



March 21, 2024

DNR Project No. DC-0231

Mr. Nicholas Bower, Senior Environmental Engineer
Capital Area Regional Planning Commission
100 State Street, Suite 400
Madison, WI 53703

Subject: [CARPC Sewer Service Area Plan Amendment Request #2310 for Northern SSA \(DeForest\)](#)

Dear Mr. Bower:

On February 13, 2024, The Wisconsin Department of Natural Resources (department) received Water Quality Management Letter #2310 from the Capital Area Regional Planning Commission (CARPC), on behalf of the Village of DeForest. Letter #2310 requested the department's administrative review of a proposed increase in developable land to the Northern Urban Service Area (USA). The amendment will result in an increase of about 122 acres to the Northern Urban Service Area and is consistent with the Dane County Water Quality Plan.

The proposed amendment is hereby approved in accordance with water quality standards under s. 281.15 and 283.83(1m), Wis. Stats., along with CARPC's recommended actions described in Water Quality Management Letter #2310, subject to the following condition:

Prior to department approval of installation of sanitary sewers in the Research Products Subarea, the applicant will need to either comply with any regulatory actions required by the department's Waterways and Wetlands program under s. 281.36, Wis. Stats., or demonstrate that the wetlands were exempt from state regulation and local zoning requirements. Drain tiles were recently installed, resulting in alteration of the natural drainage, hydrologic functions, filtering abilities, and flood holding capacities of a DNR mapped wetland within the Research Products Subarea. This altered drainage has effectively drained a wetland feature as reported in a Wetland Delineation document provided by Heartland Ecological, Inc., dated August 8th, 2022.

As of the date of this letter, the department has not been presented evidence to confirm that the impacts to the wetland do not constitute a violation of local zoning and state regulatory authority under s. 281.36, Wis. Stats. This parcel is located within the Dane County Drainage District, and a further review of the history of the wetland area is needed to determine if applicable exemptions apply to this installed drainage tile addition.

This amendment is a formal amendment to the state's Areawide Water Quality Management Plan, per ch. NR 121, Wis. Adm. Code. The Northern USA Amendment will be forwarded to the



U.S. 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 code of 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 USA amendment does not constitute approval of any other required local, state, or federal permit 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 ss. 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 s. 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 s. NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with s. 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,

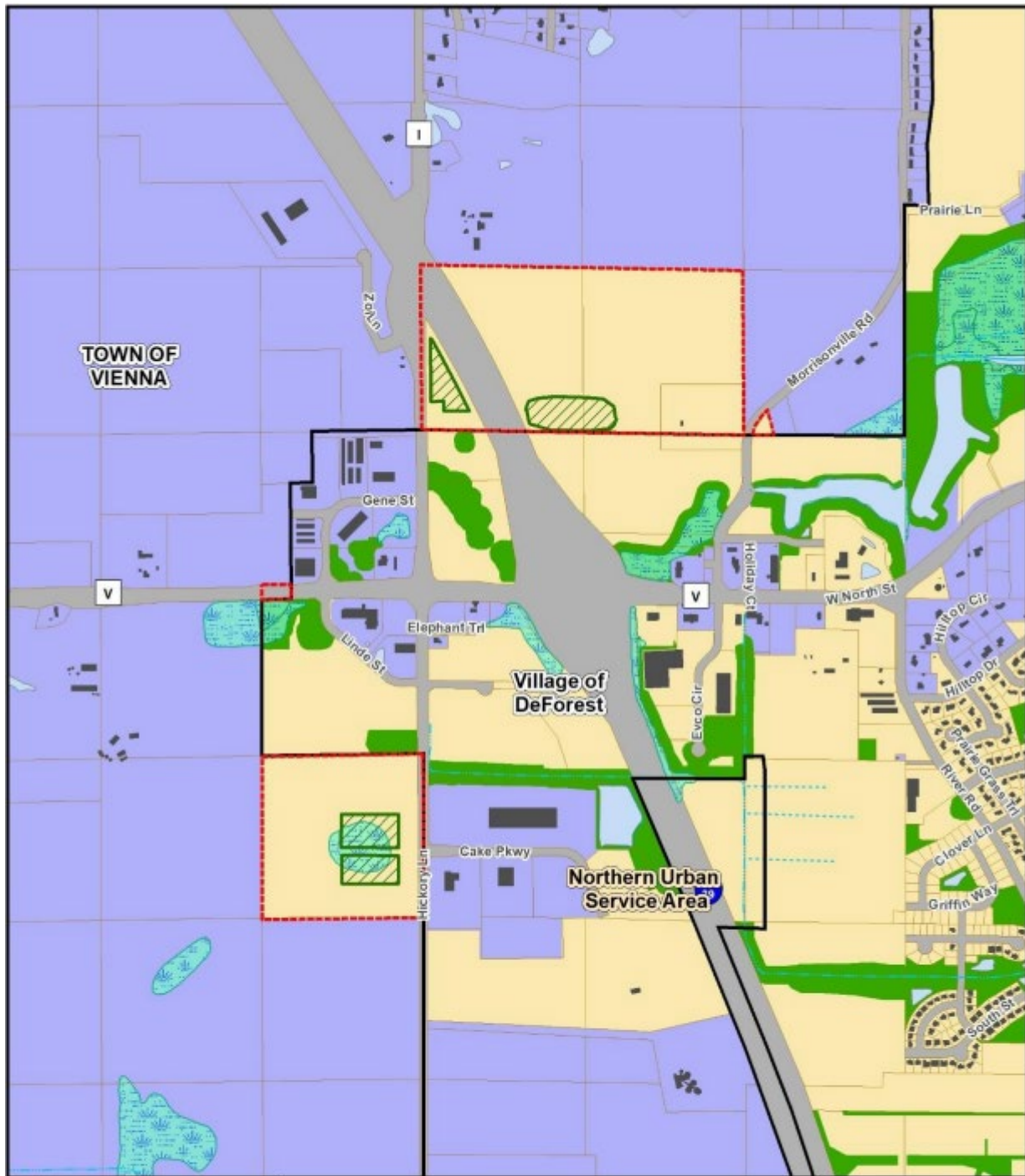
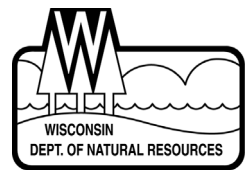
A handwritten signature in black ink, appearing to read 'Timothy R. Asplund'.

Timothy R. Asplund
Monitoring Section Chief
Bureau of Water Quality

A handwritten signature in black ink, appearing to read 'Jason R. Knutson'.

Jason R. Knutson, P.E.
Wastewater Section Chief
Bureau of Water Quality

CC: Hannah Agner, Camille Bruhn, Alixandra Burke, Ben Wacker, Allen Ramminger, Eric Rortvedt, Mike Sorge, and Pamela Toshner – Wisconsin Department of Natural Resources



<p>Map 1 Amendment Area</p> <p>Proposed Amendment to the Dane County Water Quality Plan, Revising the Sewer Service Area Boundary and Environmental Corridors in the Northern Urban Service Area</p>	<ul style="list-style-type: none">  Existing Service Area  Service Area To Be Added  Existing Environmental Corridors  Environmental Corridor To Be Added  WI Wetland Inventory 	<p>Date: 01/29/2024</p> <p>0 500 1,000 Feet</p> <p> </p>
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