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November 8, 2022

DNR No. BC0084

Devin Yoder, Senior Planner
Brown County Planning Commission
305 E. Walnut Street, Room 320
P.O. Box 23600
Green Bay, WI 54305-3600

Subject: Village of Pulaski Sewer Service Area (SSA) Amendment Request 2022-02 (PUL), Brown County

Dear Mr. Yoder:

On September 16, 2022, the Wisconsin Department of Natural Resources (DNR) received the proposed Sewer Service Area (SSA) Plan Amendment request to the 2040 Brown County Sewage Plan from the Brown County Planning Commission on behalf of the Village of Pulaski. The purpose for the SSA amendment is to expand the sewer service area for a 97-lot single-family residential subdivision development west of the Joanna Way alignment. The SSA Plan Amendment is identified by Brown County Planning Commission as SSA 2022-02 PUL.

Description of Amendment Area

The request proposes adding 39.04 acres of SSA from the Village's available SSA acreage. The proposed amendment is in the Village of Pulaski on the southern end of the Village, just west of State Highway 32. The parcel is surrounded by the Town of Pittsfield on three sides. The subject parcel was annexed into the Village in January 2022. The areas immediately to the east, northeast, and north are all in the Pulaski sewer service area. The amendment area is in the North Branch Suamico River (HUC 12:040301030205) and the Headwaters Little Suamico River (HUC 12:040301030201) watersheds.

Environmentally Sensitive Areas

DNR's Wisconsin Wetland Inventory (WWI) shows one wetland in the southwest corner of the amendment area. The developer has completed a wetland delineation of the area and has identified three individual wetland areas. The wetland areas have been identified on the utility and construction plans and will be protected from disturbance and have erosion control measures in place. The total of the three wetlands areas is 2,273 square feet. Since the wetland areas are smaller than two acres, they will not have any setbacks based on the current 2040 Brown County Sewage Plan.

Local and State Review

The Village initiated this amendment as a Type 2 – Major Sewer Service Area Amendment under Policy #5 Proper Land Use Planning to accommodate residential development for the proposed Crest Estates. The Village has submitted all the required elements for the amendment criteria. The proposed SSA

amendment is consistent with the Village's comprehensive plan, as it identifies this area as future residential. This also complies with Brown County's Comprehensive Plan. Brown County Planning Commission staff recommends approval of this amendment.

A public hearing was held on September 7, 2022, BCPC staff presented an overview of the proposed amendment before the Brown County Planning Commission Board of Directors to obtain public reaction and comment (of which there were none) on the proposed SSA amendment. The Brown County Planning Commission Board of Directors approved the subject SSA amendment.

Wastewater Treatment System

The Village pre-treats its wastewater in lagoons, and then the wastewater is transported to NEW Water's Green Bay treatment facility. The Village of Pulaski has a current allocation to discharge into the GBMSD interceptor system, and the proposed addition to the Pulaski SSA will not exceed the Village's allocation. NEW Water staff reviewed the application and determined that based on the flow estimates provided in the submittal that NEW Water will have adequate capacity to treat the wastewater from the amendment request area. The proposed area will have a sanitary line run through Joeanna Way and connect to the existing sanitary line in Mountain Bay Drive. The proposed 10-inch extension in Joeanna Way will then have 8-inch sanitary sewer mains installed off it to serve the proposed side streets. Both the extension and the downstream interceptors have the capacity to handle the wastewater from this area.

Administrative Decision

The Department finds the proposed amendment is consistent with water quality standards under section 281.15, Wis. Stats., and is hereby approved with considerations that any development on the lots will require the preparation of a Storm Water Management Plan that complies with the Village of Pulaski and Brown County's ordinance, as well as with the Wisconsin Department of Natural Resources' requirements. The Storm Water Management Plans will need to be reviewed and approved by these entities prior to any construction.

Statewide AWQM Plan Amendment

This amendment is a formal update to the state's Areawide Water Quality Management Plan and the 2040 Brown County Sewage Plan and will be forwarded to the US Environmental Protection Agency to meet the requirements of the Clean Water Act of 1987 (Public Law 92-500 as amended by Public Law 95-217) and outlined in the federal regulations 40 CFR, Part 35. This review is an integrated analysis action under s. NR 150.20 (2) (a) 3, Wis. Adm. Code. By means of this review, the Department has complied with ch. NR 150, Wis. Adm. Code, and with s. 1.11, Wis. Stats. 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.

Appeal Rights:

Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wis. Stats., a party has 30 days after the decision is mailed, or otherwise served by the department, to file a petition with the appropriate circuit court and serve the petition on the department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wis. Stats., a party has 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. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing does not extend the 30-day period for filing a petition for judicial review.

Sincerely,



Tim Asplund
Monitoring Section Chief
Bureau of Water Quality



Jason Knutson, P.E.
Wastewater Section Chief
Bureau of Water Quality

e-cc:

BetsyJo Howe – Water Resources Management Specialist, DNR Madison

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Andy Hudak - Water Resources Supervisor, DNR Green Bay

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