

# FACT SHEET

## SANITARY SEWER SERVICE AREA PLAN AMENDMENT PROCESS

The first step in the process usually occurs when the Regional Planning Commission (RPC) receives a request from the sewage treatment plant operator, usually a municipality, to amend the planned sanitary sewer service area. The official forwarding the request typically acts in response to the initiative of a local governing body or commission.

The RPC staff will then perform a cursory review of the request and identify any issues that need to be addressed or require further study. This is followed by contact with the local official who originated the request for the amendment, usually with a phone call or e-mail, indicating that the RPC staff is either ready to proceed or needs to address other issues before moving ahead. If there are no further issues to be addressed, as in the case of relatively simple amendments involving small areas of land with limited or no intergovernmental and/or environmental concerns, a public hearing date can be arranged and a timely schedule for preparation and delivery of a draft report can be agreed upon.

Further issues to be addressed, if any, typically involve local land use plans, facilities plans, environmental corridor delineations, floodplain determinations, wetland field identification, or other development review or environmental concerns. Sometimes it is necessary to wait for the requesting municipality to amend its land use plan, complete parts of the development review process, or to wait for forthcoming environmental information from other parties or agencies before proceeding. After all of the information and review needed to prepare the amendment is current and available, the RPC staff can usually proceed immediately with preparation of a draft staff report and meet any reasonable schedule.

If there are substantial further issues to be addressed, and/or the currently adopted sewer service area plan is significantly dated or obsolete, it may be necessary to completely revise the plan. Such a revision entails updating the inventory of all environmentally significant lands in the area; preparing a “buildout” analysis to estimate future population, households, and sewage flows; and working closely with local staff to ensure that accurate information is developed and presented. In the course of preparing a draft report, the estimated future population inherent in full development of the proposed sewer service area will be compared with RPC long-range projections for the area. The preparation of a revised sewer service area plan report takes about 6 to 24 months to complete, but eventually ends up following the same process as more brief amendments—conduct of a public hearing and subsequent consideration and adoption by the RPC.

The public hearing is a necessary component of the amendment process because the sewer service area plan amendments and revisions often directly affect property owners and local land use planning. In addition, a public hearing is mentioned several times in Chapter NR 121 of the *Wisconsin Administrative Code*, pertaining to sewer service area plans, as a minimum requirement for a public participation process. Therefore, it will be necessary to conduct a public hearing at the local level following preparation of a draft report by the RPC and local staff. The RPC requires that all property owners directly affected by a proposed sewer service area amendment be individually notified well in advance of the public hearing so they will have an opportunity to comment on the proposal.

The Regional Planning Commission’s governing body meets quarterly, in March, June, September, and December of each year to consider amendments to the regional water quality management plan. With regard to sewer service area amendments, this is preceded by a meeting of the Commission’s Planning and Research Committee, which reviews the amendments, usually two weeks prior to the Commission meetings. What this essentially means is that RPC staff reports describing the amended sewer service area, along with the results of the public hearing and local adoption, must be completed well in advance of each quarterly Commission meeting. More specifically, the cutoff dates for sewer service area amendments to be prepared and locally adopted are typically mid-February, mid-May, mid-August, and mid-November. The RPC staff can usually provide specific dates within a three or four month time span before the Committee and Commission meetings, and will keep local officials engaged in sewer service area planning well-advised of the schedule and cut-off dates.

Communities that are connected to the Milwaukee Metropolitan Sewerage District (MMSD) sewage treatment facilities are somewhat of a special case. Requests for sewer service area plan amendments are received directly from communities that contract with MMSD for sewage disposal, rather than from MMSD. Each of those communities has engaged with MMSD in facilities planning activities and has been allocated sewage treatment plant capacity accordingly. Thus, the MMSD-related communities, to a large degree, operate their own sewerage systems and treatment capacities, and are handled as such in the sewer service area amendment process. During the amendment process, the community concerned should collaborate with MMSD staff and RPC staff to address any concerns that may arise prior to the preparation of a draft amendment report and conduct of a related public hearing.

The process is partially concluded after the RPC staff has prepared a draft sewer service area amendment report, a public hearing has been conducted specifically on the report and its findings, the community concerned has adopted the amendment report by resolution, and the Regional Planning Commission has adopted the report as an amendment to the regional water quality management plan. Usually within two or three weeks of Commission adoption, the RPC staff report is edited, published, and sent to the Wisconsin Department of Natural Resources (WDNR) for final action. In addition, for communities involved with MMSD, the final report is sent to the MMSD for final action by that agency’s governing body. Following formal approval by the WDNR, and by the MMSD if applicable, the process is complete and the results are made official.

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