



June 7, 2017

DNR File No. DC-0184

Mr. Steve Steinhoff, Deputy Director
Capital Area Regional Planning Commission
City County Building, Room 362
210 Martin Luther King Jr. Blvd.
Madison, WI 53703

Subject: Revising the Cottage Grove Urban Service Area Boundary and Environmental Corridors in the Town of Cottage Grove – Four Amendments - Resolution CARPC No. 2017-08

Dear Mr. Steinhoff:

We have completed our review of the Cottage Grove Urban Service Area request submitted to the Department by the Capital Area Regional Planning Commission (Resolution *CARPC No. 2017-08* (received 5/11/2017)). The Department hereby approves this request, supporting and underscoring recommendations advanced in the technical staff analysis regarding water quality protection and mitigation actions for stormwater management, environmental corridors, and wetlands restoration planning (pages 42, 43). The CARPC staff analysis for this request is available electronically: [Staff Analysis for Cottage Grove SSA Amendment 2017](#).

A public hearing was held on May 11th 2017. The CARPC Commission passed a resolution recommending approval of the amendment (see attached). This amendment becomes a part of the *Dane County Water Quality Management 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, 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 sections 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.

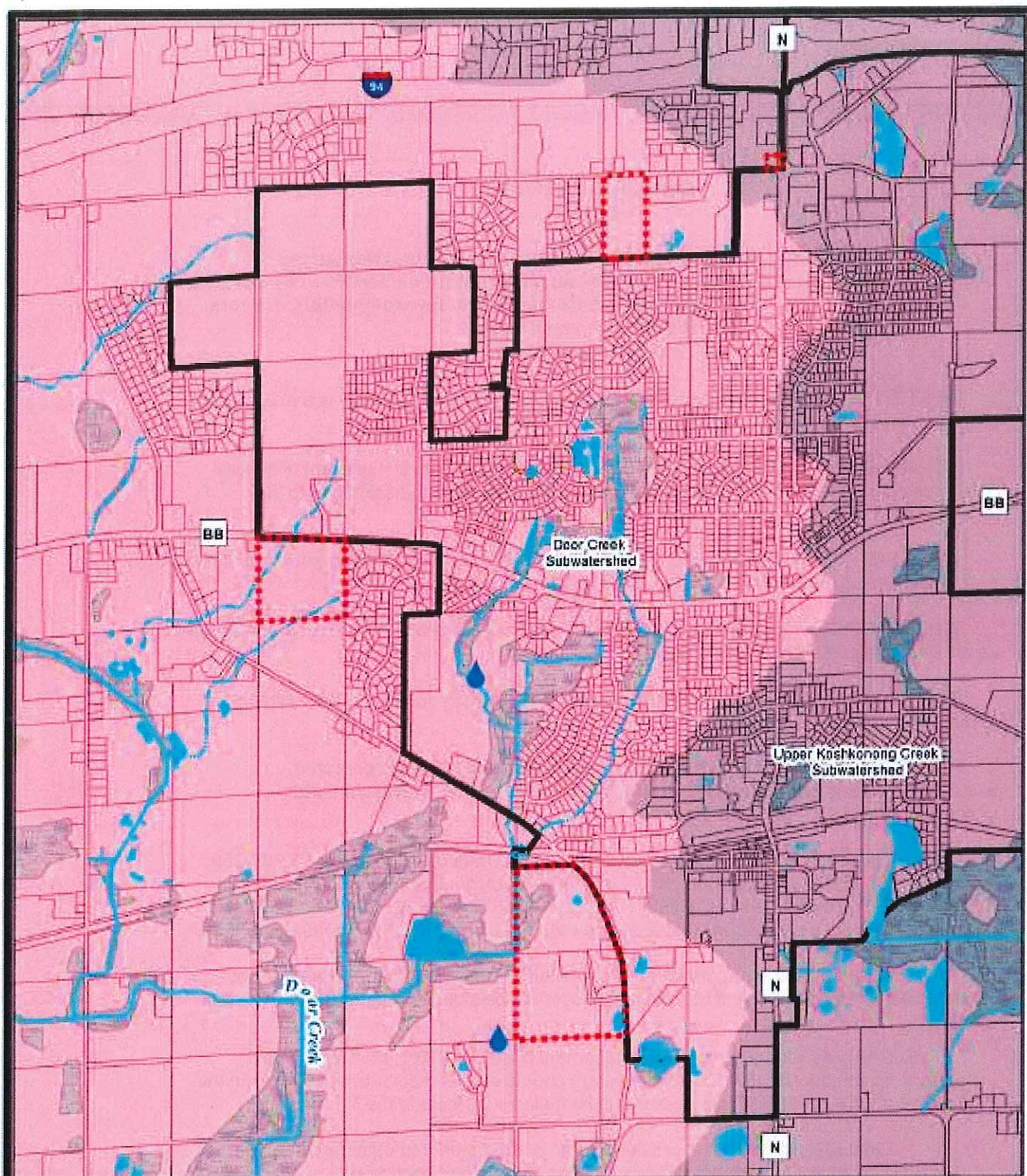
Sincerely,

A handwritten signature in cursive script, appearing to read "Timothy R. Asplund".

Timothy R. Asplund
Monitoring Section Chief
Bureau of Water Quality

cc:

Greg Searle - WDNR - SCR - Fitchburg
Lisa Helmuth - WDNR - WQ/3

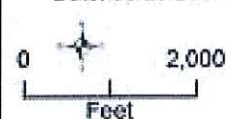


Map 5 Subwatersheds

Proposed Amendment to the
Dane County Water Quality Plan, Revising
the Cottage Grove Urban Service Area Boundary and
Environmental Corridors in the Town of Cottage Grove

- Existing Urban Service Area
- Service Area to be Added
- Perennial Stream
- Intermittent Stream
- Wetland
- Springs

Date: 03/29/2017



Prepared by staff
of the CARPC.



**Resolution CARPC No. 2017-08A (School Grounds)
Resolution CARPC No. 2017-08B (Drumlin Grove)
Resolution CARPC No. 2017-08C (Shady Grove)
Resolution CARPC No. 2017-08D (Wilden-Olson)**

**Recommending to the Wisconsin Department of Natural Resources Amendment of the
Dane County Water Quality Management Plan by Revising the
Cottage Grove Urban Service Area Boundary and Environmental Corridors
in the Town and Village of Cottage Grove**

WHEREAS, the Capital Area Regional Planning Commission (CARPC) is a duly created regional planning commission under Wis. Stat. § 66.0309; and

WHEREAS, the CARPC has an agreement with the Wisconsin Department of Natural Resources (WDNR) to provide water quality management planning assistance to the WDNR; and

WHEREAS, the CARPC has adopted, reaffirmed, and recommended amendment of the *Water Quality Management Plan for Dane County*; and

WHEREAS, said plan delineates urban and limited service areas and environmental corridors as amended through March 2017; and

WHEREAS, the Village of Cottage Grove has requested an addition to the Cottage Grove Urban Service Area; and

WHEREAS, a staff analysis of the proposed amendment has been prepared, which indicates that the amendment is consistent with the water quality standards under Wis. Stat. § 281.15.

NOW, THEREFORE, BE IT RESOLVED that in accordance with Wis. Stat. § 66.0309, and Sec. 208 of Public Law 92–500, the Capital Area Regional Planning Commission recommends the amendment of the *Dane County Water Quality Management Plan* by revising the Cottage Grove Urban Service Area boundaries as shown on the attached map.

The recommendation for approval of this amendment is based on the Village of Cottage Grove's submitted proposal and conditioned on the Village's commitment to pursuing the following:

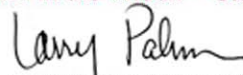
1. Submit a detailed stormwater management plan for CARPC staff review and approval (in conjunction with DCL&WCD staff) prior to any land disturbing activities in the amendment area. The stormwater management plan shall include the following:
 - a. Install stormwater and erosion control practices prior to other land disturbing activities. Protect infiltration practices from compaction and sedimentation during land disturbing activities.
 - b. Maintain peak runoff rate control 1-, 2-, 10-, and 100-year 24-hour design storms to pre-development levels, in accordance with the Dane County Stormwater Ordinance.
 - c. Maintain the post development stay-on volume to at least 90% of the pre-development stay-on volume for the one-year average annual rainfall period, in accordance with the Dane County Stormwater Ordinance.
 - d. 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* (ranging from an average of 9.3 to 9.5 in./yr. for the amendment areas) or by a site specific analysis.

- e. Provide at least 80% sediment control for the amendment area based on the average annual rainfall record, with a minimum of 60% of that control occurring in a retention pond prior to infiltration, in accordance with the Dane County Stormwater Ordinance.
 - f. Coordinate stormwater discharge locations to the Town of Cottage Grove with the Town Engineer.
2. Stormwater management facilities shall be placed in public outlots whenever feasible and designated as environmental corridor. Easements and perpetual legal maintenance agreements with the Village, to allow the Village to maintain stormwater management facilities if owners fail to do so, shall be provided for any facilities located on private property.
 3. Delineate environmental corridors to include wetlands, 75-foot wetland buffers, 100-year floodplains, streams and shoreland buffers, associated steep wooded slopes, and stormwater management areas to meet Dane County Water Quality Plan criteria for the delineation of environmental corridors. Submit plats showing environmental corridors for CARPC staff review and approval prior to recording. Any environmental corridor on private property shall be protected by deed restrictions and neighborhood covenants.

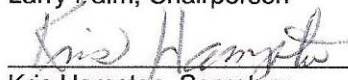
It is also recommended that the Village of Cottage Grove consider pursuing the following measures:

1. Conduct on-site soils investigations in areas with mapped hydric soils and with poorly drained soils and seasonal high groundwater tables in the Widen Olson amendment area to determine the actual extent of seasonal high groundwater and identify potential problem areas. The Village should consider requiring that the lowest level of any structure be built at a minimum of one foot above the seasonal high groundwater table and have this restriction recorded on the plat to reduce the potential for basement flooding.
2. Based on the WGNHS Karst Potential map the northern two-thirds of the main Drumlin Grove amendment area is within an area where the depth to bedrock over potential karst units is 8 to 33 feet. Regional Planning Commission staff recommends the collection of site-specific data for an accurate assessment karst potential in this area. If karst features are found, adequate protection measures must be taken to address the potential for groundwater contamination.
3. Require an archaeological survey be performed by a qualified archaeologist for the Drumlin Grove amendment area as recommended in the letter from the Wisconsin Historical Society
4. Develop and implement a wetland restoration plan for the wetlands on the site to improve habitat and create a natural amenity for the development and the community.
5. Amend the Village's stormwater ordinance to require maintaining 100% of the pre-development stay-on volume for the one-year average annual rainfall period, as a means of contributing to a reduced potential for downstream flooding. This standard has been adopted in the Village of Cross Plains, Village of DeForest, and Town of Westport and is being recommended by a joint Technical Advisory Committee of CARPC and the Dane County Lakes and Watersheds Commission. The effectiveness of this approach will ultimately depend on the collaboration of other municipalities within the watershed to adopt the same standard.
6. **Additional Recommendation for Resolution CARPC No. 2017-08D: Recommend that the Village of Cottage Grove work with downstream property owners to examine the concern of flooding potentially related to the steep slopes and kettle pond in the Widen – Olson amendment area.**

May 11, 2017
Date Adopted



Larry Palm, Chairperson



Kris Hampton, Secretary

