

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
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August 15, 2011  
DC-10-2010

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



DNR File No.

Subject: Amendment to the *Dane County Water Quality Plan*, revising the Verona Urban Service Area boundary and Environmental Corridors in the Town of Verona

Dear Mr. Mesbah:

The Wisconsin Department of Natural Resources (WDNR) has completed a review of the subject amendment request submitted to WDNR by the City of Verona on October 8<sup>th</sup> 2010 under the state's Water Quality Management Planning Program, after the amendment request was not approved by the Capital Area Regional Planning Commission (CARPC). Based on this review, the Department is concerned that ch. NR 121, Wis. Adm. Code, does not support CARPC's denial of the amendment request, so we are sending the subject amendment and related materials back to CARPC for further action. We are requesting expeditious review and decision making regarding this proposal.

WDNR is the primary agency responsible for reviewing and administering decisions under the areawide water quality management planning program. The contractual relationship between the WDNR and CARPC is for the purpose of administering the Dane County Water Quality Management Plan. CARPC must adhere to the guidelines and decision criteria for complying with water quality related issues articulated in ch. NR 121, Wis. Adm. Code, and the Dane County Water Quality Management Plan.

The WDNR has reviewed materials relating to the Verona amendment for the Town of Verona (CARPC Resolution No 2009-10) which was initially presented at the August 13, 2009 CARPC meeting, where no action was taken pending a report by the Technical Advisory Committee in the spring of 2010. Subsequently, the amendment was presented on April 8, 2010, where the resolution failed but, due to the number of absentee commissioners, CARPC bylaws required that it be reconsidered. At the May 13, 2010 meeting, no action was taken. WDNR has also reviewed subsequent materials provided in the attached amendment request submitted to the Department on October 8<sup>th</sup> 2010. These materials include the Montgomery Associates watershed study for Badger Mill Creek, which was conducted to fulfill the WDNR requirement to evaluate limitations to development in the area prior to USA expansions within a watershed context. WDNR has reviewed this study and finds that it satisfies the scope intended by WDNR in the requirement, and that its findings and recommendations meet with WDNR approval.

The Verona amendment appears to meet and exceed state standards for stormwater management as well as the newly promulgated local stormwater controls passed by the Dane County Board as part of Chapter 14 of the county ordinance. The amendment also appears to account for development limitations identified in the Montgomery Associates report.

Therefore, WDNR is sending this amendment and associated materials back to CARPC for reconsideration and resolution in light of recent information and our belief that the proposed amendment adheres to local and state water quality requirements articulated in the Dane County Water Quality Management Plan and in NR 121.

Should you wish to discuss this further, please call Lisa Helmuth at 608-266-7768 or me at 608-266-7420.

Sincerely,



Thomas J. Muga, P.E., Chief  
Wastewater Section  
Bureau of Watershed Management

cc:

Jon Hochkammer, Mayor, City of Verona, 111 Lincoln Street, Verona, WI 53593-1520

Bill Burns, Administrator, City of Verona

Bruce Sylvester, Planning Director, City of Verona

Ken Johnson – AD/8

Judy Ohm – LC/8

Eric Rortvedt – SCR, Fitchburg

Lisa Helmuth – WT/3

Fran Keally – WT/3