



August 10, 2023

Mr. Timothy R. Asplund
Monitoring Section Chief
WDNR – Bureau of Water Quality
101 S. Webster Street
Madison, WI 53707-7921

RE: Water Quality Management Letter for Sewer Service Area Amendment Request #2208 –
Northern USA (Village of DeForest)

Dear Mr. Asplund:

The Village of DeForest has submitted a request for a sewer service area amendment to the *Dane County Water Quality Plan*. The proposed amendment area is currently in the Town of Burke, a portion of which is being annexed to the Village of DeForest, in the Token Creek (HUC 12: 070900020503) and the Cherokee Lake-Yahara River (HUC 12: 070900020504) watersheds. It includes the addition of approximately 93 acres of land, including approximately 11 acres of existing development and 20 acres of proposed environmental corridors, for a net of approximately 62 developable acres to the Northern Urban Service Area. A public hearing was held on the proposed amendment at the July 13, 2023, Regional Planning Commission meeting. The Village's application and the Commission staff's analysis report of the proposed amendment have been submitted to the Department's Surface Water Integrated Monitoring System.

It is the Capital Area Regional Planning Commission staff's opinion that the proposed amendment is consistent with water quality standards under Wis. Stat. § 281.15, and the adopted Policies and Criteria for the Review of Sewer Service Area Amendments to the *Dane County Water Quality Plan*, by meeting state and local requirements. In addition to the existing state and local requirements, the Village of DeForest and development team have agreed to pursue additional water resource management measures for the amendment area, identified below. Additional actions have also been recommended below to further improve water quality and environmental resource management.

At our meeting on August 10, 2023, the Capital Area Regional Planning Commission voted to recommend approval of this amendment to the Wisconsin Department of Natural Resources in recognition of the state and local requirements for the following:

1. State and local review and approval of stormwater management plan(s) is required, including Regional Planning Commission staff review and approval as part of the sewer extension review process.
 - a. Stormwater and erosion control practices are required to be installed prior to other land disturbing activities. Infiltration practices are required to be protected from compaction and sedimentation during land disturbing activities.
 - b. Peak rates of runoff are required to be controlled for the 1-, 2-, 5-, 10-, 25-, 100-, and 200-year 24-hour design storms to pre-development levels, in accordance with the Village of DeForest and Dane County Stormwater Ordinances.
 - c. Sediment control is required to achieve at least 80% sediment control for the amendment area based on the average annual rainfall period, with sediment control pretreatment occurring prior to infiltration for runoff from parking lots and new road construction within commercial, industrial, and institutional land uses, in accordance with the Village of DeForest and Dane County Stormwater Ordinances.
 - d. Runoff volume control is required to maintain the post-development stay-on volume to at least 90% of the pre-development stay-on volume for the average annual rainfall period, in accordance with the Village of DeForest and Dane County Stormwater Ordinances.
 - e. Maintain predevelopment 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*", for the amendment area (a range of 9 to 10 inches/year) or by a site-specific analysis, when required by the Village of DeForest and Dane County Stormwater Ordinances.
 - f. Thermal control is required to reduce the temperature of stormwater runoff from development sites within thermally sensitive watersheds, in accordance with the Village of DeForest and Dane County Stormwater Ordinances.
 - g. Oil and grease control are required to treat the first 0.5 inches of runoff using best management practices at commercial and industrial sites and any other uses where the potential for pollution by oil or grease, or both, exists, in accordance with the Village of DeForest and Dane County Stormwater Ordinances.
2. Easements and perpetual legal maintenance agreements with the Village, to allow the Village to maintain stormwater management facilities if owners fail to do so, are required for any facilities located on private property.
3. Environmental Corridors are required to be delineated to meet the Environmental Corridor Policies and Criteria adopted in the *Dane County Water Quality Plan*.

In addition to the existing state and local requirements, the Village of DeForest and development team have agreed to pursue the following water resource management measures for the amendment area:

1. Conduct a safe overflow analysis along the southern end of the amendment area to demonstrate a safe flow route exists overtop Daentl Road without increased flooding potential for existing or proposed improvement.

It is recommended that the Village of DeForest pursue the following to further improve water quality and environmental resource management:

1. Continue to participate in regional water quality initiatives including Wisconsin Salt Wise, the Madison Area Municipal Storm Water Partnership, and Yahara WINs.
2. Request a formal Endangered Resources Review by the WDNR or one of their certified reviewers for potential impacts to endangered resources like rare plants, animals, and natural communities, and take necessary habitat protection measures if species are found, based on the results of screening conducted.
3. Pursue restoration of the wetlands located in the northern end of the amendment area (not those which have received a DNR exemption) to restore natural wetland hydrology and improve water quality in the Yahara Watershed.
4. Request an archaeological survey to be performed by a qualified archaeologist for the amendment area as recommended by the Wisconsin Historical Society and take necessary protection measures if artifacts are found.

If you have any questions regarding this matter, please do not hesitate to contact Nick Bower, the Commission's Environmental Engineer.

Sincerely,



David Pfeiffer
Executive Chairperson



Kris Hampton
Secretary

cc: Mr. Bill Chang, Village Administrator, Village of DeForest

