

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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November 28, 2017

DNR Project No. DC-0187

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 Waunakee, Resolution DC-2017-19

Dear Mr. Steinhoff:

We have completed our review of the subject sewer service area amendment request submitted to the Capital Area Regional Planning Commission (CARPC) on September 7, 2017 with a subsequent public hearing held on October 12, 2017. This amendment involves modification of environmental corridors in the Village of Waunakee to accommodate a brownfields redevelopment for a new Waunakee Library. The Department hereby approves this amendment noting the recommendations by CARPC staff and the steps required for state level permits and additional approvals. CARPC technical experts have carefully provided detailed recommendations articulated in the [linked staff analysis](#).

The Village of Waunakee has worked eight years to remediate and redevelop the 6.34-acre former industrial site which will now serve as the location of the new library, and which is contiguous with McWatty Park, a 2.1-acre neighborhood park adjoining Six Mile Creek, at the east end of the Village's historic downtown business district one block north of Main Street. This unique amendment changes the corridor to accommodate a new public library building at the former Waunakee Alloy Casting Corporation site located at 201 N. Madison Street in the Village of Waunakee.

This redevelopment site is located just 125 feet north of Six Mile Creek, which is designated an Exceptional Resource Water. In 2016, total phosphorus was found at levels exceeding water quality standards which formed the basis of its listing on the DNR's 303(d) Impaired Waters list. Riparian corridors for Six Mile Creek are important for aquatic health and integrity and the DNR recommends following through with the considerations and recommendations stated in the CARPC Resolution. The amendment modification is visually depicted in the attached map.

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, 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 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 black ink, appearing to read "Timothy R. Asplund". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Timothy R. Asplund
Monitoring Section Chief
Bureau of Water Quality

cc:

Village of Waunakee
Mike Sorge – DNR – SD
Greg Searle – DNR WQ/3
Andrew Simek – DNR - LS/8
Lisa Helmuth – DNR – WQ/3

Map 1 - Amendment Area

