



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

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October 25, 2006

DNR File No. DC-0102

Mr. Michael King
Dane County – Community Analysis and Planning Division
City County Building, Room 362
210 Martin Luther King Jr. Blvd.
Madison, WI 53703

Subject: Amendment of the *Dane County Water Quality Plan*, revising the Oregon Urban Service Area Boundary and Environmental Corridors within the Village of Oregon

Dear Mr. King:

We have completed our review of the subject amendment request that was submitted to the Department on October 6, 2006 from the Dane County Community Analysis and Planning Division. The Department hereby conditionally approves this amendment request that adds 6.6 acres to the Oregon Urban Service Area, including 1.4 acres of environmental corridor. The amendment area is located on the west side of the Village of Oregon, at the south end of North Perry Parkway and north of Park Street. (see attached Map 1).

The proposed amendment was requested by the Village of Oregon.

The Department notes that the amendment area is proposed to be developed with a community sports arena located within a distance of 500 feet from the adjacent Oregon Wastewater Treatment Facility. In accordance with s. NR 110.15 (3) (d), Wis. Adm. Code, wastewater facilities shall be separated from residential and commercial development by at least 500 feet. Based on the current proposal for the sports arena, to be owned by the Oregon Community Sports Arena, Inc. (a non-profit 503 (c) corporation), the Department has determined that the development is not "commercial" or "residential" for purposes of s. NR 110.15 (3) (d) determinations. We view this as community recreational type development.

By copy of this letter we are notifying the Village of Oregon of this determination and we recommend that this letter be retained by the Village as documentation of this determination. For any future expansion or upgrade of the wastewater facility, a NR 110.15 (3) (d) assessment will be conducted at that time, and a determination made based on the status of the nearby development at that time. Should the sports arena change in nature or ownership in the future, such that it is determined to be "commercial" development, then s. NR 110.15 (3) (d) would become applicable.

This Department approval is subject to the condition that the Village of Oregon pursue the following:

- Submit detailed stormwater management plan for the amendment area for Dane County CAPD and DCLCD staff review and approval prior to land disturbing activities. The stormwater management plan should control post-development runoff rates to pre-development rates for all storms up to and including the 100-year storm, protect the water quality of receiving streams, and prevent increased downstream flooding and erosion.
- Include all stormwater management facilities in environmental studies.
- Meet the minimum criteria for the delineation of environmental corridors for the amendment area as part of the final site plan.

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 you have a right to challenge this decision made by the Department, you should know that Wisconsin statutes, administrative codes and case law establish time periods and requirements for reviewing Department decisions.

To seek judicial review of the Department's decision, sections 227.52 and 227.53, Stats., establish criteria for filing a petition for judicial review. Such a petition shall be filed with the appropriate circuit court and shall be served on the Department. The petition shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Stats., and ch. NR 2, Wis. Adm. Code, 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. The filing of a request for a contested case hearing is not a prerequisite for judicial review.

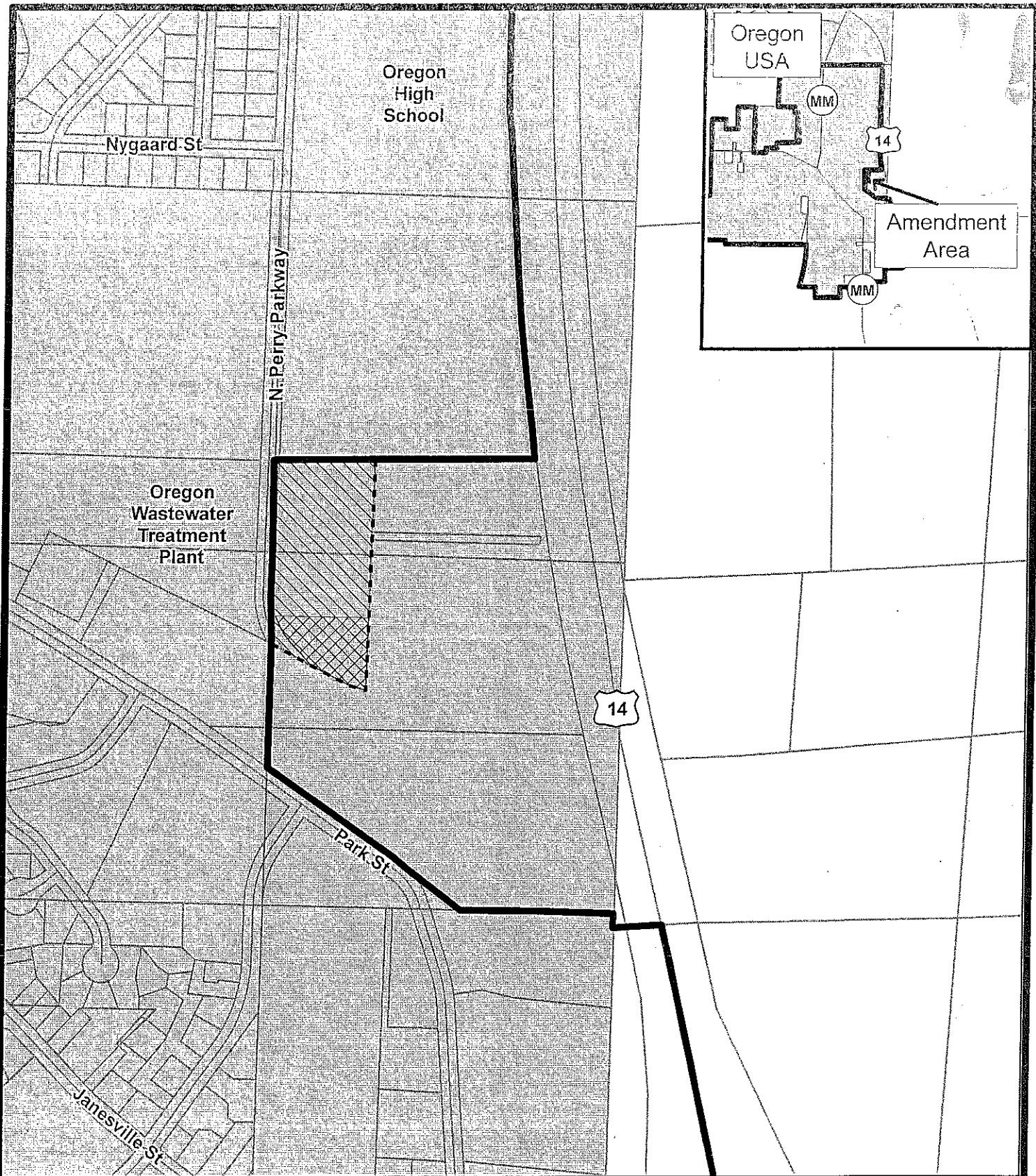
Sincerely,



Todd L. Ambs, Administrator
Division of Water






cc w attachment:

Mark Below, Director; Village of Oregon Public Works; 117 Spring St.; Oregon, WI 53703
Mike Gracz, Administrator; Village of Oregon
Georgia Johnson, Clerk, Village of Oregon
Jerry Luebke, President, Village of Oregon
Sue Josheff – DNR - SCR – Fitchburg
Ruth Johnson – DNR – SCR – Horicon
Larry Benson – DNR - SCR – Fitchburg
Tom Gilbert – WT/2

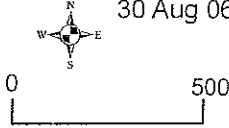


Map 1

Amendment
to the Oregon
Urban Service Area,
Village of Oregon

-  Service Area to be added
-  Proposed Environmental Corridor
-  Existing Urban Service Area Boundary
-  Proposed Urban Service Area Boundary
-  Incorporated Area

30 Aug 06



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Feet

Prepared by staff
of the CAPD.