



DANE COUNTY

Kathleen M. Falk
County Executive

DATE: May 25, 2005

TO: Dane County Community Analysis & Planning Division

FROM: Kathleen M. Falk *KM*
Dane County Executive

RE: Proposed Amendment for the Verona Urban Service Area (564.5 acres)

I write to object to aspects of the proposed 564.5 acre expansion of the Verona Urban Service Area (USA) because of that expansion's effects on water quality, traffic congestion, and intergovernmental cooperation.

Water Quality. The largest additions to the USA affect the Sugar River Watershed and, in particular, a high quality tributary of that river, Badger Mill Creek.

Staff analysis does not properly describe the full value of Badger Mill Creek. The Creek does not have "the potential to support a Cold Water Fishery;" it right now supports a significant population of brown trout. While the stream is stocked by the Department of Natural Resources (DNR), it also has clear evidence of successful natural reproduction of feral brown trout. In the DNR's traditional classification of trout streams, it is clearly a Class II stream. The stream's population of trout is robust enough to sustain significant recreational fishing. While some of my comments are based on personal experience and observation, the continuing presence of significant numbers of brown trout can be verified by reference to the annual reports of the Madison Metropolitan Sewerage District (MMSD). **Because** MMSD discharges highly treated effluent into Badger Mill, it monitors that stream closely, including annual electro-shocking to monitor fish populations. The results, contained in the annual report, demonstrate there is a significant and growing population of brown trout.

Badger Mill thus has demonstrable greater value than the analysis supposes. The growth that will accompany the USA will adversely impact Badger Mill in two ways. First, the growth will provide a major increase in the amount of impervious surface in the watershed. This potentially has all the negative consequences of urban runoff: flashiness, sedimentation, trash, and other pollutants. In the case of Badger Mill, a trout stream, the loss of infiltration and thermal pollution are big problems. The second problem is one briefly mentioned in the staff analysis: the growth of population occasioned by this USA expansion may lead MMSD to develop a satellite sewage treatment plant which would discharge directly to the Sugar River. This, in turn, would lead MMSD to stop the discharge of effluent with Badger Mill. That discharge has been



helpful in restoring and maintaining the base flow the creek had lost due to previous urbanization and is critical in maintaining the creek's surprisingly robust health.

The increased urbanization in the watershed, coupled with the loss of effluent, could be the death knell for Badger Mill. Any major impairment to this stream would be a significant environmental and recreational loss in the metropolitan area.

While staff proposes a series of conditions to protect natural resources, including Badger Mill, they are so generally stated that one cannot be confident they will protect the creek. In particular, the public needs some assurance that the combination of infiltration practices and other storm water management techniques or structures will protect Badger Mill's base flow and temperature regimen. More ominously, if MMSD decides to discharge to the Sugar River, who will devise ways to augment the base flow of Badger Mill in order to protect it in the face of existing and planned urbanization? The analysis does not address that very real question.

The staff's judgment that the USA expansion supports the "protect [ion] [of] environmental, cultural and historic resources" is, at best, premature in the face of the very real threats and unanswered questions concerning Badger Mill Creek.

With regard to these threats, I respectfully propose that this USA expansion be delayed and the South portion of the expansion be deleted until we learn from other Dane County projects, such as developments in Token Creek Watershed, how effective infiltration practices are in protecting coldwater resources and until staff can prepare contingency plans to protect the creek in the face of additional urbanization of the possible loss of effluent discharge.

Traffic. Staff analysis shows that the urbanization allowed by this expansion will bring (sometimes in and of itself and sometimes in combination with other developments) about the need for the following projects on county highways:

- Capacity expansion on CTH M, north of CTH MV
- Capacity expansion on CTH MV, near its intersection with CTH M
- Intersection improvements along CTH MV
- Intersection improvements along CTH M, south of CTH 69.

Staff note that the first two segments are already experiencing congestion. These are all county roads. The County currently does not have any plans or funds budgeted to address these needs. In the absence of any discussion with the County as to whether or when or how we can participate in addressing these transportation issues, it again is premature to allow the urbanization of as large an area as called for in the USA expansion. Approved as is, this USA expansion will guarantee worse traffic congestion in Verona. In view of the undeveloped USA Verona currently has, it is unnecessary and unwise to take that step before more detailed transportation planning and agreement take place.

Intergovernmental Cooperation. The southern area of this proposed USA expansion represents a major intrusion into the town of Verona. It is a farming area; one can easily see that most of the lands are being cultivated as we speak. The urbanization of this land will increase pressure on

parts of the Town where there are active, successful farms and important natural resources. The Town has recently revised its Town Plan to recommit itself to the preservation of farming and open spaces, especially south of 18-151. While the City and Town have been in negotiations over a boundary agreement, such agreement does not exist yet. Several communications with elected town officials over the past week and as recent as yesterday have made it abundantly clear to me that the Town has serious concerns over this USA expansion. Again, it is premature to approve this USA until the Town's concerns are expressed and, if at all possible, addressed until the boundary agreement is concluded.

In summary, as currently proposed, this USA expansion will lead to the degradation of an important water resource, exacerbate traffic congestion, and make it more difficult for the town of Verona to preserve important open spaces and farming area. In order to avoid those negative consequences, I respectfully request that the USA expansion be reduced by eliminating the southern component. Furthermore, it should be delayed until we can plan and agree on steps to better protect Badger Mill Creek, until the City, County, and possibly the Town and State reach agreement on short and long term steps to deal with traffic congestion, and until the Town and City conclude a Boundary Agreement.

Thank you for your consideration of these requests.

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