



January 10, 2025

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 #2406 – Central USA (City of Middleton – “Ziegler Farm”)

Dear Mr. Asplund:

The City of Middleton has submitted a request for a sewer service area amendment to the *Dane County Water Quality Plan*. The proposed amendment area is in the City of Middleton (recently annexed from Town of Springfield), and within the Pheasant Branch (HUC 12: 070900020603) watershed. It includes the addition of approximately 68 acres of land, including approximately 33 acres of proposed environmental corridors, and 4 acres of existing development and right-of-way, for a net of approximately 31 developable acres to the Central Urban Service Area. A public hearing was held on the proposed amendment at the December 12, 2024, Regional Planning Commission meeting. The City’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 City of Madison 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 January 9, 2025, meeting, 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. Environmental Corridors are required to be delineated to meet the Environmental Corridor Policies and Criteria adopted in the *Dane County Water Quality Plan*. Additionally, in accordance with the 2006 Graber Pond Master Plan, a 100-foot vegetated buffer shall be provided for wetlands associated with Graber Pond and shall be included within Environmental Corridor.

2. Sediment 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.
3. Easements and perpetual legal maintenance agreements with the City of Middleton, to allow the City to maintain stormwater management facilities if owners fail to do so, are required for any facilities located on private property.
4. 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. Peak runoff rate control is required for the 1-, 2-, 10-, 100-, and 200-year, 24-hour design storms to limit post-development runoff to “pre-development” levels, in accordance with City of Middleton and Dane County Stormwater Ordinances. Further, City ordinances require the use of predevelopment curve numbers which represent “pre-settlement” conditions.
 - b. 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 City of Middleton and Dane County Stormwater Ordinances.
 - c. Runoff volume control is required to maintain the post-development infiltration (stay-on) volume to at least 90% of the pre-development infiltration (stay-on) volume for the average annual rainfall period, without exception for sites determined to be within a closed basin watershed, in accordance with City of Middleton and Dane County Stormwater Ordinances.
 - d. Maintain predevelopment groundwater recharge rates (approximately 9 – 10 inches/year for the amendment area) determined 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*”, or by a site-specific analysis, if allowed by ordinance as an elective alternative to meeting the 90% stay-on requirement if more than two percent (2%) of the site is required to be used as effective infiltration area, in accordance with City of Middleton and Dane County Stormwater Ordinances.
 - e. Thermal control is required to reduce the temperature of stormwater runoff from development sites within thermally sensitive watersheds, in accordance with City of Middleton and Dane County Stormwater Ordinances.
 - f. 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

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potential for pollution by oil or grease, or both, exists, in accordance with City of Middleton and Dane County Stormwater Ordinances.

In addition to the existing state and local requirements, the City of Middleton and development team have agreed to pursue the following measures for the amendment area:

1. Runoff volume control will be provided to maintain the post-development infiltration (stay-on) volume to 100% of the pre-development infiltration (stay-on) volume for the average annual rainfall period, for sites within a closed basin watershed (Graber Pond), regardless of the effective area of the infiltration system.

It is recommended that the City of Middleton 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 (MAMSWaP), and Yahara WINS.
2. Encourage the removal and control of invasives and the use of native flora favored by the federally endangered Rusty Patched Bumble Bee in landscaping to provide suitable habitat for this pollinator, where appropriate, for the entire amendment area within the High Potential Zone for the bee.
3. Consider implementing the recommended actions listed in the WDNR Bureau of Natural Heritage Conservation's Endangered Resources Review to protect any occurrences of rare plants, animals, and natural communities.
4. Require a Phase I archaeological survey prior to ground disturbances for the entire development area due to the high potential for archaeological resources, and take appropriate protection if resources are found.

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

Sincerely,



David Pfeiffer
Chairperson



Kris Hampton
Secretary

cc: Ms. Abby Attoun, Director of Planning & Community Development, City of Middleton

