



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary

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December 14, 2007

DNR File No. DC-0108

Mr. Michael King
Dane County – Community Analysis and Planning Division
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 in the Town of Burke

Dear Mr. King:

We have completed our review of the subject amendment request that was submitted to the Department on December 7, 2007 from the Dane County Community Analysis and Planning Division. The Department hereby approves this amendment request which adds 26.0 acres to the Central Urban Service Area, including 10.9 acres of existing right-of-way and 15.1 acres of existing commercial development currently served by a septic system. No new developable area is being added. The amendment area is located west of Interstate Highway 39/90/94, north of Daentl Road, in the Town of Burke. (See attached Map 1.)

The proposed amendment was requested by the Town of Burke and was adopted by the Capital Area Regional Planning Commission per Resolution CARPC No. 2007-9 on November 29, 2007.

This Department approval is subject to the condition that the Town of Burke and the Village of DeForest comply with the conditions stated in Resolution CARPC No. 2007-09. These conditions require the Town and the Village to pursue the following:

1. Submit a detailed stormwater management plan for CAPD/CARPC and DCLCD review and approval prior to approval of sanitary sewer extension and prior to redevelopment. Plan should include stormwater quantity measures to control post-development rates of runoff at pre-development rates for all storms up to and including the 100-year event, and to prevent increased downstream erosion. Plan should also include stormwater quality treatment and protection measures for the entire amendment area to mitigate the adverse impacts of development to the maximum extent practicable, including the capture of 80% of TSS for 1-year and 2-year storms, mitigation of thermal impacts, prevention of re-suspension of captured sediment, prevention of the flushing of floatables and treatment of other urban stormwater contaminants. Plan should also include plans for contingency measures for additional detention and treatment if and when the gravel parking areas are paved.
2. Mitigate the adverse impacts of development on groundwater quantity by providing measures with adequate capacity to infiltrate all rooftop runoff (for both existing and new

additions) for a one year storm. Include plans for contingency infiltration measures if and when gravel parking areas are paved.

3. Create stormwater easements for all stormwater management facilities and designate them as environmental corridors (when the locations have been determined, and as part of the sewer extension review for the development served by this new stormwater facility).

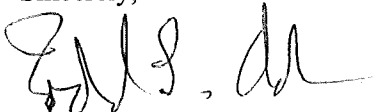
The approval of this sewer service area amendment does not constitute approval of any other local, state, or federal permit that may be required for sewer construction or associated land development activities.

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.

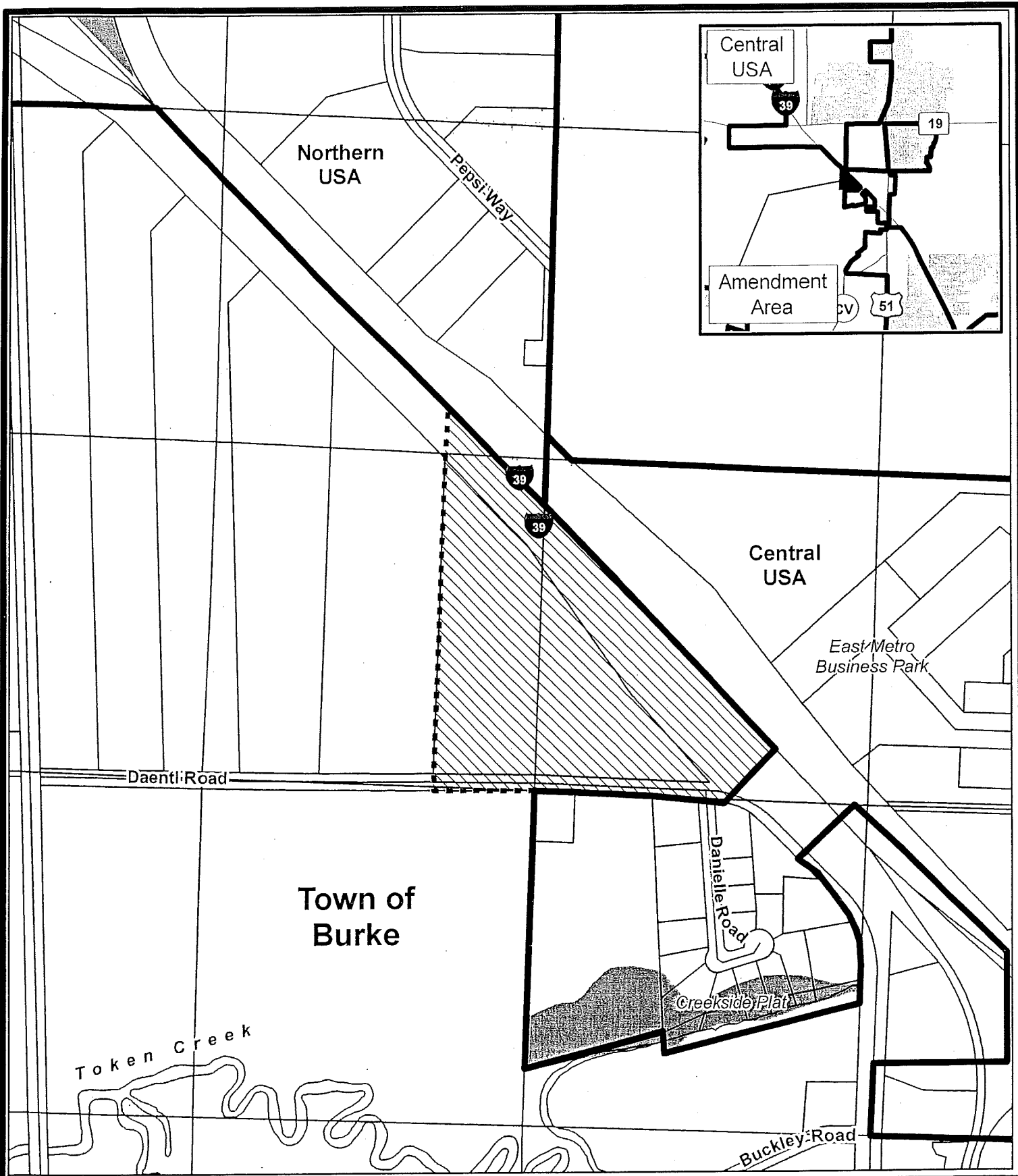
Sincerely,









Todd L. Ambs, Administrator
Division of Water

cc:

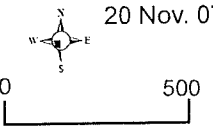
Amy Volkmann, Administrator, Town of Burke, 5365 Reiner Road, Madison, WI 53718
Kevin Viney, Chair, Town of Burke, Town of Burke, 5365 Reiner Road, Madison, WI 53718
JoAnne Miller, Administrator, Village of DeForest, 306 DeForest St., Box 510, DeForest,
WI 53532
Jon Schellpfeffer, MMSD, 1610 Moorland Road, Madison, WI 53713
Richard Bloomquist, Badger Utility Inc., PO Box 8487, Madison, WI 53708
Sue Josheff, WDNR South Central Region, Fitchburg
Larry Benson, WDNR South Central Region, Fitchburg
Tom Gilbert – DNR - WT/2



Map 1
 Amendment to the
 Central Urban Service
 Area in the
 Town of Burke

-  Service Area to be added (26 acres)
-  Proposed Environmental Corridor (0 acres)
-  Existing Environmental Corridor
-  Incorporated Area
-  Existing Urban Service Area Boundary
-  Proposed Urban Service Area Boundary

20 Nov. 07



0 500
 Feet

Prepared by staff
 of the CAPD.