



January 11, 2018

REF: DC-0191

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 CARPC Resolution No. 2017-21

Dear Mr. Steinhoff:

We have completed our review of the subject sewer service area amendment request submitted to the Department, as revised on Revised October 12, 2017, with the CARPC Resolution dated December 14, 2017, which followed a public hearing held on that day. This amendment involves the addition of 124.8 acres southwest of the Village of Waunakee involving 92.0 developable acres and the remaining 32.8 acres of environmental corridors. 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 land use changes involved in this development are displayed below:

Existing Land Use	Acres
Agriculture	101.0
Institutional/Governmental	8.5
Open Land	8.5
Commercial	3.6
Residential	3.2
TOTAL	124.8

Proposed Land Use	Proposed Acres	Env. Corridor Acres
Community Residential	42.4	
Right of Way	22.7	
Parks and Stormwater Management	20.4	20.4
Institutional	10.5	
Wetland	8.9	8.9
Single Family Residential	7.6	3.5
Commercial	6.7	
Mixed Use	5.6	
TOTAL	124.8	32.8
NET DEVELOPABLE¹	92.0	

The Village of Waunakee Plan Commission, Village of Waunakee Board, Waunakee/Westport Joint Planning Commission, and Town of Westport have all adopted resolutions finding the requested amendment consistent with their adopted plans and recommending submission of the application to

CARPC. The site is identified for future development by the 2017 Waunakee/Westport Joint Comprehensive Plan. The site is also identified as a development area in the 2013 North Mendota FUDA Study as a part of its "Conceptual 2035 Land Uses" map.

The Commission conveyed a resolution underscoring the conditions and protections for water quality from the detailed staff report on October 13, 2017. The DNR underscores the importance of these measures to protect water quality in this sensitive area of the state. 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:

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

