

AMENDMENT TO THE

**REGIONAL WATER QUALITY
MANAGEMENT PLAN**

CITY OF WAUKESHA

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

SEPTEMBER 2004

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SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

W239 N1812 ROCKWOOD DRIVE • PO BOX 1607 • WAUKESHA, WI 53187-1607 •

TELEPHONE (262) 547-6721
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SUBJECT: Certification of Amendment to the Adopted Regional Water Quality Management Plan (Waukesha Sanitary Sewer Service Area)

TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Waukesha and the City of Waukesha.

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Waukesha County Administration Building, Waukesha, Wisconsin, on the 15th day of September 2004, the Commission did by unanimous vote of all Commissioners present, being 14 ayes and 0 nays, and by appropriate Resolution, a copy of which is made a part hereof and incorporated by reference to the same force and effect as if it had been specifically set forth herein in detail, adopt an amendment to the regional water quality management plan, which plan was originally adopted by the Commission on the 12th day of July 1979, as part of the master plan for the physical development of the Region. Said amendment to the regional water quality management plan pertains to the revised Waukesha sanitary sewer service area and consists of the documents attached hereto and made a part hereof. Such action taken by the Commission is recorded on, and is a part of, said plan, and the plan as amended is hereby transmitted to the constituent local units of government for consideration, adoption, and implementation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and cause the Seal of the Southeastern Wisconsin Regional Planning Commission to be hereto affixed. Dated at the City of Pewaukee, Wisconsin, this 15th day of September 2004.

Thomas H. Buestrin, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Philip C. Evenson, Deputy Secretary

RESOLUTION NO. 2004-15

RESOLUTION OF THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION AMENDING THE ADOPTED REGIONAL WATER QUALITY MANAGEMENT PLAN, THAT PLAN BEING A PART OF THE MASTER PLAN FOR THE PHYSICAL DEVELOPMENT OF THE REGION CONSISTING OF THE COUNTIES OF KENOSHA, MILWAUKEE, OZAUKEE, RACINE, WALWORTH, WASHINGTON, AND WAUKESHA IN THE STATE OF WISCONSIN (WAUKESHA SANITARY SEWER SERVICE AREA)

WHEREAS, pursuant to Section 66.0309(10) of the *Wisconsin Statutes*, the Southeastern Wisconsin Regional Planning Commission, at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, *A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000*; and

WHEREAS, at a meeting held on the 3rd day of March 1999, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the sanitary sewer service area attendant to the City of Waukesha sewage treatment plant as documented in SEWRPC Community Assistance Planning Report No. 100 (2nd Edition), *Sanitary Sewer Service Area for the City of Waukesha and Environs, Waukesha County, Wisconsin*, dated March 1999 as amended; and

WHEREAS, by letter dated July 23, 2004, the City of Waukesha requested that the Regional Planning Commission amend the Waukesha sanitary sewer service area to remove the secondary environmental corridor designation from certain lands; and

WHEREAS, the proposed amendment to the regional water quality management plan is documented in a Commission staff memorandum entitled, "Response to Request by the City of Waukesha to Amend the Waukesha Sanitary Sewer Service Area," attached hereto and made a part hereof; and

WHEREAS, the requested change to the regional water quality management plan, as documented in the aforementioned staff memorandum, was the subject of a public hearing held jointly by the City of Waukesha and the Regional Planning Commission on August 17, 2004; and

WHEREAS, Section 66.0309(9) of the *Wisconsin Statutes* authorizes and empowers the Regional Planning Commission, as the work of making the whole master plan progresses, to amend, extend, or add to the master plan or carry any part or subject thereof into greater detail;

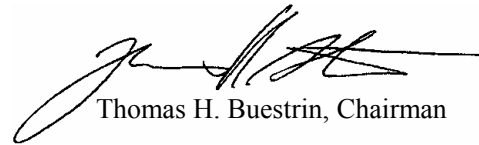
NOW, THEREFORE, BE IT HEREBY RESOLVED:

FIRST: That the regional water quality management plan for the Southeastern Wisconsin Region, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 30, Volumes One, Two, and Three, which was adopted by the Commission as a part of the master plan on the 12th day of July 1979, and which was amended on the 3rd day of March 1999 to include the refined Waukesha sewer service area, as set forth in SEWRPC Community Assistance Planning Report No. 100 (2nd Edition), be and the same hereby is amended in the manner identified on Map 1 of the aforementioned SEWRPC staff memorandum.

SECOND: That the Executive Director is authorized to submit findings to the Wisconsin Department of Natural Resources and the Wisconsin Department of Commerce that public and private sanitary sewer extensions necessary to serve the anticipated development on the lands concerned are in conformance with, and would serve to implement, the adopted regional water quality management plan as herein amended.

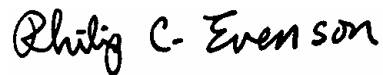
THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals as the law may require or as the Commission, its Executive Committee, or its Executive Director, at their discretion, shall determine and direct.

The foregoing resolution, upon motion duly made and seconded, was regularly adopted at the meeting of the Southeastern Wisconsin Regional Planning Commission held on the 15th day of September 2004, the vote being: Ayes 14; Nays 0.



Thomas H. Buestrin, Chairman

ATTEST:



Philip C. Evenson, Deputy Secretary

SEWRPC STAFF MEMORANDUM

RESPONSE TO REQUEST BY THE CITY OF WAUKESHA TO AMEND THE WAUKESHA SANITARY SEWER SERVICE AREA

INTRODUCTION

By letter dated July 23, 2004, the City of Waukesha requested that the Southeastern Wisconsin Regional Planning Commission initiate the process necessary for an amendment to the Waukesha sanitary sewer service area plan as that plan is currently documented in SEWRPC Community Assistance Planning Report No. 100 (2nd Edition), *Sanitary Sewer Service Area for the City of Waukesha and Environs*, dated March 1999, as amended. The basic purpose of this amendment would be to remove the secondary environmental corridor designation from certain lands in order to accommodate the development with public sanitary sewer service of four lots within a proposed single-family residential subdivision, most of which lies outside the environmental corridor.

AREA DESCRIPTION

The proposed amendment would remove the secondary environmental corridor designation on the land shaded red on Map 1. This area, which encompasses 0.9 acre, would be modified and then developed to accommodate four single-family homes within the proposed Rolling Ridge South Addition No. 7 subdivision. The subject area has been designated a secondary environmental corridor based upon the presence of steep slopes and wildlife habitat.

The delineation of environmentally significant areas on Map 1 has been updated to year 2000 aerial photography.

RELATIONSHIP TO THE REGIONAL WATER QUALITY MANAGEMENT PLAN / WAUKESHA SEWER SERVICE AREA PLAN

Under the adopted regional water quality management plan—including the Waukesha sanitary sewer service area plan element—the extension of sanitary sewers to serve urban development within secondary environmental corridors may be permitted at the discretion of the concerned local unit of government, provided that there are no significant adverse water quality impacts. In general, portions of secondary environmental corridors which consist of wetlands, shorelands, floodlands, or steep slopes are considered ineligible for sewer service because of the potential adverse water quality impacts. Under the currently adopted Waukesha sanitary sewer service area plan, the subject area has been designated as a secondary environmental corridor which is ineligible for sewer service, given the steep slopes in proximity to Pebble Creek.

ANALYSIS

Whether the proposed sewer service area amendment may be approved depends upon the following: 1) the position of the City of Waukesha with respect to the preservation/development of the subject area; and 2) the potential water quality impacts.

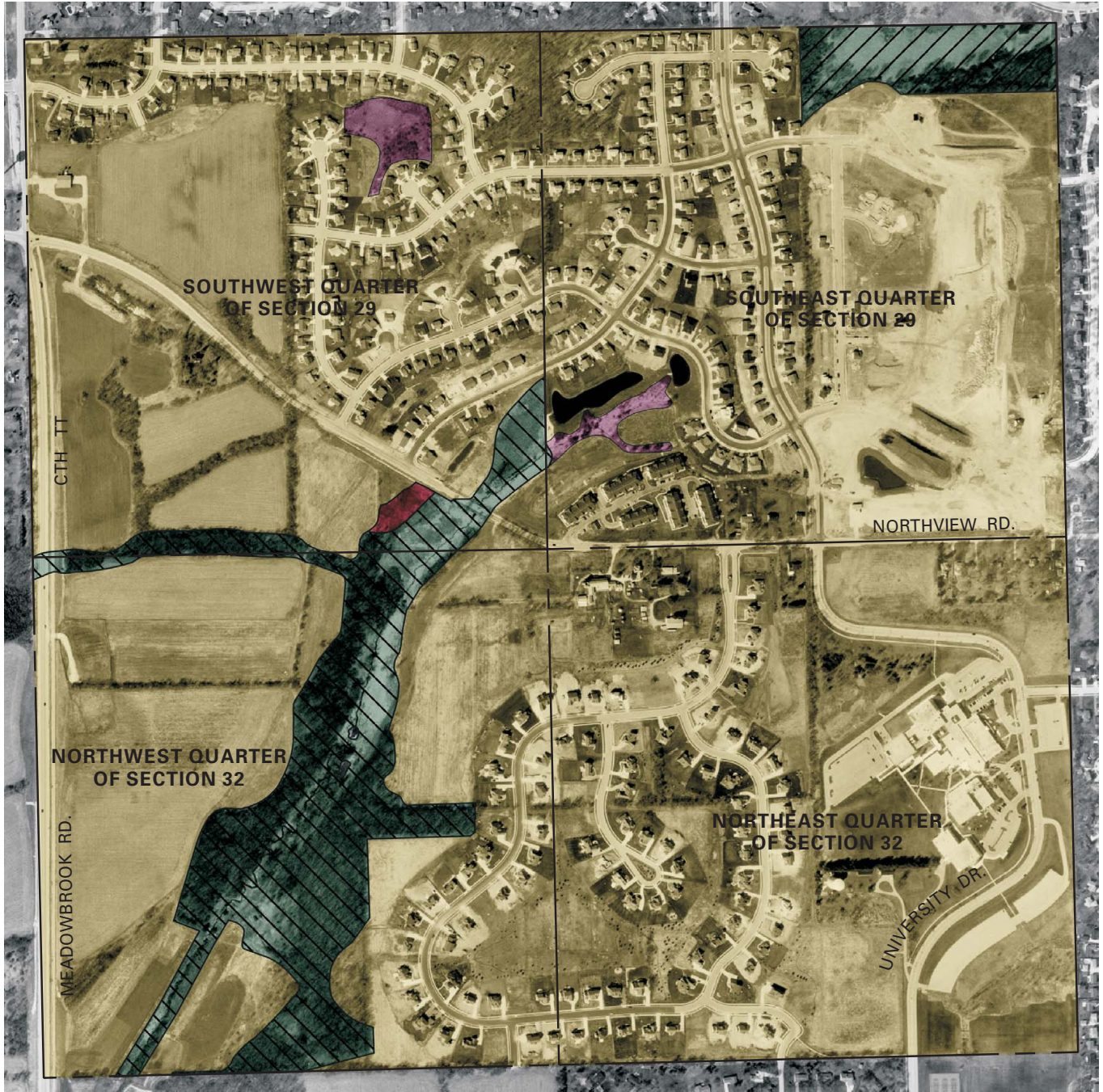
With regard to the first consideration, in its July 23, 2004, letter to the Commission, the City of Waukesha staff indicated that they are in support of removing the secondary environmental corridor designation as proposed, noting that a final determination by the City would be made following a public hearing on the proposed amendment.

With regard to the second consideration, under the proposed site development plan, the stormwater runoff from the subject area would drain via overland flow to proposed stormwater treatment train facilities—including a detention pond and secondary detention facility providing for storage and infiltration—to be located west of Pebble Creek. The disturbed portion of the development site is planned to be provided with erosion control measures. Accordingly, there are not expected to be significant negative water quality impacts resulting from the development activities in the subject area.

Map 1

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF WAUKESHA

Portions of U.S. Public Land Survey Sections 29 and 32
Township 7 North, Range 19 East



Photography Date: March 2000

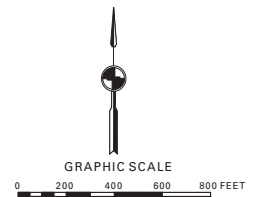
- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
- LANDS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA INELIGIBLE FOR SEWER SERVICE

- PLANNED SANITARY SEWER SERVICE AREA

PROPOSED PLAN AMENDMENTS:
 AREA TO BE REMOVED FROM THE SECONDARY ENVIRONMENTAL CORRIDOR

NOTE: This map replaces the corresponding portion of Map 8-7, page 28, of SEWRPC Community Assistance Planning Report No. 100 (2nd Edition), *Sanitary Sewer Service Area for the City of Waukesha and Environs, Waukesha County, Wisconsin*, March 1999.

Source: SEWRPC.



SEWAGE TREATMENT PLANT CAPACITY ANALYSIS

The inclusion of four additional housing units, as would be provided for under this amendment, would have a negligible impact on the total sewage flow to the Waukesha sewage treatment plant.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on August 17, 2004 at the Waukesha City Hall to receive public comment on, and reaction to, the proposed plan amendment. The hearing was sponsored by the City of Waukesha and the Regional Planning Commission. A summary of the plan amendment was presented prior to receiving public comment, including a description of the lands to be removed from the secondary environmental corridor.

At the public hearing, one member of the Waukesha Common Council expressed concern about potential adverse water quality impacts, citing the cumulative effects of individual decisions which occur at the expense of the environment, suggesting that now is the time to take a stand against further losses. No other objections to the proposed amendment were raised at the hearing.

LOCAL GOVERNMENT ACTION ON THE PLAN AMENDMENT

The Common Council of the City of Waukesha adopted the plan amendment as presented at the public hearing on August 17, 2004.

CONCLUDING RECOMMENDATIONS

Based on the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the sanitary sewer service area for the City of Waukesha as documented in SEWRPC Community Assistance Planning Report No. 100 (2nd Edition), as amended. A detailed delineation of the amended sewer service area and of the environmentally significant lands within is shown on the aerial photograph reproduced as Map 1 on the preceding page of this report.