



October 2, 2017

DNR Project No. DC-0190

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: Amendment Request – Village of Cross Plains / Town of Berry CARPC Resolution DC-2017-14

Dear Mr. Steinhoff:

We have completed our review of the subject sewer service area amendment request submitted to the Department by on September 15, 2017 to add 181.9 acres to the Cross Plains Urban Service Area and hereby approve the amendment. The proposal adds land area for the following land uses as indicated in the table below. CARPC technical experts have carefully analyzed this amendment request and have provided detailed recommendations articulated in the [linked staff analysis](#).

This amendment approves of the addition of 181.9 acres to the Cross Plains USA, with net developable acreage increase of 135.3. The Town of Berry and the Village of Cross Plains have worked cooperatively for this USA amendment.

Existing Land Use	Acres
Agriculture	83.5
Woodlands	49.2
Open Land	32.8
Residential	10.2
Transportation, Communications and Utilities	4.7
Under Construction	1.5
TOTAL	181.9

The amendment was received by the Capitol Area Regional Planning Commission on September 14, 2017. The Commission conveyed a resolution underscoring the conditions and protections for water quality from the detailed staff report. The DNR underscores the importance of these measures to protect water quality in this sensitive area of the state.

Proposed Land Use	Proposed Acres	Env. Corridor Acres
Single Family Residential	86.0	6.9
Planned Neighborhood	34.4	
Parkland Conservancy	29.3	29.3
Right of Way	19.4	
Existing Large-lot Residential on Septic	6.9	
Parks	3.6	3.6
Stormwater Management	2.1	2.1
Parking	0.2	
TOTAL	181.9	41.9
NET DEVELOPABLE¹	135.3	

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



Timothy R. Asplund
Monitoring Section Chief
Bureau of Water Quality

cc:

Town of Berry
Village of Cross Plains
Mike Sorge – DNR – SD
Andrew Simek – DNR - LS/8
Lisa Helmuth – DNR – WQ/3



Resolution CARPC No. 2017-14

**Recommending to the Wisconsin Department of Natural Resources Amendment of the
Dane County Water Quality Management Plan by Revising the
Cross Plains Sewer Service Area Boundary and Environmental Corridors
in the Town of Berry and the Village of Cross Plains**

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 July 2017; and

WHEREAS, the Village of Cross Plains has requested an addition to the Cross Plains Sewer 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 Cross Plains Sewer Service Area boundaries as shown on the attached map.

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

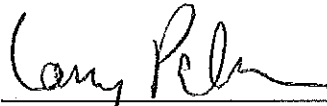
1. Submit a detailed stormwater management plan for Regional Planning Commission staff review and approval (in conjunction with DCL&WCD staff) prior to any land disturbing activities in the amendment area. The stormwater management plan shall include the following:
 - a. Install stormwater and erosion control practices prior to other land disturbing activities. Protect infiltration practices from compaction and sedimentation during land disturbing activities.
 - b. 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 Village of Cross Plains Stormwater Ordinance.
 - c. Maintain the post development stay-on volume to at least 100% of the pre-development stay-on volume for the one-year average annual rainfall period, in accordance with the Village of Cross Plains 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* (a range of 9 to 14 inches/year for the amendment area) or by a site specific analysis, in accordance with the Village of Cross Plains Stormwater Ordinance.
 - e. Provide at least 80% sediment control for the amendment area based on the 1-year, 24-hour design storm, with a minimum of 60% of that control occurring in a retention pond prior to infiltration, in accordance with the Village of Cross Plains Stormwater Ordinance.
 - f. Reduce the temperature of stormwater discharge to meet WDNR cold water standards, in accordance with the Village of Cross Plains Stormwater Ordinance.
2. Conduct a field verification for areas of the development site considered suitable for infiltration including a site assessment for karst features as required by the Wisconsin Department of Natural Resources Conservation Practice Standard 1002 - Site Evaluation for Stormwater Infiltration.
 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 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.
 4. Delineate environmental corridors to include the intermittent stream, associated buffers, and riparian 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 Regional Planning Commission staff review and approval prior to recording. Any environmental corridor on private property shall be protected by deed restrictions and neighborhood covenants.

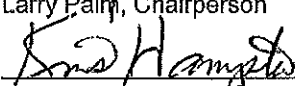
It is also recommended that the Village of Cross Plain pursue the following measures:

1. Consider distributed infiltration facilities, such as terrace bioretention, residential rain gardens and porous pavement, upstream of the proposed stormwater management facilities locations should limiting conditions be found at the proposed infiltration locations.
2. Encourage the responsible use of deicers as part of the WI Salt Wise Partnership.
3. Work with Regional Planning Commission staff to develop a long term water supply plan for the Village using the regional groundwater model.
4. Conduct joint comprehensive planning with the Town of Berry and the Town of Cross Plains.

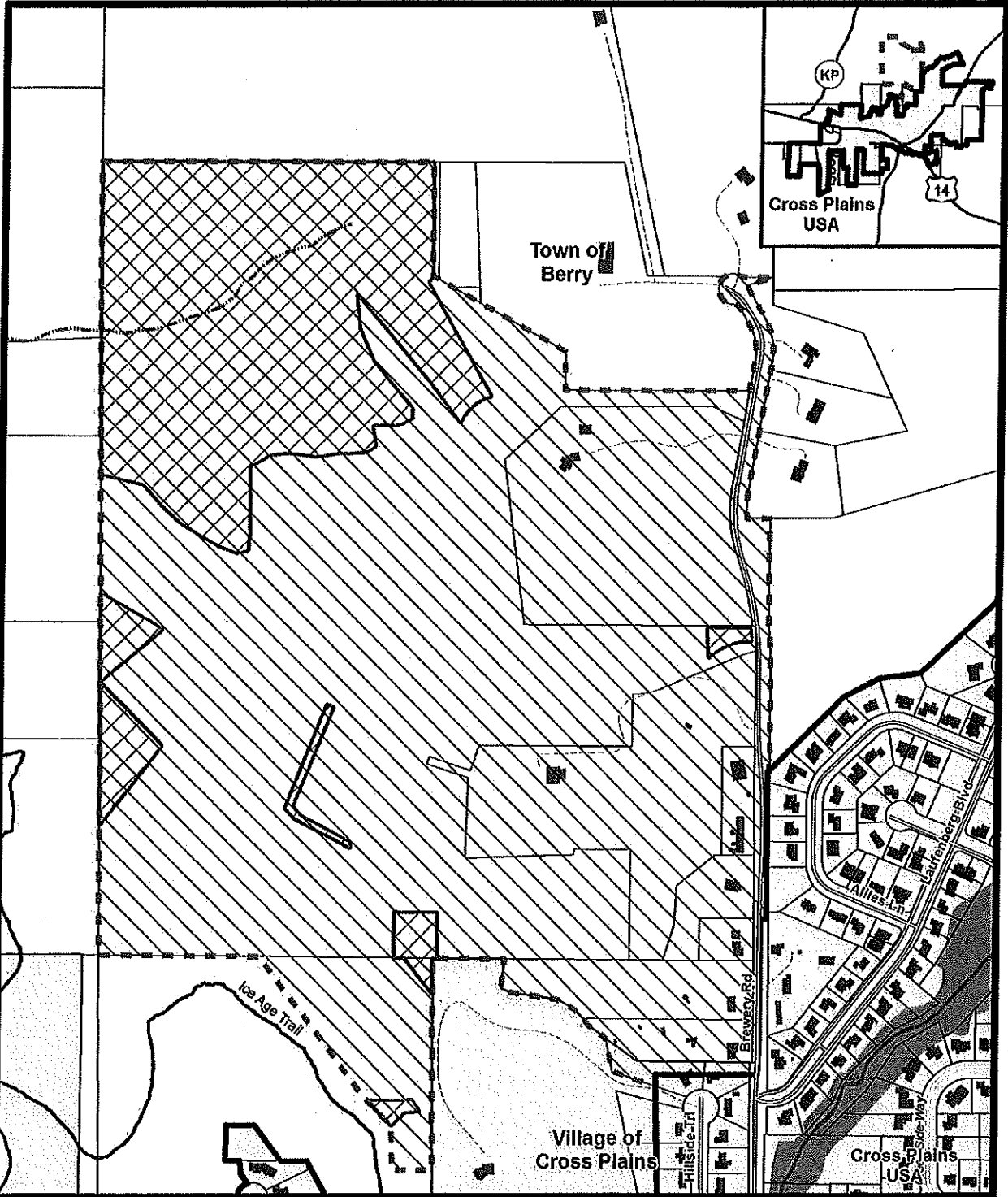
September 14, 2017
Date Adopted



Larry Palm, Chairperson










Kris Hampton, Secretary





Map 1 Amendment Area

Proposed Amendment to the Dane County Water Quality Plan, Revising the Cross Plains Urban Service Area Boundary and Environmental Corridors in the Town of Berry and Village of Cross Plains

-  Service Area to be added (181.9 acres)
-  Proposed Environmental Corridors (41.9 acres)
-  Public Land
-  Existing Environmental Corridors
-  Incorporated Area
-  Existing Urban Service Area Boundary
-  Proposed Urban Service Area Boundary

Date: 08/10/2017

Feet

Prepared by staff of the CARPC.

