison on October 2, 2008 and was adopted by the Capital Area Regional Planning Commission per Resolution CARPC No. 2009-4 on March 12, 2009.

This Department approval is subject to the condition that the City of Madison comply with all the conditions stated in Resolution CARPC No. 2000-04 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 10-year 24-hour event to predevelopment levels.
 - Demonstrate that runoff from storm events larger than the 10-year 24-hour event will not cause erosive velocities or increase downstream flooding.
 - Maximize the infiltration of rainfall to maintain pre-development runoff volumes to the extent practicable and protect infiltration areas from compaction and sedimentation.
 - Provide deep tilling in all open space areas.
 - Prevent increased erosion.

- Provide stormwater quality ponds for all developed areas within the amendment area and minimize the discharge of excess nutrients into the wetlands.
 - Stormwater practices should be publicly managed, or have a perpetual legal maintenance agreement finalized with the City.
 - Include consideration of forest management, reforestation, and urban forestation for runoff reduction and infiltration improvement as part of the stormwater management plan for the area.
2. Delineate environmental corridors based on detailed delineation of wetland and stream resources and to meet the CARPC requirements.
 3. Maintain the wetland buffer areas as no-mow, no fertilizer, no pesticide zones with native vegetation within 75 feet of the wetland edge to prevent discharge of excess nutrients into the wetlands.

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.

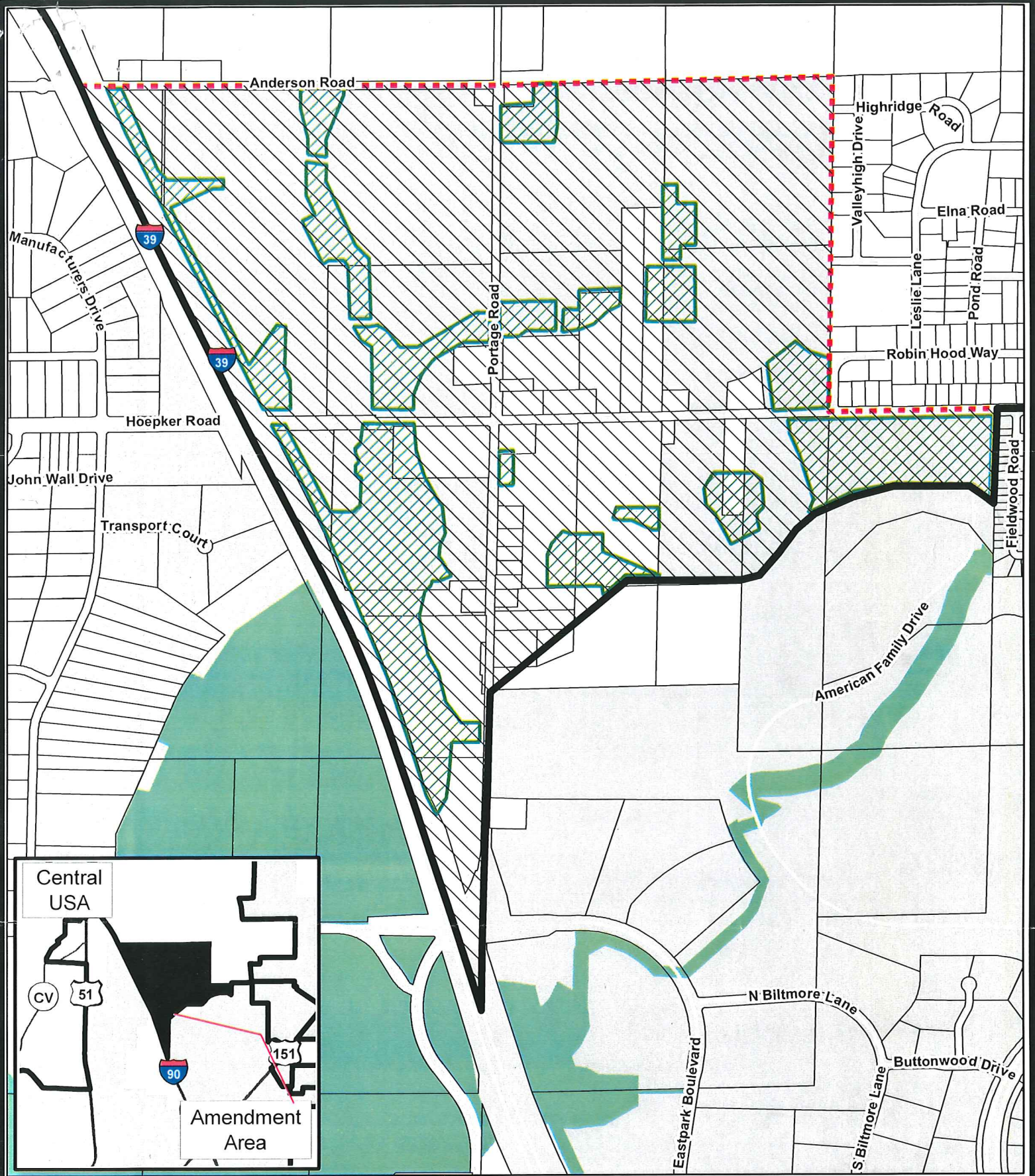
Sincerely,



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
Lois Ford, Deputy Clerk; Town of Burke, 5365 Reiner Road; Madison, WI 53718
Sue Josheff – DNR - SCR – Fitchburg
Dan Heim – DNR – SCR - Horicon
Tom Gilbert – WT/3



Map 1
Amendment to the
Central Urban Service Area
in the Pumpkin Hollow
Neighborhood, City of
Madison and the Town of Burke

- Existing Urban Service Area Boundary
- Service Area to be Added (519.5 acres)
- Proposed Urban Service Area Boundary
- Environmental Corridor to be Added (116.5 acres)
- Parcels
- Existing Environmental Corridor
- Incorporated Area

11 Mar. 2009

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Prepared by staff
of the CARPC.