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August 8, 2019

Mr. Timothy R. Asplund
Monitoring Section Chief
WDNR – Bureau of Water Quality
101 S. Webster Street
Madison, WI 53707-7921

Re: Water Quality Management Letter for Sewer Service Area Amendment Request #1903 –
Central USA – Town of Middleton

Dear Mr. Asplund,

The Town of Middleton has submitted a sewer service area amendment application to the Capital Area Regional Planning Commission requesting an expansion of the Central Urban Service Area. The proposed amendment is located in the Badger Mill Creek watershed (HUC 12: 070900040201). It includes the addition of approximately 128.2 acres of land, including approximately 51.8 acres of proposed environmental corridor, for a net of approximately 76.4 developable acres to the Central Urban Service Area. A public hearing was held on the proposed amendment at the July 11, 2019 Regional Planning Commission meeting. The Town's application and the Commission staff's analysis report of the proposed amendment have been submitted to the Department's Surface Water Integrated Monitoring System.

It is the Capital Area Regional Planning Commission staff's opinion that the proposed amendment is consistent with water quality standards under Wis. Stat. § 281.15, with the conditions of approval identified below. Additional actions have also been recommended below to further improve water quality and environmental resource management.

At our August 8, 2019 meeting, the Capital Area Regional Planning Commission voted to recommend approval of this amendment to the Wisconsin Department of Natural Resources, based on the land uses and services proposed, and conditioned on the continued commitment of the Town of Middleton to pursue the following:

1. Execute an agreement with the City of Madison for the provision of sanitary sewer service to the amendment area.
2. Submit a detailed stormwater management plan for Regional Planning Commission staff review and approval (in conjunction with DCL&WCD and City of Madison staff) prior to any land disturbing activities in the amendment area. The stormwater management plan shall include the following:

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- a. Install stormwater and erosion control practices prior to other land disturbing activities. Protect infiltration practices from compaction and sedimentation during land disturbing activities.
 - b. Control peak rates of runoff for the 1-, 2-, 10-, and 100-year 24-hour design storms to pre-development levels, in accordance with the City of Madison Stormwater Ordinance.
 - c. Provide at least 80% sediment control for the amendment area based on the average annual rainfall, with a minimum of 60% of that control occurring prior to infiltration, in accordance with the City of Madison Stormwater Ordinance.
 - d. Maintain the post development stay-on volume to at least 90% of the pre-development stay-on volume for the average annual rainfall period, in accordance with the City of Madison Stormwater Ordinance.
 - e. Maintain pre-development groundwater recharge rates from the [Wisconsin Geological and Natural History Survey's 2012 report, Groundwater Recharge in Dane County, Wisconsin, Estimated by a GIS-Based Water-Balance Model](#) (a range of 9 to 10 inches/year for the amendment area) or by a site specific analysis, in accordance with the Dane County Stormwater Ordinance.
 - f. Include provisions and practices to reduce the temperature of runoff, in accordance with the City of Madison Stormwater Ordinance.
 - g. Meet the City of Madison Stormwater Ordinance requirement for discharge off-site to other private lands.
3. Stormwater management facilities shall be placed in public outlots whenever feasible and designated as environmental corridor. Easements and perpetual legal maintenance agreements with the Town, to allow the Town to maintain stormwater management facilities if owners fail to do so, shall be provided for any facilities located on private property.
 4. Delineate environmental corridors to include delineated wetlands and their buffers, the constructed drainageway and associated floodplain, stormwater management areas and open space to meet the [Environmental Corridor Policies and Criteria](#) adopted in the *Dane County Water Quality Plan*. Submit plats showing environmental corridors for Regional Planning Commission staff review and approval prior to recording.
 5. Including a notice in the Declaration of Covenants and Restrictions for the development that states there is a potential concern with high nitrates in the area and that recommends property owners perform annual testing for nitrates.
 6. Continue to encourage the responsible use of deicers and water softeners by participating in the trainings and outreach activities of the [Wisconsin Salt Wise Partnership](#).

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It is also recommended that the Town of Middleton pursue the following:

1. Request a formal [Endangered Resources Review](#) by the WDNR or one of their certified reviewers for potential impacts to endangered resources like rare plants, animals and natural communities and take necessary habitat protection measures if species are found.
2. Collaborate with watershed-wide efforts to share information on activities and concerns within the Badger Mill Creek watershed and to coordinate efforts.
3. Work with the City of Madison to update the watershed model (XP-SWMM) for this part of the watershed to reflect post-development conditions.
4. Include educational information in Town newsletters about the potential for nitrates in private wells in the Town and encourage residents to test their wells regularly for bacteria and nitrates on a yearly basis, or whenever there are changes in taste, color or odor.

If you have any questions regarding this matter, please do not hesitate to contact Mike Rupiper, the Commission's Director of Environmental Resources Planning.

Sincerely,

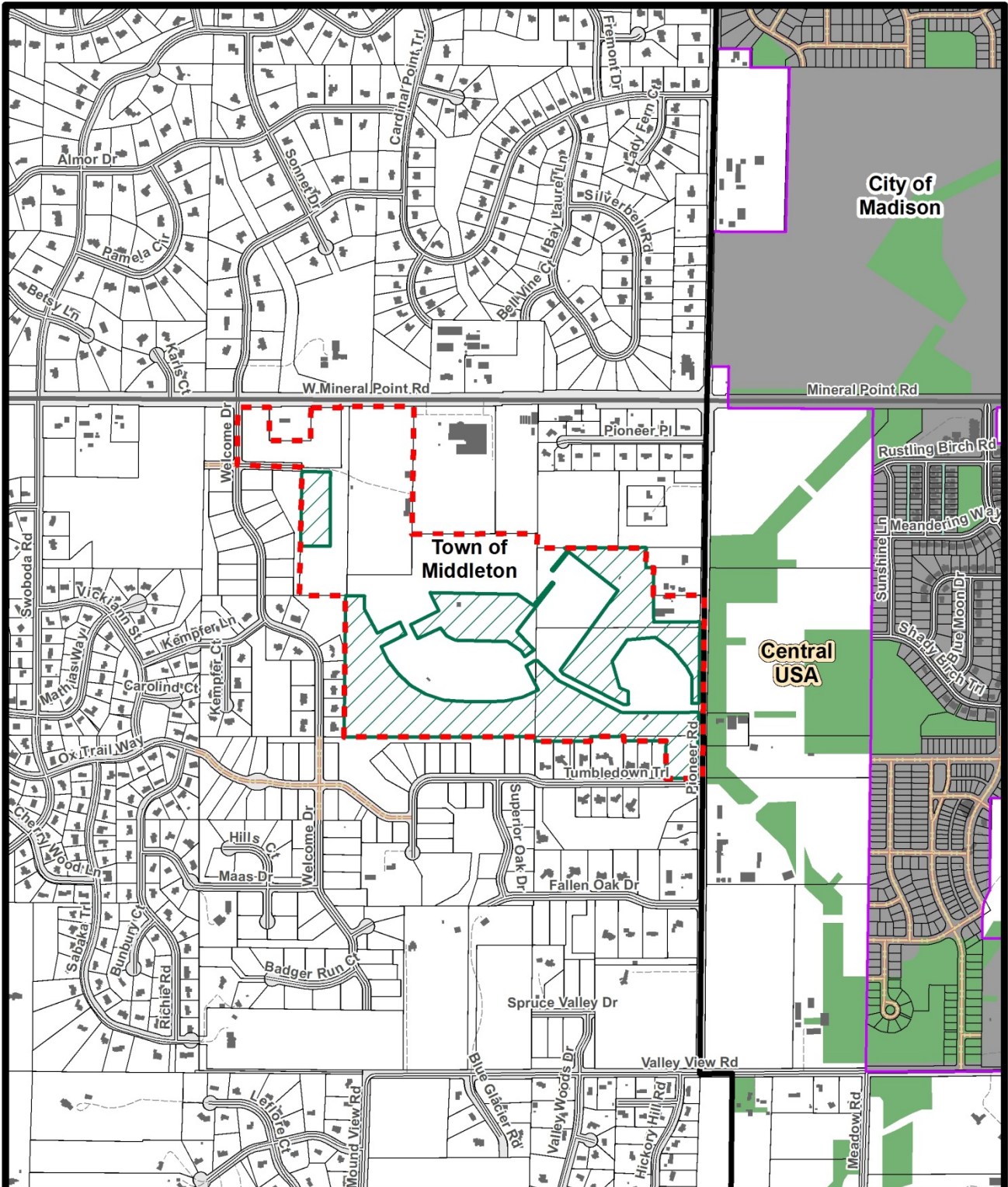


Larry Palm
Executive Chairperson








Kris Hampton
Secretary

cc: Mr. Greg DiMiceli, Administrator, Town of Middleton
Mr. Rod Zubella, Vierbicher, Inc.

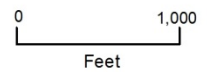


Map 1 Amendment Area

Proposed Amendment to the
 Dane County Water Quality Plan,
 Revising the Sewer Service Area
 Boundary and Environmental Corridors
 in the Central Urban Service Area

-  Service Area to be Added (128.2 acres)
-  Incorporated Area
-  Existing Service Area
-  Environmental Corridor to be Added (51.8 acres)
-  Existing Environmental Corridors

Date: 06/11/2019



Prepared by staff of the CARPC.