

State of Wisconsin
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November 10, 2022

DNR No. DC0221

Mr. Mike Rupiper, Deputy Agency Director
Capital Area Regional Planning Commission
100 State Street; Suite 400
Madison, WI 53703

Subject: [CARPC Sewer Service Area Plan Amendment Request #2207 for Stoughton USA](#)

Dear Mr. Rupiper:

On October 13, 2022, the Wisconsin Department of Natural Resources (DNR) received the proposed Sewer Service Area (SSA) Plan Amendment Request #2207 from the Capital Area Regional Planning Commission (CARPC) for the City of Stoughton.

Amendment Area

The City of Stoughton has submitted a request for a sewer service area amendment to the Dane County Water Quality Plan. The City of Stoughton is requesting an amendment to the Stoughton Urban Service Area (USA) south of the City near the intersection of CTH-A/Acker Road and 4th Street/Taylor Lane and contiguous to the north with the existing USA boundary. The proposed amendment area is in the City of Stoughton-Yahara River (HUC 12: 070900020903) watershed. The SSA Plan Amendment includes the addition of approximately 32 acres of land, including approximately 6 acres of proposed environmental corridors for a net of approximately 26 developable acres to the Stoughton Urban Service Area.

Local Review & Public Involvement

The amendment was reviewed by CARPC technical staff; [the report indicates that the amendment](#) is consistent with water quality standards under Wis. Stat. § 281.15, and the adopted Policies and Criteria for the Review of Sewer Service Area Amendments to the Dane County Water Quality Plan, by meeting state and local requirements and agreements identified below. Additional actions have also been recommended below to further improve water quality and environmental resource management.

A public hearing was held on the proposed amendment at the September 8, 2022, meeting of the Capital Area Regional Planning Commission. City of Stoughton representatives spoke in favor of the amendment. At the October 13, 2022 RPC meeting, CARPC voted to recommend approval of this amendment to WDNR based on the land uses and services proposed and state and local requirements ([see CARPC WQM Letter](#)) and an agreement that the City of Stoughton and the development team will pursue the following water resource management measures for the amendment area:

- Require no increase in runoff volume for the 1-year through the 200-year, 24-hour design storms.

- Post-development runoff volumes will also be controlled to levels no higher than existing for events ranging from the 1-yr through the 200-yr event.

CARPC also recommends that the City of Stoughton pursue the following to further improve water quality and environmental resource management:

- Continue to foster the responsible use of chlorides by collaborating with Wisconsin Salt Wise and encouraging public and private winter maintenance professionals to attend the winter salt certification classes offered by Wisconsin Salt Wise.
- Develop and implement a restoration plan for the wetland and woodland in the amendment area.
- 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.
- Encourage the use of native flora favored by the Rusty Patched Bumble Bee in landscaping to provide suitable habitat for this pollinator, where appropriate.

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 recommended by CARPC in their October 2022 transmittal letter ([see CARPC WQM Letter](#)).

Statewide AWQM Plan Amendment

This amendment is a formal update to the state's Areawide Water Quality Management Plan and the Dane County Water Quality 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

Brett Schmidt, P.E. – Wastewater Engineer, DNR Madison





Tom Bauman – Wastewater Field Supervisor, DNR Fitchburg

Mike Sorge – Water Quality Field Supervisor, DNR Fitchburg

Rodney Scheel – City of Stoughton, Director of Planning & Development



Map 1 Amendment Area
Proposed Amendment to the Dane County Water Quality Plan, Revising the Sewer Service Area Boundary and Environmental Corridors in the Stoughton Urban Service Area

-  Service Area To Be Added
-  Existing Service Area
-  Existing Environmental Corridor
-  Environmental Corridor To Be Added

Date: 7/12/2022

0 500 1,000 Feet

