

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

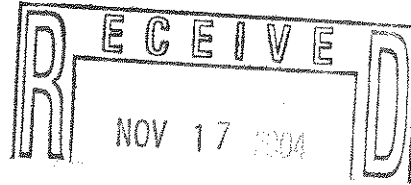
Jim Doyle, Governor  
Scott Hassett, Secretary

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November 15, 2004

DNR File No. DC-0071

Mr. Michael King  
Dane County – Community Analysis and Planning Division  
30 West Mifflin Street  
Suite 402  
Madison, WI 53703-2558



Subject: Amendment of the *Dane County Water Quality Plan*, Revising the Central Urban Service Area Boundary and Environmental Corridors in the Mid-Town Neighborhood, City of Madison

Dear Mr. King:

We have completed our review of the subject amendment request that was submitted to the Department on October 11, 2004 from the Dane County Regional Planning Commission. The Department hereby conditionally approves this amendment request that adds 63.2 acres to the Central Urban Service Area, including 4.0 acres of environmental corridors and 54.3 acres of developable land. The amendment area is generally located south of Mid-Town Road and east of Woods Road in the City of Madison. See Map 1 of Attachment.

This Department approval is subject to the condition that the City of Madison comply with the condition for a detailed stormwater management plan as stated in the Dane County Regional Planning Commission adopting resolution (see attached Resolution RPC No. 1042, September 23, 2004). The stormwater management plan should be submitted to the Dane County – Community Analysis and Planning Division (CAPD) and the Dane County Land Conservation Department (DCLCD).

The approval of this revision does not constitute approval of any of the following:

- private sewage systems pursuant to Chapter ILHR 83, (WI Admin. Code),
- sewer extension pursuant to Chapter NR 110, (WI Admin. Code),
- authority to alter the bed or banks of any navigable waterway (Chapter 30, WI Stats.),
- certification for any wetland alteration (Section 401, Federal Water Pollution Control Act, and NR 103, 299, WI Admin. Code).
- takings of threatened and endangered resources pursuant to Wisconsin Statutes 29.415

If these approvals are required, they must be obtained separately from the applicable agencies.

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,



Susan L. Sylvester, Chief  
Permits Section  
Bureau of Watershed Management

cc w attachment:

Brad Murphy, Director, Madison Planning Unit, Madison Municipal Building, Rm. LL100, 215 Martin Luther King, Jr. Boulevard, P.O. Box 2985, Madison, WI 53701-2985  
Jon Schellpfeffer, Director, MMSD, 1610 Moorland Rd., Madison, WI 53713  
Kevin Connors, Dane County Land Conservation Department; 1 Fen Oak Ct., Madison, WI 53718  
Jim Amrhein – DNR – South Central Region  
Tom Gilbert – WT/2

Resolution RPC No. 1042

**Amending the *Dane County Land Use and Transportation Plan*  
and *Water Quality Plan*, Revising the Central Urban Service Area Boundary and  
Environmental Corridors in the Mid-Town Neighborhood, City of Madison**

WHEREAS, the Dane County Regional Planning Commission has adopted, amended and reaffirmed a *Dane County Land Use and Transportation Plan* and *Water Quality Plan*; and

WHEREAS, said plans delineate urban service areas as amended through August 2004; and

WHEREAS, the City of Madison has requested an addition to the Central Urban Service Area, and have based the request on the City of Madison Mid-Town Neighborhood Development Plan, as amended in November, 2002; and

WHEREAS, a staff analysis of the proposed amendment has been prepared, which indicates that the amendment is consistent with adopted regional plans and policies;

NOW, THEREFORE, BE IT RESOLVED that in accordance with §66.0309, Wis. Stats., and Sec. 208 of Public Law 92-500, the Dane County Regional Planning Commission amends the *Dane County Land Use and Transportation Plan* and *Water Quality Plan* by revising the Central Urban Service Area boundary and environmental corridors as shown on the attached map, based on the following findings and conclusions:

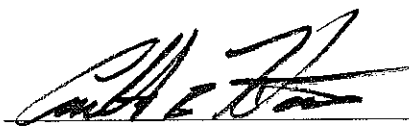
1. The proposal meets DCRPC criteria for urban service area amendments.
2. The amendment supports two of the eleven goals and objectives of the *Dane County Land Use and Transportation Plan*, and is in conflict with one.
3. The City of Madison has completed numerous studies and plans for infrastructure and stormwater management that include the amendment area.

Approval of this amendment is based on the land use and urban service area plans submitted in support of this amendment, and conditioned on the City of Madison pursuing the following:

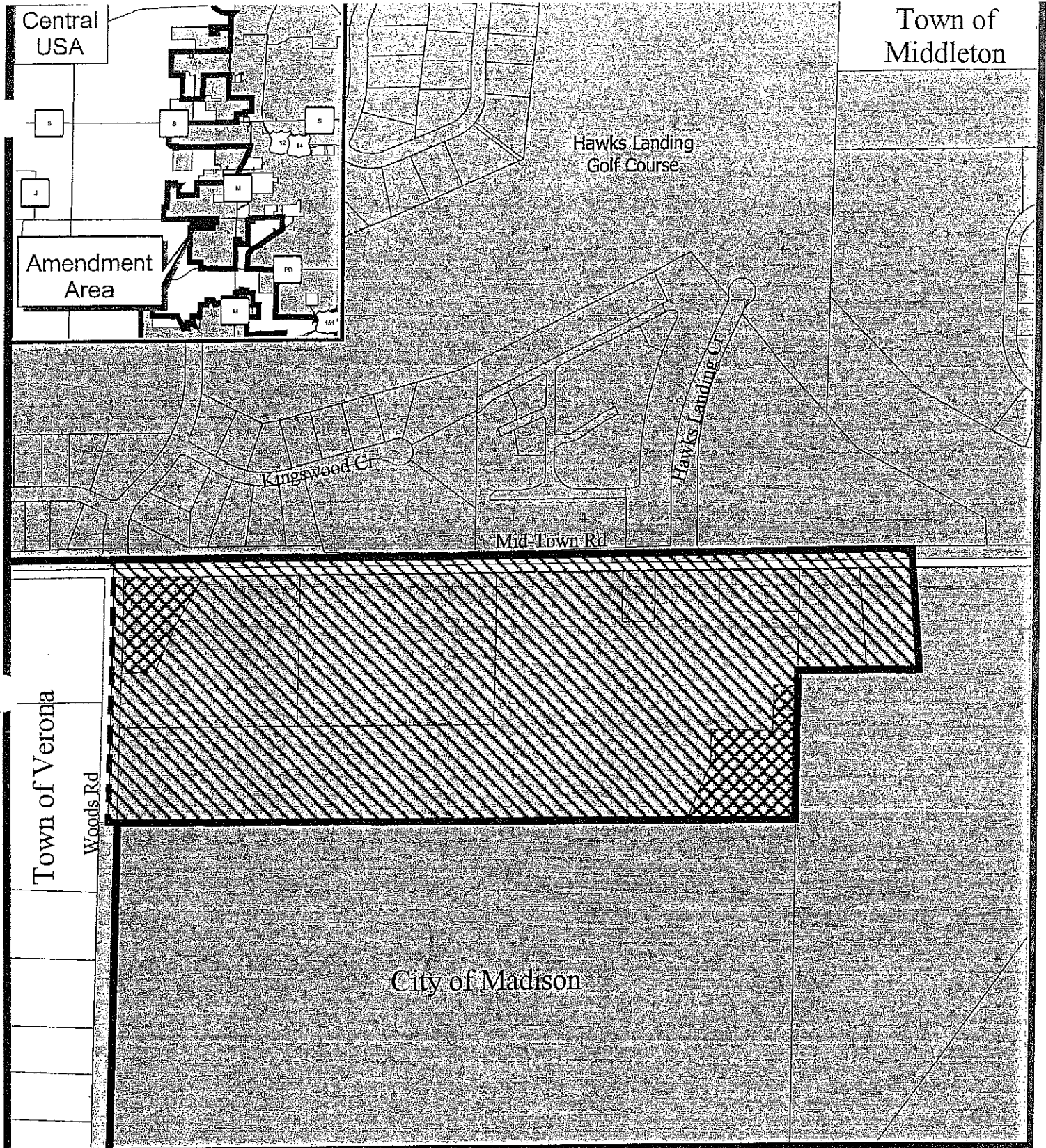
Submit stormwater management plans for DCRPC and DCLCD staff review and approval. Plans should show the details of stormwater management measures and facilities for the amendment area. Practices should maximize infiltration, mitigate the water quality and quantity impacts of development to the maximum extent practicable, and prevent increased flooding and erosion in downstream areas.

Sept. 23, 2004






Date Adopted



Carlton Hamre, Secretary



**Map 1 Amendment  
to the Central  
Urban Service Area,  
City of Madison**

-  Service Area to be added
-  Proposed Environmental Corridor
-  Existing Urban Service Area Boundary
-  Proposed Urban Service Area Boundary
-  Incorporated Area

13/8/04

N

0 500

Feet

Prepared by staff  
to the DGRPC.