



State of Wisconsin
Tony Evers, Governor
DEPARTMENT OF NATURAL RESOURCES

101 S. Webster Street
Box 7921 TTY
Madison WI 53707-7921

Telephone 608-266-2621
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Access via relay - 711

July 17th, 2024

DNR Project No. DC-0236

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 #2405 for Middleton "Bala Property"](#)

Dear Mr. Bower:

On June 17, 2024, The Wisconsin Department of Natural Resources (department) received Water Quality Management Letter #2405 from the Capital Area Regional Planning Commission (CARPC), on behalf of the City of Middleton. Letter #2405 requested the department's administrative review of a proposed increase in developable land to the Dane County Water Quality Plan. It includes the addition of approximately two (2) acres of land, including approximately two (2) acres of existing agriculture, for a net of approximately two (2) developable acres to the Central Urban Service Area. Stormwater, sediment control, and other best management practices, as described in the amendment documentation should be implemented, as well the recommendations to further protect water quality.

The proposed amendment is hereby approved in accordance with water quality standards under ss. 281.15 and 283.83(1m), Wis. Stats., along with CARPC's recommended actions described in Water Quality Management Letter #2405. This amendment is a formal amendment to the state's Areawide Water Quality Management Plan, per ch. NR 121, Wis. Adm. Code. The Middleton "Bala Property" 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:



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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 cursive script, appearing to read 'Timothy R. Asplund'.

Timothy R. Asplund
Monitoring Section Manager
Bureau of Water Quality

A handwritten signature in cursive script, appearing to read 'Jason R. Knutson'.

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

CC: Paulina Baker, Camille Bruhn, Alixandra Burke, Sawyer Dobson, Allen Ramminger, and Dan Bekta – Wisconsin Department of Natural Resources



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