



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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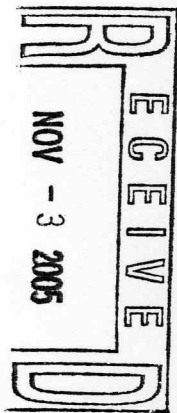
November 2, 2005

DNR File No. DC-0090

Mr. Michael King  
Dane County – Community Analysis and Planning Division  
30 West Mifflin Street  
Suite 402  
Madison, WI 53703-2558

SUBJECT: Amendment to the *Dane County Water Quality Plan*, Revising the Verona Urban Service Area Boundary and Environmental Corridors in the City and Town of Verona

Dear Mr. King:



In a previous letter dated September 20, 2005 the Department of Natural Resources suspended the conditional approval of an amendment to the *Dane County Water Quality Plan*, revising the Verona Urban Service Area Boundary and Environmental Corridors in the City and Town of Verona. This amendment specifically added 564.5 acres to the Verona USA, including 5.2 acres of existing development (right-of-way) and 91.2 acres of environmental corridors, for a net developable area of 418.1 acres. This amendment was originally approved by the Department on August 29, 2005.

The Department hereby removes the suspension of the approval of the amendment described above. Development in the proposed service areas may proceed subject to the three conditions proposed by your division and referenced in the August 29, 2005 letter. We are satisfied that the City of Verona in close cooperation with Dane County and other government units will implement efforts that will result in long term protection of water quality.

The Dane County Executive and the City of Verona mutually agree that protecting the water quality in the Badger Mill Creek/Sugar River watersheds is critical. We strongly agree with this. We call on the City, the Town of Verona, Madison Metropolitan Sewerage District and the County to reinvigorate discussions on these issues as soon as possible and report back to us on the progress of these discussions in the next three months. The discussions should provide a framework for an agreement to delineate areas in the Urban Service Area adjacent to Badger Mill Creek for preservation and possibly for limited development. Future sewer service area amendments in areas adjacent to the Badger Mill Creek/Sugar River (not covered under this amendment) will be influenced by the degree to which the framework is developed and implemented.

The City of Verona has a long standing commitment to stormwater management practices and shoreland zoning requirements that are at least as protective or more protective as those

required or recommended by Dane County. In addition, we understand that the City has agreed to the three conditions that were recommended by your Division in May 2005 and adopted by the Department in the August 29 letter. Condition Number 1 contained the following recommended stormwater management measures:

- Water quality and quantity control measures (wet or extended detention ponds ) to protect sensitive receiving waters from the adverse impacts of development to the maximum extent practicable (well beyond the Dane County minimum standards)
- Thermal impact mitigation measures, where necessary.

The Department believes the development of performance measurements is necessary to determine the success of infiltrative measures recommended by your office in Condition Number 1. With no ability to measure the impacts of these practices, there can be no assurance that this condition is achieved and that water quality is protected. To this end, the City of Verona should commit to working with the County and other government units to develop measurements that assess the performance of infiltration practices. We expect that Verona will be an active participant in this process and will use the results of this effort as the sewer service area is developed.

Before closing we would like to add one clarification to the October 24, 2005 letter that documented our decision to place a hold on final decisions by the Department on sewer service area amendments until December 23, 2005. As my staff has discussed with you, your division should continue the routine processing of sewer service area amendments during this two month period. Please submit the final packages when you have completed your work to avoid any unnecessary delay.

We appreciate the patience of all parties that were affected by the suspension. We also thank the City of Verona and the Dane County Executive's office for working together to help preserve and protect Badger Mill Creek and other important water resources in Dane County.

Sincerely,



Todd L. Ambs, Administrator  
Division of Water

cc: John Volker, Mayor; City of Verona  
David Combs, Chair, Town of Verona  
Kathleen Falk, Dane County Executive  
Jon Schellpfeffer, Executive Director Madison Metropolitan Sewerage District  
Kevin Connors – Dane County Land Conservation Department  
Margorie Devereaux – DNR – SCR – Fitchburg  
William White – Michael Best & Friedrich LLP