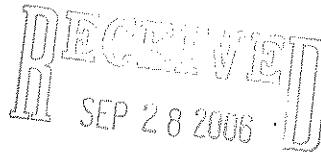


State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

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

September 21, 2006



DNR File No. DC-0098

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 of the *Dane County Water Quality Plan*, Revising the
Central Urban Service Area Boundary and Environmental Corridors
Within the City of Middleton

Dear Mr. King:

We have completed our review of the subject amendment request that was submitted to the Department on August 4, 2006 from the Dane County Community Analysis and Planning Division. The Department hereby conditionally approves this amendment request.

The amendment adds 52.2 acres, including 10.1 acres of environmental corridor, located in the City of Middleton, west of High Road and south of Greenbriar Road. (See attached Map 1)

The proposed amendment was requested by the City of Middleton.

This Department approval is subject to the following conditions as stated in the CAPD Staff Analysis of July 6, 2006:

That the City of Middleton pursue the following:

1. Submit a detailed stormwater management plan for the amendment area to CAPD and DCLCD staff for review and approval prior to land disturbing activities. The stormwater management plan should mitigate the adverse impacts of development to the maximum extent practicable and prevent increased erosion, and is to include the following water quality and quantity measures:
 - Control of post-development stormwater rates of runoff to pre-development rates for all storms up to and including the 100-year event. Provide analysis of downstream bed and bank stability (through Pheasant Branch marsh).
 - Installation of stormwater quality treatment (wet) ponds with sediment (TSS) capture efficiency of 80% for all storms up to and including the 5-year event.
 - provide inclusion of aggressive construction erosion control through the use of diversion berms and stone weepers, polymer application, and aggressive enforcement and stringent

inspection of measures.

- Phasing of construction activities to minimize the size of land disturbance at any given time.
 - Provision of stormwater infiltration to the maximum extent practicable (beyond the minimum standard) to protect the groundwater supply to Pheasant Branch March and Frederick Springs. Include rear lot line infiltration swales and clean roof runoff infiltration where possible.
 - management of public stormwater facilities, or manage under an enforceable maintenance agreement with the City of Middleton.
2. Provide careful plat and building design oversight in areas with steep slopes to prevent unstable slopes and streams.
 3. Delineate and designate environmental corridors to include stormwater facilities and meet the minimum corridor standards of the *Dane County Water Quality Plan*.

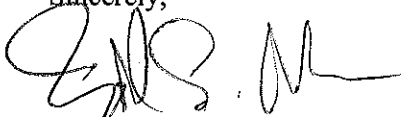
The approval of this sewer service area amendment does not constitute approval of any other local, state, or federal permit that may be required for sewer construction or associated land development activities.

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,

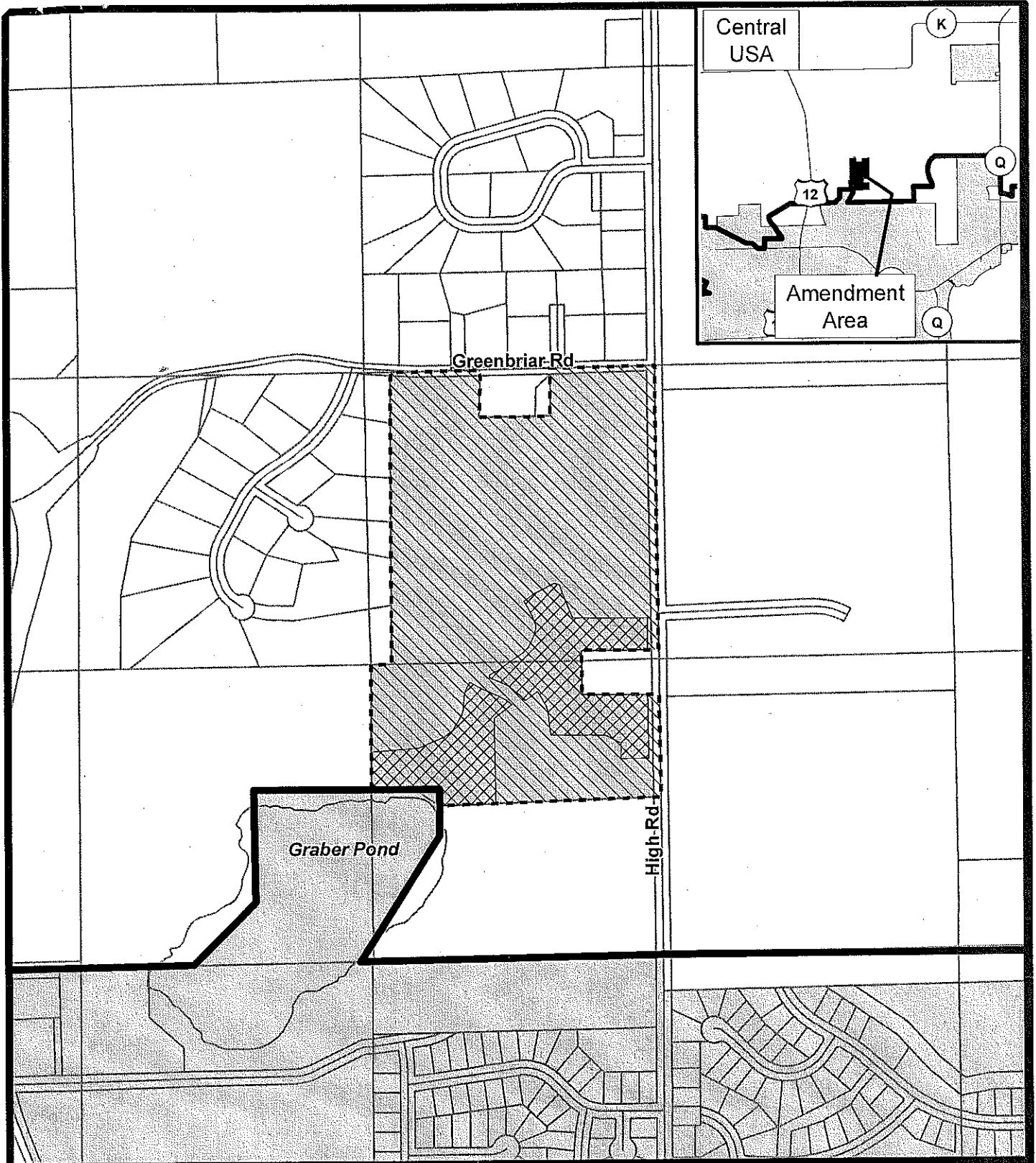


Todd L. Ambs, Administrator
Division of Water

cc:






Douglas Zwank, Mayor; City of Middleton; 7426 Hubbard Ave.; Middleton 53562-3118
Eileen Kelly, City planner; City of Middleton
Mike Davis, Administrator; City of Middleton
James Ripp, Chair; Town of Springfield; 6912 Schneider Road; Middleton, WI 53562

Kevin Connors, Dane County Land Conservation Department; 1 Fen Oak Ct., Madison, WI 53718
Jon Schellpfeffer, Madison Metropolitan sewerage District; 1610 Moorland Road; Madison, WI 53713
Sue Josheff – DNR - SCR – Fitchburg
Ruth Johnson – DNR – SCR – Horicon
Larry Benson – DNR – SCR – Fitchburg
Tom Gilbert – DNR - WT/2

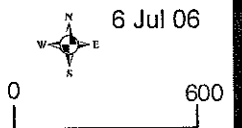


Map 1

**Amendment
to the Central
Urban Service Area,
City of Middleton**

-  Service Area to be added
-  Proposed Environmental Corridor
-  Existing Urban Service Area Boundary
-  Proposed Urban Service Area Boundary
-  City of Middleton

2005 aerial courtesy of FSA/NRCS



Feet

Prepared by staff
of the CAPD.