



December 29, 2014

DNR File No. DC-0164

Mr. Kamran Mesbah, Deputy Director
Capital Area Regional Planning Commission
City County Building, Room 362
210 Martin Luther King Jr. Blvd.
Madison, WI 53703

Subject: Amendment to the *Dane County Water Quality Plan*, Revising the Central Urban Service Area and Environmental Corridors Boundaries in the City of Fitchburg's North Stoner Prairie Neighborhood

Dear Mr. Mesbah:

We have completed our review of the subject amendment request that was submitted to the Department on November 19, 2014 by the Capital Area Regional Planning Commission. The Department hereby approves this request which adds approximately 331.4 acres, located in the North Stoner Prairie Neighborhood, north of Lacy Road along both sides of Seminole Highway, to the Central Urban Service Area (see Map 1).

The area includes 42.1 acres of existing development comprised of 0.9 acres of existing residential use, 20.7 acres in mineral extraction, 3.5 acres in manufacturing use, 3.0 acres of school property, and 14.0 acres of existing right-of-way and utilities. Environmental corridors are proposed for 64.8 acres, including three wetlands which will require a full wetland determination before development occurs. Approximately two hundred and twenty-four developable acres will be added to the Central Urban Service Area.

This amendment was requested by the City of Fitchburg, public hearings were held on September 11 and October 9, 2014, and the amendment was adopted by the Capital Area Regional Planning Commission per Resolution No. 2014-14 on October 9, 2014.

This amendment becomes a part of the *Dane County Water Quality Management Plan* and will be forwarded to the US 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 federal regulations 40 CFR, Part 35.

This review is an equivalent 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, Stats.

The approval of this sewer service area amendment does not constitute approval of any other local, state, or federal permit that may be required for sewer construction or associated land development activities.

If you believe that you have a right to challenge this decision, you should know that the 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 sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your 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 section 227.42, Wis. Stats., you have 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 section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section 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,



Thomas J. Muga, P.E., Chief
Wastewater Section
Bureau of Water Quality

cc:

Shawn Pfaff, Mayor, City of Fitchburg, 5520 Lacy Rd., Fitchburg, WI 53711
Tony Roach, Administrator, City of Fitchburg, 5520 Lacy Rd., Fitchburg, WI 53711
Tom Hovel, Planner, City of Fitchburg, 5520 Lacy Rd., Fitchburg, WI 53711
Greg Searle - WDNR – SCR – Fitchburg
Michael Sorge – WDNR – SCR – Fitchburg
Lisa Helmuth – WDNR – WQ/3
Fran Keally – WDNR – WQ/3
Josie Lathrop – WDNR – WQ/3

Map 1 – North Stoner Prairie

