



June 21, 2011

DNR File No. WC-0004

Mr. Jay Tappen, Senior Planner  
West Central Wisconsin Regional Planning Commission  
800 Wisconsin Street  
Building D2-401, Mail Box 9  
Eau Claire, WI 54703-3606

Subject: Type IV Amendment to the *Chippewa Falls/Eau Claire Sewer Service Area Plan 2025*, revising an Environmentally Sensitive Area Delineation.

Dear Mr. Tappen:

We have received your request submitted to the Department on May 23, 2011 to amend the *2025 Chippewa Falls/Eau Claire Sewer Service Area Plan* by deleting 0.89 acres of environmentally sensitive area (ESA) lands and replacing it with 0.62 acres of ESA lands in another area, resulting in a loss of 0.27 acres of ESA. The Department hereby approves this amendment request.

The City of Eau Claire requested this Type IV Amendment on February 28, 2011, to allow for the extension of sewer service to an area that was previously delineated as an environmentally sensitive area in the Concord Trail/Princeton Crossing development. The West Central Wisconsin Regional Planning Commission (WCWRPC) conducted a review and on May 18, 2011, the Chippewa-Eau Claire Metropolitan Planning Organization, the area's water quality management planning entity, advanced the amendment to the DNR as an amendment to the *2025 Chippewa Falls/Eau Claire Sewer Service Area Plan*.

This Department approval is subject to the following conditions:

- Applicable environmental or erosion control permits are obtained from the City of Eau Claire;
- Related plans must be implemented as required by the City of Eau Claire code;
- No development should encroach upon newly created steep slopes.

The approval of this 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 that you have a right to challenge this decision, you should know that the 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 sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your 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., 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. 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,



Thomas J. Mugan, P.E., Chief  
Wastewater Section  
Bureau of Watershed Management

cc:

John Genskow, Deputy City Engineer, City of Eau Claire, 203 S. Farwell St, PO Box 5148, Eau Claire, WI 54702-5148

Chris Straight, WCWRPC, 800 Wisconsin St, Suite D2-401, Eau Claire, WI 54703-3606

Neil Haselwander, Princeton Crossing Condos, 3615 North Hastings Way, Eau Claire, WI 54703

Sean Bohan, AEC, 635 Fairfax Street, Altoona, WI 54720-1058

Fran Keally – WT/3