



August 23, 2019

DNR Project No. DC-0198

Mr. Mike Rupiper, PE
Director of Environmental Resources Planning
Capital Area Regional Planning Commission
210 Martin Luther King Jr. Blvd., Room 362
Madison, WI 53703

Subject: [Amendment Request to the Village of Dane Urban Service Area – CARPC #1902, DNR DC-0198](#)

Dear Mr. Rupiper:

We have completed our review of the subject sewer service area amendment request from the Village of Dane to add approximately 28.1 acres to the Dane Urban Service Area. The proposed amendment was submitted to the Department in August 2019. We hereby approve of this request.

The proposed amendment encompasses approximately 28.1 acres of land including approximately 9.7 acres of proposed environmental corridor (for park, open space, and stormwater management) for a net of approximately 18.4 developable acres to the Dane Urban Service Area. There are no environmentally sensitive areas requiring placement in environmental corridors in accordance with the adopted policies and criteria of the Dane County Water Quality Plan.

The Department finds that the proposed amendment is consistent with water quality standards under section 281.15, Wis. Stats., and is hereby approved with the following conditions as recommended by CARPC in their August 2019 letter titled: *Water Quality Management Letter for Sewer Service Area Amendment Request# 1902 - Dane USA*:

The Village of Dane will demonstrate continued commitment to pursue 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 Dane County Stormwater Ordinance.
 - c. 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 prior to infiltration, in accordance with the Dane County Stormwater Ordinance.
 - d. 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.
 - e. 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 10 inches/year for the amendment area) or by a site specific analysis, in accordance with the Dane County Stormwater Ordinance.

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 the stormwater management areas, park, and open space, 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 concurrence prior to recording.
4. Work with the downstream property owner (Ripp) to address their concern of existing stormwater basin discharge through their property by doing some combination of the following options:
 - a. Coordinate and participate in the design and installation of a grassed waterway on their property.
 - b. Obtain an easement or other agreement for the discharge of stormwater from the Village through their property.
 - c. Mitigate the increased volume of discharge on their property prior to discharge through the Capitol Valley Way culvert by implementing stormwater practices that match the pre-development volumetric discharges from the Village to other private lands not under their control in storm events including the 1, 2, 5 & 10-year storms.
 - d. Stabilize the outlet of the culvert discharge under Capital Valley Way.
 - e. Improve the performance of the existing storm water management basins by modifying the outlet structures and possibly expanding the capacity in combination with new development.

The Department also supports the recommendation that the Village of Dane pursue the following:

1. Encourage the responsible use of deicers and water softeners by participating in the trainings and outreach activities of the WI Salt Wise Partnership.

Statewide AWQM Plan Amendment

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

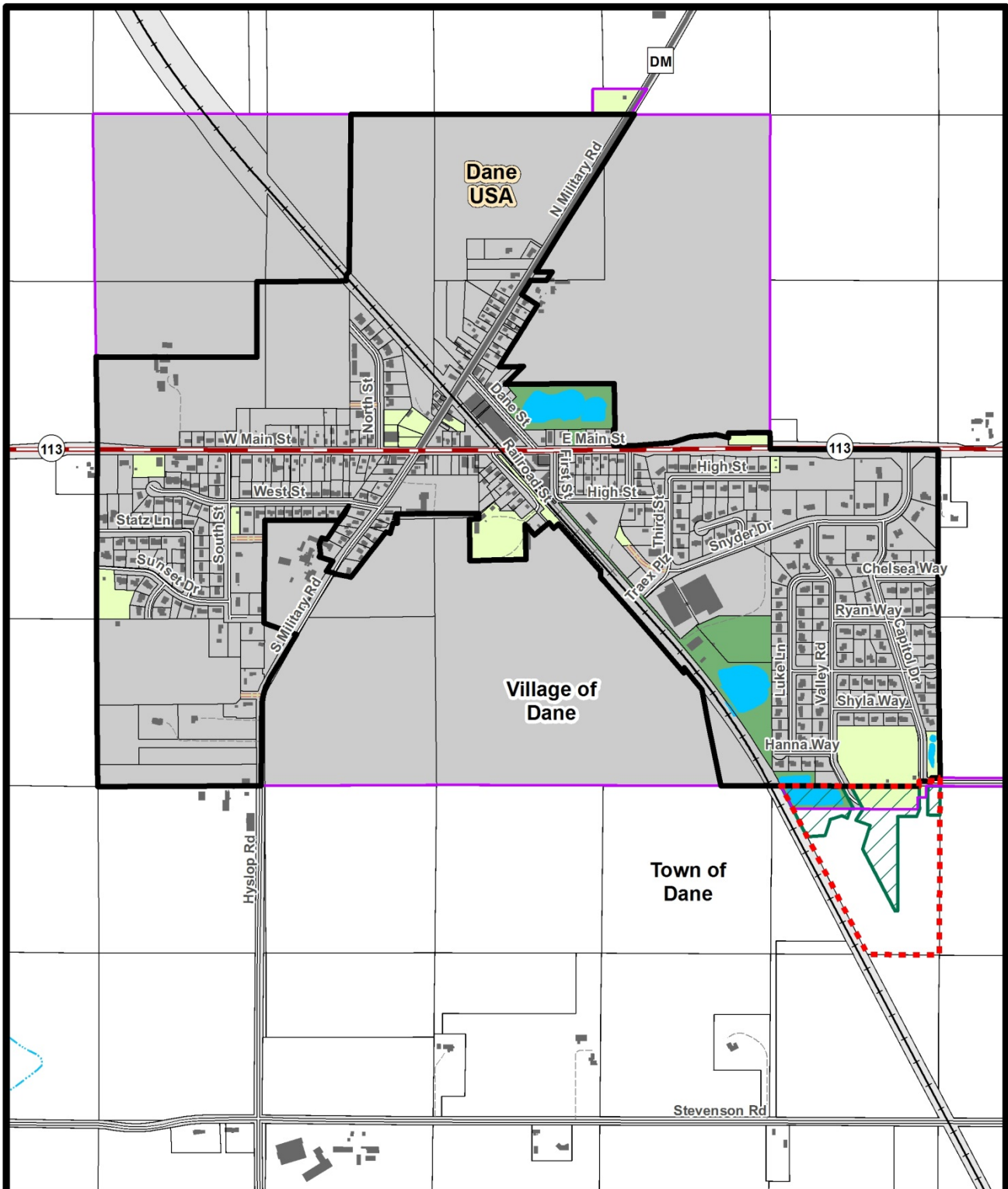
Sincerely,

A handwritten signature in black ink, appearing to read "Timothy R. Asplund". The signature is fluid and cursive, with a long horizontal stroke at the end.

Timothy R. Asplund
Monitoring Section Chief
Bureau of Water Quality

cc:

Larry Palm – Executive Chairperson, CARPC
Kris Hampton – Secretary, CARPC
Lisa Helmuth – Water Resources Specialist, DNR
Matt Droese – Wastewater Engineer Trainee, DNR
Linnea Rock – Water Resources Specialist, DNR
Mike Sorge – South Central Water Resources Supervisor, DNR
Tim Ryan – South Central Wastewater Supervisor, DNR
Roger Schmidt – Village President, Village of Dane
Andrew Bremer – MSA Professional Services, Inc.

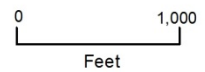


Map 1 Amendment Area

Proposed Amendment to the
Dane County Water Quality Plan,
Revising the Sewer Service Area
Boundary and Environmental Corridors
in the Dane Urban Service Area

- Incorporated Area
- Service Area To Be Added (28.1 acres)
- Existing Service Area
- Environmental Corridor to be Added (9.7 acres)
- Existing Environmental Corridors

Date: 06/03/2019



Prepared by staff of the CARPC.