



April 14, 2016

Patrick Marsh
Administrator, City of Fitchburg
5520 Lacy Road
Fitchburg WI 53711-5318

Subject: City of Fitchburg Northeast Neighborhood Urban Service Area Amendment Request

Dear Mr. Marsh:

The Department of Natural Resources (WDNR) is issuing this revised decision on the “Northeast Neighborhood” urban service area amendment request, which replaces its decision issued on April 14, 2015. The attached *Findings of Fact, Conclusions of Law and Decision* for this request identifies a number of conditions and recommendations associated with this administrative decision.

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 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, 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.

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 sections 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 section 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 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,

A handwritten signature in black ink that reads "Susan L. Sylvester". The signature is written in a cursive style and is positioned above a light gray rectangular background.

Susan L. Sylvester, Director
Water Quality Bureau
Department of Natural Resources

- c. Steve Arnold, Mayor of Fitchburg
 - Steve Steinhoff, Deputy Director, CARPC
 - Mike Rupiper, Director of Environmental Resources Planning, CARPC
 - Tom Dawson, Attorney, Wisconsin Department of Justice
 - Carl Sinderbrand, Attorney, Axley Brynelson, LLP
 - Phil Sveum, Fitchburg Lands, LLC
 - Emily Ertel, Attorney, Godfrey & Kahn, SC
 - Mike Szabo, WDNR – LS/8
 - Tim Asplund, WDNR- WQ/3
 - Greg Searle, WDNR- Southern District
 - Lisa Helmuth, WDNR– WQ/3
 - Johanna Lathrop, WDNR – WQ/3