



November 18, 2013

DNR File No. DC-0157

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 Dane Urban Service Area Boundary and Environmental Corridors in the Village of Dane.

Dear Mr. Mesbah:

We have completed our review of the subject amendment request that was submitted to the Department on November 15, 2013 by the Capital Area Regional Planning Commission. The Department hereby approves this amendment request which removes 235 acres of agricultural lands from the Dane Urban Service Area. This action allows the Village of Dane to continue to include the lands in agricultural preservation programs as required by changes in the Farmland Preservation laws and the Dane County Comprehensive Plan. The land requested to be removed is in two areas. The first area consists of 95 acres and is located in the northeast section of the urban service area. The second area consists of 140 acres and is located in the south central section of the urban service area (see Map 1 Dane USA Reduction).

Current development patterns and projected population growth were analyzed, and it was concluded that the remaining 140 acres of land available in developable land use categories together with existing residential lots would be sufficient to meet residential development needs for the next twenty years.

The amendment was requested by the Village of Dane on September 18, 2013, a public hearing was held on November 14, 2013 and the amendment was adopted by the Capital Area Regional Planning Commission per Resolution CARPC No. 2013-15 on November 14, 2013.

This amendment becomes a part of the Dane County Water Quality Management Plan and the Rock River Basin and the Wisconsin River Basin Plans 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.

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,

A handwritten signature in black ink, appearing to read "Thomas J. Muga". The signature is written in a cursive style with a long horizontal flourish extending to the right.

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

cc:

Steve Clemens, President, Village of Dane, 102 W. Main Street, Dane, WI 53529-0168
Teresa Hughey Groves, Clerk/Treasurer, Village of Dane
Greg Searle - WDNR – SCR – Fitchburg
Mike Sorge – WDNR – SCR – Fitchburg
Lisa Helmuth – WDNR – WQ/3
Fran Keally – WDNR – WQ/3