

AGENDA
of the
CARPC Ad Hoc Water Quality Committee

March 19th, 2025

CARPC Office, 100 State St., Suite 400, Madison

11:30 AM

Participant Information

Meeting Accommodation: This meeting will take place in person only, at the office of the Capital Area Regional Planning Commission, located at the address above.

If you need other accommodation to attend the meeting, please call Tanya Sime at 608 474 6017.

Speaking at RPC Meetings: Oral comments from members of the public may be heard for individual agenda items when called upon by the Chair. The time limit for comments by each attendee will be three (3) minutes unless additional time is granted at the discretion of the Chair. The RPC may alter the order of the agenda items at the meeting.

Written Communications: Written communications intended to be provided to the Commission as part of the packet should be received in the RPC office no later than noon, seven (7) days before the meeting. Written communications, including emails sent to info@capitalarearpc.org, received after this deadline will be provided to Commissioners at the meeting.

MISSION: Strengthen the region by engaging communities through planning, collaboration, and assistance.

VISION: A region where communities create exceptional quality of life for all by working together to solve regional challenges.

1. Establish Quorum
2. Public Comment on Matters not on the Agenda
3. **Minutes of December 4, 2024, Ad Hoc Water Quality Committee Meeting (*actionable item*)**
4. Assessment of Current USA Amendment Process (Process Description and Fees Analysis) – Staff Presentation and Discussion
5. Recap of Staff Discussions with Local Municipalities Regarding USA Amendment Process
6. Concepts for Alternative USA Amendment Process – Staff Presentation and Discussion
7. Future Agenda Items (next meeting is TBD with the committee)
 - a. Proposal for Adjustments to Existing USAA Process
 - b. Refinement of Alternative USA Amendment Process
8. Adjournment

NOTE: If you need an interpreter, translator, materials in alternate formats or other accommodations to access this service, activity, or program, please call the phone number below at least three business days prior to the meeting.

NOTA: Si necesita un intérprete, un traductor, materiales en formatos alternativos u otros arreglos para acceder a este servicio, actividad o programa, comuníquese al número de teléfono que figura a continuación tres días hábiles como mínimo antes de la reunión.

LUS CIM: Yog hais tias koj xav tau ib tug neeg txhais lus, ib tug neeg txhais ntawv, cov ntawv ua lwm hom ntawv los sis lwm cov kev pab kom siv tau cov kev pab, cov kev ua ub no (activity) los sis qhov kev pab cuam, thov hu rau tus xov tooj hauv qab yam tsawg peb hnuv ua hauj lwm ua ntej yuav tuaj sib tham.

MINUTES
of the
CARPC Ad Hoc Water Quality Committee

December 4th, 2024

Zoom Webinar

11:00 AM

Participant Information

Commissioners Present: David Pfeiffer, Cynthia Richson, Jim Schuler, Caryl Terrell (partial), Alison Volk

Commissioners Absent: None

Staff Present: Jason Valerius, Tanya Sime, Nick Bower, Prachi Mehendale

Others Present: Tom Mathies

1. Establish Quorum

Quorum was established at 11:13 AM.

2. Public Comment on Matters not on the agenda

No Public Comment.

3. **Minutes of the September 4, 2024, Ad Hoc Water Quality Committee (*actionable item*)**

Mr. Schuler motioned for approval. Ms. Richson seconded. The motion passed on a voice vote.

4. Q&A document prepared by staff in response to committee questions – staff presentation and discussion

Staff reviewed the Q&A document (Item 04) and presented the results of a query comparing sewer service area planning administration across Wisconsin.

Commissioners discussed how to streamline CARPC's current urban service area amendment process, the effectiveness of the Future Urban Development Area (FUDA) process, conflicts with boundary agreements and intergovernmental relationships, and next steps.

5. 2025 DCWQP Update

No Discussion.

6. Future Agenda Items (next meeting is TBD with the committee)

No Discussion

7. Adjournment.

The meeting was adjourned at 1:36 PM.

The minutes were prepared by Tanya Sime and reviewed by the Executive Director.

Respectfully submitted:

Cynthia Richson, Secretary

Assessment of Current USA Amendment Process

Ad-Hoc Water Quality Committee

Prepared by CARPC Staff (last revised 3/13/2025)

Purpose: Detailed review of the current process and evaluation of time/costs associated with processing USA amendments to identify opportunities to streamline and simplify procedures.

I. Process Description

The general process is consistent among all amendments; however, depending on the complexity, breadth of information provided in application, public controversy and/or concerns with the proposal, the process can be more or less involved and require varying amounts of staff resources.

The following outlines the process and staff involvement in USA amendments, based on the USAA Application Packet (link to [document](#), which contains the 2017 adopted Policies and Criteria for Review of Updates and Amendments to the Dane County WQM Plan). Commentary gives additional context based on staff experience; and potential changes are identified as appropriate.

Process Outline

1. Initial Contact

The municipality or developer notifies CARPC staff of the request for a USAA by email. The applicant may provide conceptual plans or no plans at this time. Staff typically provide application requirements and request a pre-application meeting.

Commentary: We are notified sometimes years in advance, but most often when the development is already working through the local entitlement process – sometimes even at the tail end of it. This makes sense when considering that the Municipality must be the Applicant, so they (and the Development team) may wish to ensure support of the development proposal at the local level before requesting amendment. However, the drawback is that most big-picture decisions (and many smaller, detailed decisions) have already been made prior to CARPC’s involvement.

Proposal: While staff do try to stay in touch generally with municipalities, it is recommended to establish an annual check-in with each City and Village in the County (excluding those that are land-locked and any that do not wish to meet) specific to forecasting growth and need for USAAs.

2. Draft Application / Preliminary Comment Period

A pre-application meeting may be scheduled during this period, where staff discuss process, schedule, high-level review of preliminary materials, and identify perceived red flags or issues. Staff often receive a draft application and provide informal comments.

Commentary: This is not a required step but is always encouraged when possible. This is often our only opportunity prior to a final application to comment on the design or big-picture planning elements.

At this stage, staff must primarily focus on issues related to water quality and any commentary on land use issues or transportation (by extension from MPO) is advisory only. Review comments may be significant in number but are rarely significant in magnitude.

Proposal: Make a pre-application meeting a formal requirement of the USAA process.

3. Final Application / Public Hearing Notice (Day 0)

Receipt of Final Application triggers formal 90-day timeline. A public hearing notice is posted. Staff analysis begins.

Commentary: Majority of staff analysis is conducted following the public hearing so that responses to any additional concerns raised by the public or Commissioners can be addressed within reporting. As seen in the following section, the variation in the amount of information provided in the application in combination with atypical amendments often results in time-consuming coordination with municipal staff, the development team, and subject experts.

Proposal: Update the USAA application packet requirements to standardize the breadth and type of information required. For some elements, consider a shift toward a performance model rather than a prescriptive model which would allow flexibility in the way things are reported and reduce ‘doubling of efforts’ on the part of the municipality (e.g., “demonstrate there is sufficient wastewater capacity”; rather than “submit existing loading, proposing loading, and design capacity”). Develop set of additional requirements when amendment requests involve a request for a Major EC Change.

4. Public Hearing (Day 30)

At a meeting of the Commission, the applicant presents an overview of the amendment, and a public hearing is held. Commissioners also have an opportunity for open discussion and to direct staff to address certain issues. Staff may respond to Commissioner questions/comments.

Commentary: In recent years, rarely are public hearings controversial or do we receive any public comments, however there are sometimes comments from Commissioners seeking clarification or comments made on various topics.

Proposal: Before the public comment period begins, a statement may be given to explain the scope of CARPC’s review and authorities and to focus comments on topics within our statutorily limited authority on water quality. This may include a reminder that CARPC’s influence on land use planning may be most effectively realized outside of the urban service area amendment process (as discussed during meetings of the Ad Hoc Water Quality Committee and during recent strategic planning efforts).

Develop specific guidelines for applicant presentations to the Commission, which provide sufficient detail of the overall development but focus on addressing water quality criteria.

5. Staff Analysis

Staff analysis includes a review of existing and proposed land uses, nearby/affected water and natural resources, water system, wastewater collection and treatment system, assessment of proposed and required environmental corridors, and an assessment on the impacts to water quality standards and

criteria. During this process, staff also prepare draft WQML containing a recommendation to the Commission/DNR as to whether the proposed amendment adheres to water quality standards.

Commentary: Staff seek to consult with the applicant (local community and development team) to reach a point of agreement on proposed provisions which exceed what is required by ordinance before preparing draft WQML. This seems to have resulted in less controversy around the proposed provisions and a greater sense of ownership and adherence to the provisions.

Proposal: Further discussion is required to determine which components of staff analysis reports can be simplified and to identify redundancies. Further consideration is warranted on how and when to establish higher standards through conditions of the WQML.

6. Staff Analysis Presentation and CARPC Action

Staff provide a brief overview of the proposed amendment in relation to local and state standards related to water quality and provides a recommended course of action for the Commission to act on, in the form of a draft Water Quality Management Letter (WQML). The WQML is forwarded to DNR for administrative review and decision.

Commentary: Staff presentation is an overview of the content and recommendations contained within the staff analysis and WQML. There are sometimes additional commentary and discussions from Commissioners at this stage. Typically, the Commission votes in favor of the recommendation, which is typically a recommendation for approval of the proposed amendment.

Proposal: For any USAA proposal adhering to all local and state standards, consider moving USAA decisions to the Commission consent agenda. This would keep meeting focus on issues within the scope of CARPC's authority (water quality), reduce overall meeting time devoted to USAAs, and may also require less staff time needed to prepare presentations (reducing overall cost of USAA).

II. Detailed Amendment Comparison

Four specific amendments are further highlighted and compared across several key parameters, which represent a range of ‘typical’ amendments.

Table 1. Overview comparison of select amendments

| | 2403 Madison | 2304 Stoughton | 2103 Middleton | 2104 Verona |
|--------------------------|-----------------------------|------------------------------|------------------------------|--------------------------|
| <i>Amendment Name</i> | Felland Road | Stone Crest | Belle Farms | Ardent Glen – Cascade |
| <i>Lead Consultant</i> | City of Madison | MSA | Vandewalle / D’Onofrio | Vandewalle / D’Onofrio |
| <i>Description</i> | Routine / Non-Controversial | Involved / Non-Controversial | Involved / Non-Controversial | Involved / Controversial |
| <i>Acreage</i> | 80.8 | 129.2 | 44.5 | 154.2 |
| <i>Subareas</i> | 1 | 1 | 1 | 2 |
| <i>WWTP</i> | MMSD | Stoughton | MMSD | MMSD |
| <i>Wetlands/streams</i> | No | Yes | Yes | Yes |
| <i>Major EC Change</i> | No | No | No* | Yes |
| <i>SWMP provided</i> | No | No | Yes | No |
| <i>Public Opposition</i> | No | No | No | Yes |
| <i>Concerns</i> | None | Yes (Capacity) | Yes (Graber Pond) | Yes (Karst/Other) |
| <i>Total Staff Hours</i> | 36.5 | 90 | 129 | 265 |
| <i>Total Costs</i> | \$3,807.56 | \$9,046.07 | \$10,947.47 | \$16,309.19 |

*A major EC change was originally proposed during application, but staff worked with the applicant to refine design and avoid needing to pursue this after all.

Highlighted cells indicate complicating factors.

Commentary: The following describe what stands out in the data and why we chose these to review:

2403 Madison – Routine, Non-Controversial

The City of Madison proposal was well-structured and less detailed, making for quicker staff review and assessment. This USAA was for continued development of the Reiner Neighborhood. No stormwater management plans were provided and there were not any resources of particular concern. This amendment **saw efficiencies by being brought forward alongside a separate C-Madison USAA (2402)**. The WQML recommended approval, without any unusual or significant considerations.

2304 Stoughton – Involved, Non-Controversial

The City provided a well-structured and thorough application package, but this amendment had **several anomalies which required additional staff time and coordination**. Stormwater was addressed, but **a full management plan was not provided**; several environmentally sensitive resources were present. Presence of closed basin watersheds resulted in **additional coordination with the City and Development team**, which became somewhat controversial due to conflicting

*interpretations regarding ordinance language. The WQML recommended approval, with several considerations providing enhanced stormwater control and protection for the wetlands. The wastewater capacity issues resulted in **a request for additional information and a condition of approval by DNR, which then required additional coordination and review by CARPC staff.***

2103 Middleton – Involved, Non-Controversial

*The City provided a detailed and lengthy application package, including a **detailed stormwater report, Graber Pond hydrologic study, wetland delineation, and utility master reports.** Due to the presence of environmentally sensitive resources, significant staff time was needed to review and navigate acceptable provisions. A request for a **Major Change to EC policies required additional assessment and coordination,** ultimately resulting in a design change and no need for a variance request. The resulting WQML recommended approval, with additional considerations related to stormwater control (100% stay-on) and Graber Pond setback.*

2104 Verona – Involved, Controversial

*The City provided a detailed and lengthy application package, which **combined two disassociated development proposals into one amendment package.** Due to the presence of environmentally sensitive resources, significant staff time was needed to review and navigate acceptable provisions. In the Ardent Glen subarea, these features (along with land use concerns) drummed up significant controversy from the public and Commissioners, **requiring lengthy meetings, consultation with outside experts (WGNHS), and detailed review** of regional stormwater plans and floodplain studies. In the Ardent Glen subarea, a **request for a Major Change to EC policies required additional review and coordination.** The resulting WQML recommended approval, with several considerations related to stormwater control, flood studies, plat requirements, and wetland restoration and cleanup associated with the Major Change variance.*

III. Fees Analysis

Staff Hours and Costs for Recent Amendments

Table 2 presents a compilation of billed hours and costs for amendments in recent years.

Summary: The range of billing is generally between \$5,000 and \$10,000, with the lowest being \$3,807 (2403 Madison – Felland Rd) and the highest being \$16,309.19 (2104 Verona – Ardent Glen) during the period of analysis and based on available records.

Table 2. Overview of complicating factors and staff costs.

| Project No. | CTV | Municipality | Name of USAA | Multiple Subareas | SWMP Provided | Major EC | Public Opposition | Staff Concerns | Hours | Cost |
|-------------|-----|---------------|-----------------------------|-------------------|---------------|----------|-------------------|----------------|--------|--------------|
| 2403 | C | Madison | Felland Rd | | | | | | 36.5 | \$ 3,807.56 |
| 2204 | C | Stoughton | Emmi Roth | | | | | | 40 | \$ 3,924.82 |
| 2405 | T | Middleton | Bala Property | X | | | | | 48.5 | \$ 5,081.60 |
| 2306 | C | Stoughton | CTH AB & USH 51 | | X | | | | 60 | \$ 5,624.46 |
| 2301 | V | Oregon | Autumn Ridge Ph 3 & 5 | | X | | | | 55 | \$ 5,704.03 |
| 2208 | V | DeForest | Daentl Rd | | X | | | | 60 | \$ 5,741.42 |
| 2402 | C | Madison | High Point - Raymond | X | | | | | 58 | \$ 6,061.86 |
| 2201 | C | Madison | Yahara Hills | | | | | | 74.5 | \$ 6,305.59 |
| 2401 | V | DeForest | Hwy 19 & USH 51 (Kwik Trip) | | | | | | 63 | \$ 6,569.55 |
| 2309 | C | Verona | Epic | | | | | | 64.75 | \$ 6,747.11 |
| 2203 | V | Brooklyn | Brooklyn Bus Park - Ph 3 | | | | | | 69 | \$ 6,840.35 |
| 2105 | C | Madison | NE Neighborhood | | | | | | 80 | \$ 6,963.68 |
| 2101 | V | Waunakee | Hogan Rd | | | | | | 85.5 | \$ 7,160.24 |
| 2207 | C | Stoughton | Magnolia Springs | | | | X | | 79 | \$ 7,274.41 |
| 2310 | V | DeForest | Northern Interstate Area | X | | | | | 70.5 | \$ 7,297.90 |
| 2303 | V | Marshall | East Side | X | | | | | 79.5 | \$ 8,261.67 |
| 2007 | C | Stoughton | 51 West | | X | | X | | 115.25 | \$ 8,589.10 |
| 2305 | V | Waunakee | WQM Condition | | X | | | X | 84 | \$ 8,958.01 |
| 2304 | C | Stoughton | Stone Crest | | | | | X | 90 | \$ 9,046.07 |
| 2106 | V | Waunakee | Heritage Hills | | X | | | | 106.5 | \$ 9,600.56 |
| 2008 | V | Oregon | Autumn Ridge | | X | | X | X | 127.75 | \$ 9,860.97 |
| 2302 | V | Waunakee | Kilkenny | | | | | | 99.5 | \$ 10,642.39 |
| 2103 | C | Middleton | Belle Farms | | X | X | | | 129 | \$ 10,947.47 |
| 2205 | V | Cottage Grove | Northern / Southern Area | X | | | X | | 123 | \$ 11,369.60 |
| 2209 | C | Middleton | Redtail Ridge | | X | | | | 113.5 | \$ 12,319.84 |
| 2104 | C | Verona | Ardent Glen - Cascade | X | | X | X | | 265 | \$ 16,309.19 |

Notes:

Process Comparison Amendments

Billing Analysis Amendments (entire lifespan within 2024)

Detailed Billing Analysis of Select USA Amendments (2024)

The purpose of this section is to identify a generalized allocation of when staff spend time on USAAs. Note that the amendments below are different from those included in the Process description section (above), as this analysis was only possible using USAAs completed entirely within CY 2024. Table 3 provides an overview of the amendments analyzed and Figures 1 – 4 provide a graphical representation of the total hours to date against the primary milestones within the process.

The curves below generally match staff intuition, which is that a significant majority of staff time is spent analyzing the proposed amendment and preparing our staff report. Little time is spent early in the process (although it is assumed that some amount of time, still relatively insignificant, is spent prior to the opening of a pay code to track against the project). Furthermore, especially for ones which are not perceived to be confrontational or as having ‘red flags’, the bulk of that time is spent after the public hearing.

Table 3. Overview of amendments for billing analysis.

| | 2405 Middleton | 2403 Madison | 2402 Madison | 2401 DeForest |
|-------------------------------------|-----------------------|---------------------|---------------------|-----------------------------|
| <i>Amendment Name</i> | Bala Property | Felland Road | High-Point Raymond | Hwy 19 & USH 51 (Kwik Trip) |
| <i>Lead Consultant</i> | Vierbicher | City of Madison | City of Madison | MD Roffers |
| <i>Acreage</i> | 2 | 80.8 | 239 | 175.3 |
| <i>Subareas</i> | 1 | 1 | 2 | 1 |
| <i>WWTP</i> | MMSD | MMSD | MMSD | MMSD |
| <i>Presence of wetlands/streams</i> | No | No | Yes | Yes |
| <i>Major EC Change</i> | No | No | No | No |
| <i>SWMP provided</i> | No | No | No | No |
| <i>Public Opposition</i> | No | No | No | No |
| <i>Concerns</i> | No | ? | ? | ? |
| Total Staff Hours | 48.5 | 36.5 | 58 | 63 |
| Total Costs | \$5,081.60 | \$3,807.56 | \$6,061.86 | \$6,569.55 |

Highlighted cells indicate complicating factors.

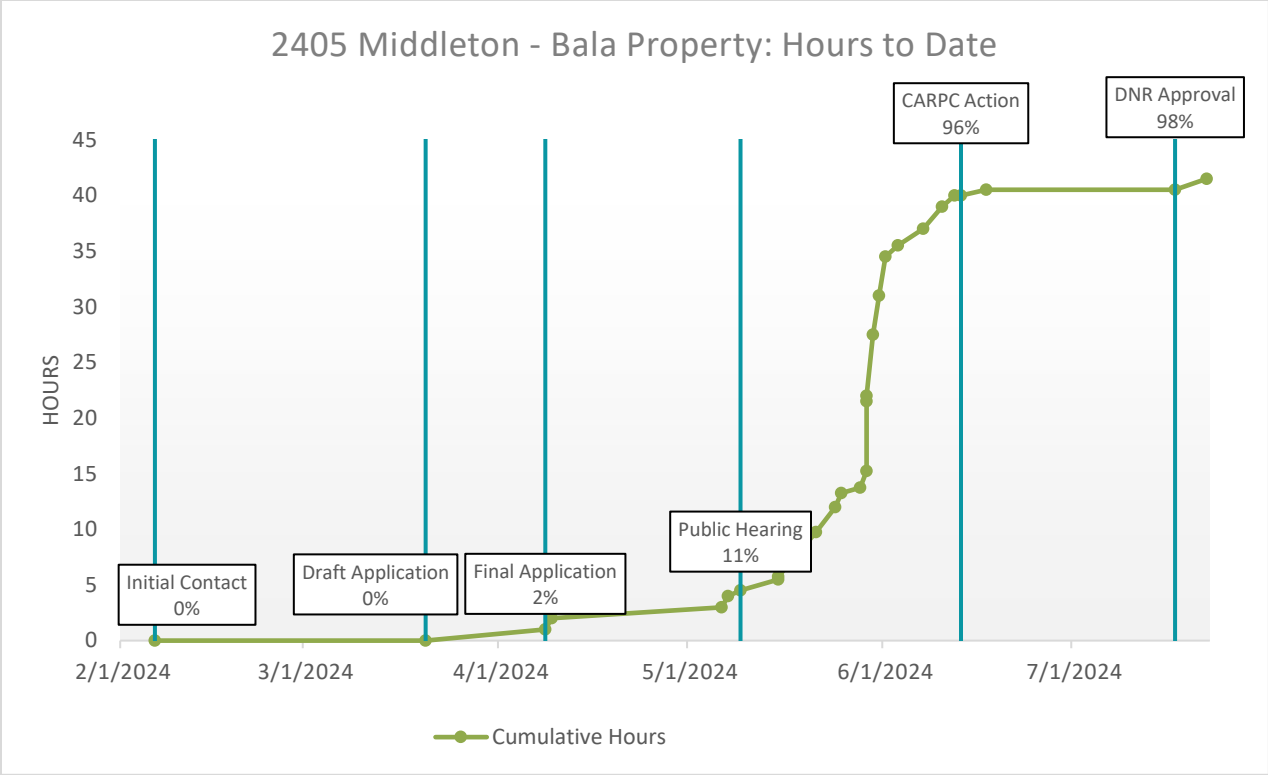


Figure 1. 2405 Middleton - Bala Property

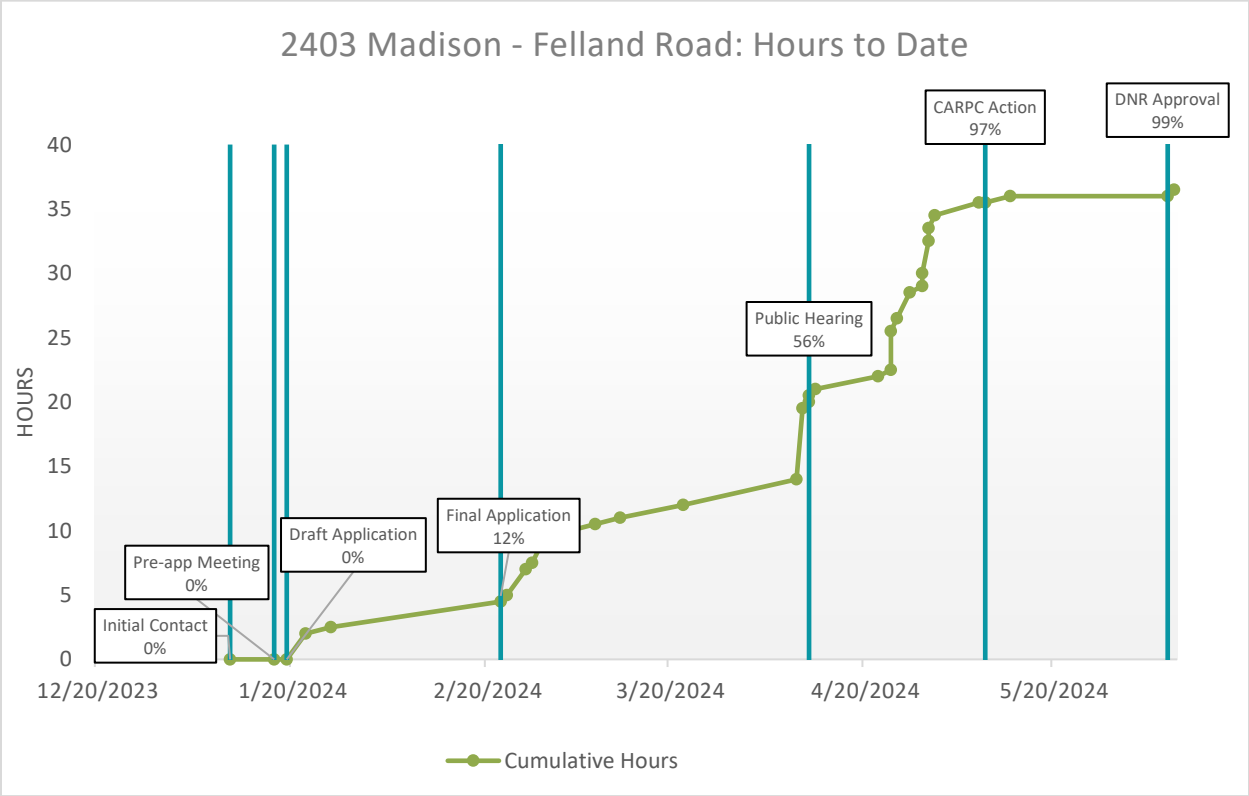


Figure 2. 2403 Madison - - Felland Road

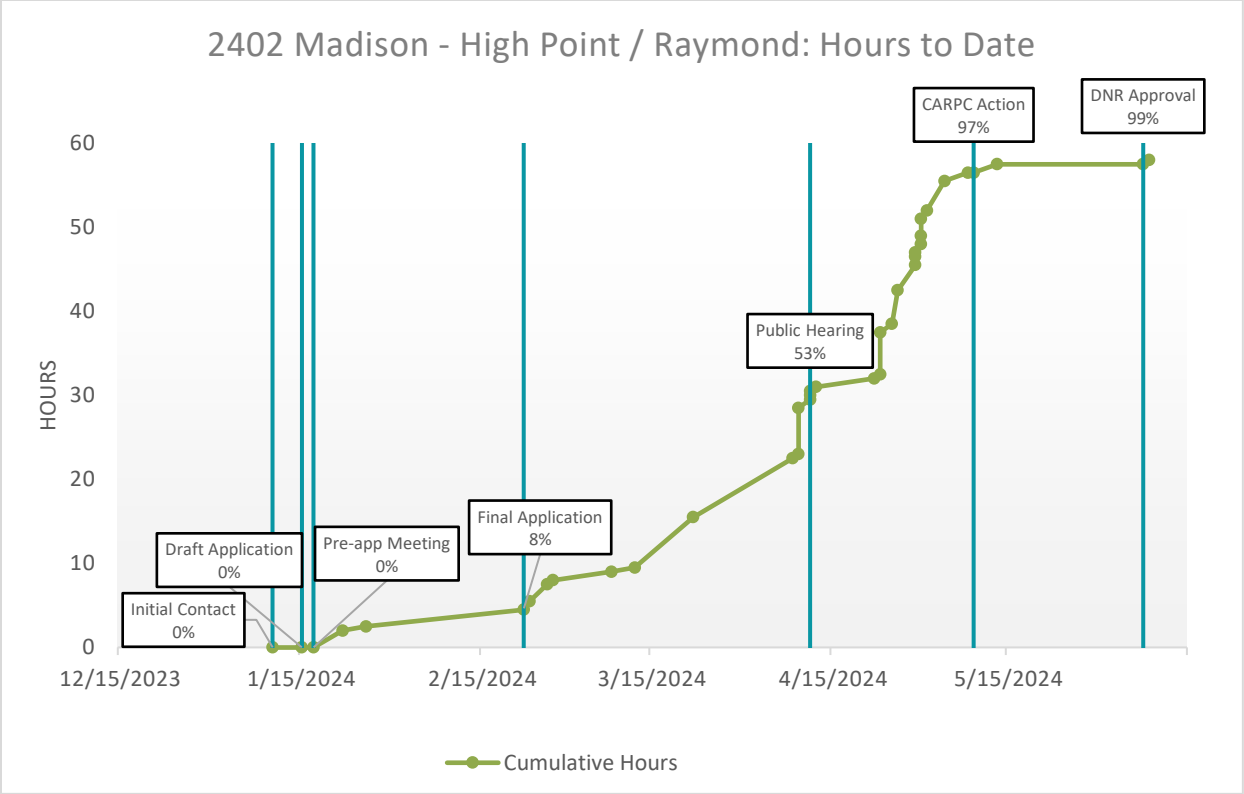


Figure 3. 2402 Madison - High Point / Raymond

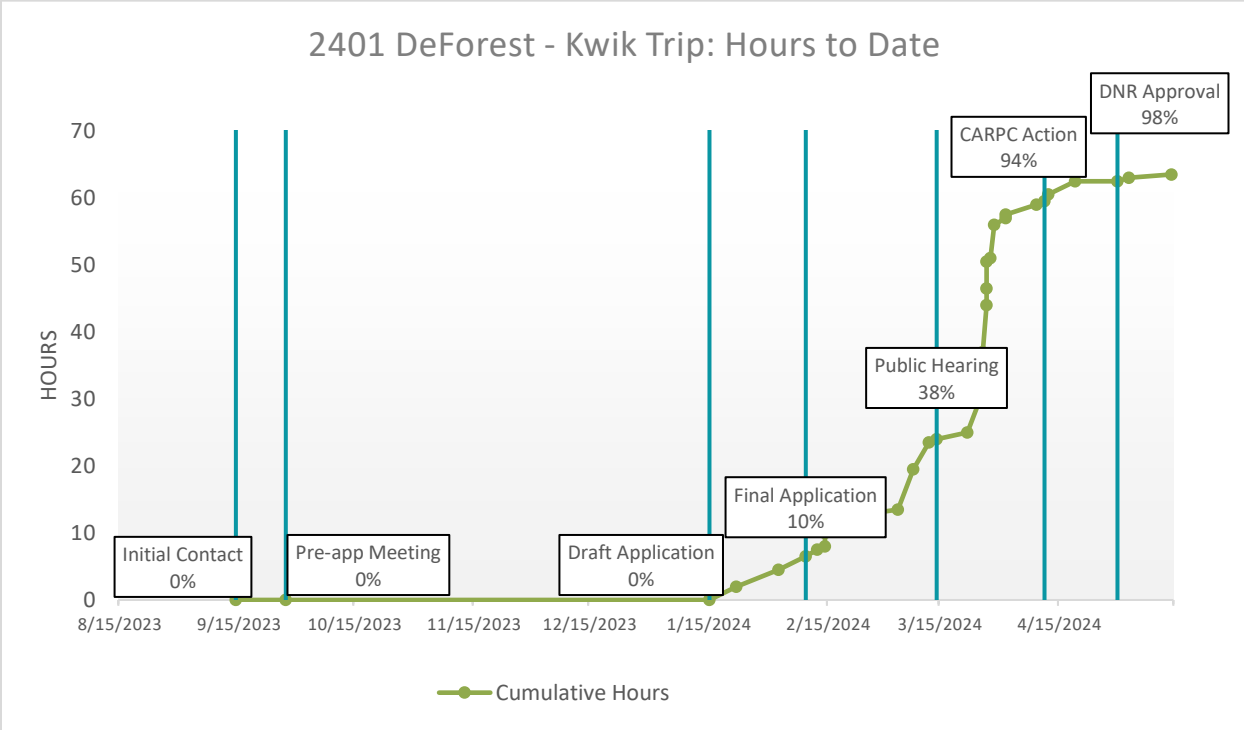


Figure 4. 2401 DeForest – Kwik Trip

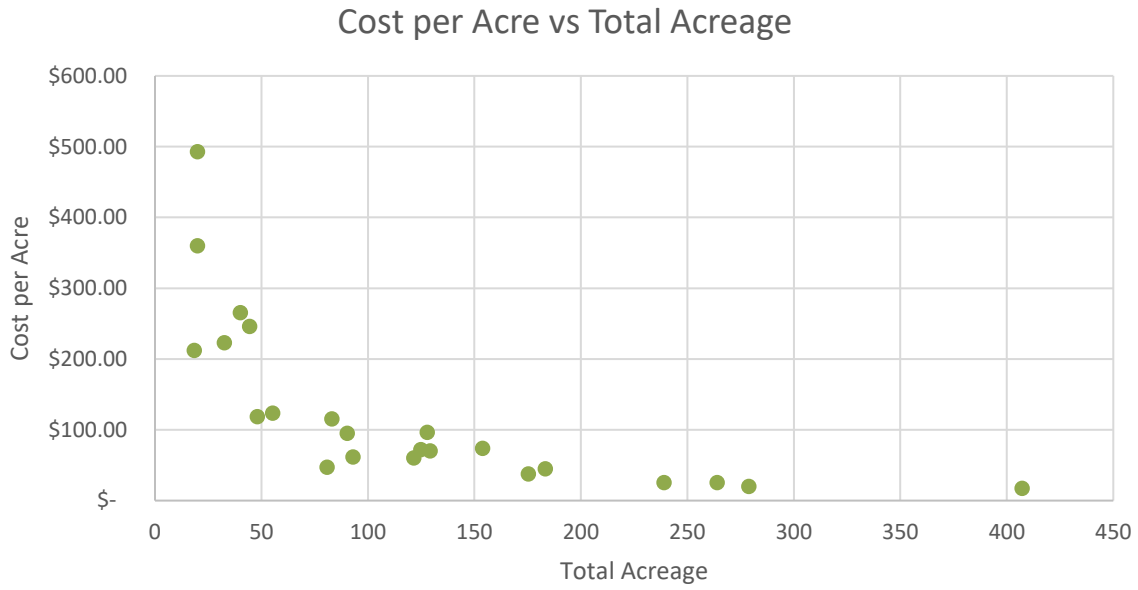


Figure 5. Cost per Acre vs Total Acreage. Outliers were excluded from the data set. Total acreage includes environmental corridors.

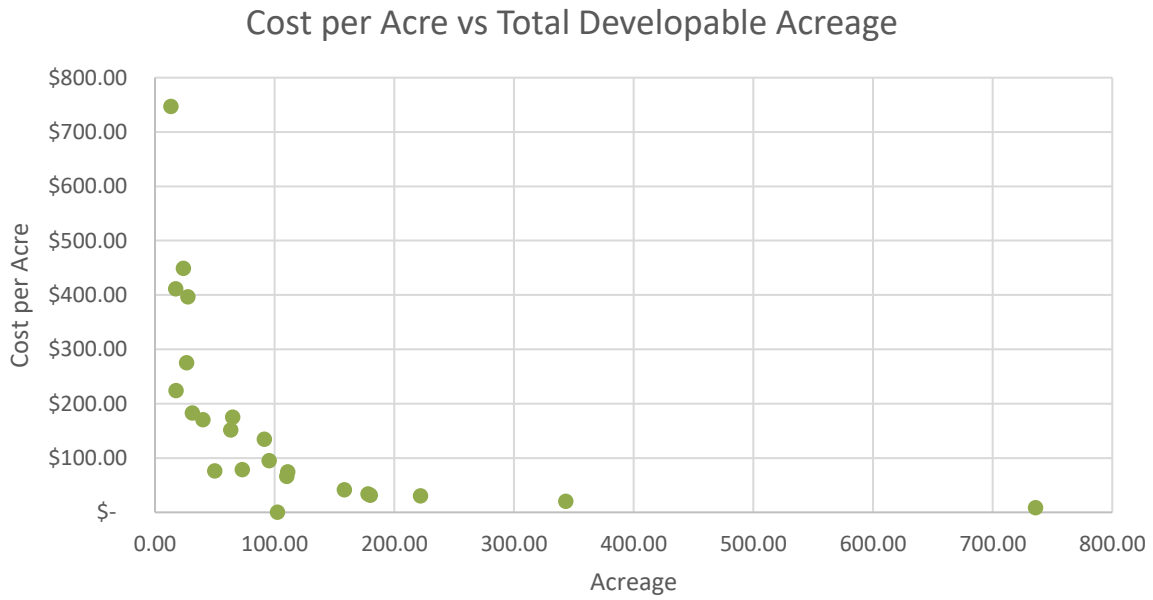


Figure 6. Cost per Acre vs Total Acreage. Outliers were excluded from the data set.