

AMENDMENT TO THE

**REGIONAL WATER QUALITY
MANAGEMENT PLAN**

CITY OF MUSKEGO

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

JUNE 2006

**SOUTHEASTERN WISCONSIN
REGIONAL PLANNING COMMISSION**

KENOSHA COUNTY

Leon T. Dreger
Adelene Greene
Leonard R. Johnson

RACINE COUNTY

Richard A. Hansen,
Treasurer
Michael J. Miklasevich
James E. Moyer

MILWAUKEE COUNTY

William R. Drew,
Vice Chairman
Lee Holloway
Linda J. Seemeyer

WALWORTH COUNTY

Anthony F. Balestrieri
Gregory L. Holden
Allen L. Morrison

OZAUKEE COUNTY

Robert A. Brooks
Thomas H. Buestrin,
Chairman
Gus W. Wirth, Jr.
Secretary

WASHINGTON COUNTY

Charlene S. Brady
Daniel S. Schmidt
David L. Stroik

WAUKESHA COUNTY

Kenneth C. Herro
Anselmo Villarreal
Paul G. Vrakas

**SOUTHEASTERN WISCONSIN REGIONAL
PLANNING COMMISSION STAFF**

Philip C. Evenson, AICP Executive Director
Kenneth R. Yunker, PE Deputy Director
Nancy M. Anderson, AICP Chief Community Assistance Planner
Robert E. Beglinger Chief Transportation Engineer
Michael G. Hahn, PE, PH Chief Environmental Engineer
Elizabeth A. Larsen Business Manager
John G. McDougall Geographic Information Systems Manager
John R. Meland Chief Economic Development Planner
Dr. Donald M. Reed Chief Biologist
Kenneth J. Schlager, PE, Chief Telecommunications Engineer
Donald P. Simon Chief Planning Illustrator
William J. Stauber, AICP Chief Land Use Planner

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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

TELEPHONE (262) 547-6721
FAX (262) 547-1103

Serving the Counties of:

KENOSHA
MILWAUKEE
OZAUKEE
RACINE
WALWORTH
WASHINGTON
WAUKESHA



SUBJECT: Certification of Amendment to the Adopted Regional Water Quality Management Plan (Muskego Sanitary Sewer Service Area)

TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Waukesha, the City of Muskego, and the Milwaukee Metropolitan Sewerage District

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Washington County Highway Department Building, West Bend, Wisconsin, on the 21st day of June 2006, the Commission did by unanimous vote of all Commissioners present, being 17 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 Muskego 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 22nd day of June 2006.

Thomas H. Buestrin, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Philip C. Evenson, Deputy Secretary

RESOLUTION NO. 2006-09

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 (MUSKEGO 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 December 1997, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Muskego sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 64 (3rd Edition), *Sanitary Sewer Service Area for the City of Muskego, Waukesha County, Wisconsin*, December 1997, as amended; and

WHEREAS, in January 2006, the City of Muskego requested that the Commission amend the Muskego sanitary sewer service area to include certain lands located outside of the currently adopted sewer service area; 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 Muskego to amend the Muskego 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 Muskego and the Regional Planning Commission on May 23, 2006; 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 December 1997 to include the refined Muskego sewer service area, as set forth in SEWRPC Community Assistance Planning Report No. 64 (3rd 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.

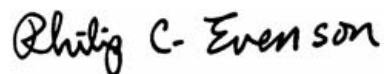
THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals 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 21st day of June 2006, the vote being: Ayes 17; Nays 0.

A handwritten signature in black ink, appearing to read 'Thomas H. Buestrin', with a long horizontal flourish extending to the right.

Thomas H. Buestrin, Chairman

ATTEST:

A handwritten signature in black ink, appearing to read 'Philip C. Evenson', written in a cursive style.

Philip C. Evenson, Deputy Secretary

SEWRPC STAFF MEMORANDUM

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

INTRODUCTION

In January 2006, the City of Muskego requested that the Southeastern Wisconsin Regional Planning Commission amend the City of Muskego sanitary sewer service area tributary to the Milwaukee Metropolitan Sewerage District (MMSD) as that area is currently documented in SEWRPC Community Assistance Planning Report No. 64 (3rd Edition), *Sanitary Sewer Service Area for the City of Muskego, Waukesha County, Wisconsin*, dated December 1997, as amended. The basic purpose of the amendment would be to include within the planned sewer service area certain lands located immediately adjacent to, but outside, the currently adopted sewer service area to accommodate planned residential uses.

AREA DESCRIPTIONS

As shown on Map 1, three areas are proposed to be added to the Muskego sanitary sewer service area at this time. These areas are described below.

Area A:

Area A encompasses 38 acres located in the vicinity of the intersection of Woods Road and Racine Avenue (CTH Y). It contains ten acres of environmentally significant lands, including seven acres of existing primary environmental corridor and three acres of farmed floodplain. The farmed floodplain is included in the primary environmental corridor shown on Map 1, it being envisioned that the floodplain would eventually revert to more natural conditions and become part of the adjacent corridor as agricultural operations cease. The 28-acre remainder of Area A is currently in agricultural use. The developable portion of Area A is anticipated to accommodate 37 housing units with a population of about 100 persons.

Area B:

Area B encompasses 115 acres generally located west of the intersection of Durham Drive and North Cape Road (CTH OO) in the east-central portion of the City. It contains eight acres of environmentally significant lands, including two acres of primary environmental corridor, one-acre of isolated natural resource area, two acres of small wetland, and three acres of farmed floodplain. The farmed floodplain is included in the primary environmental corridor shown on Map 1, it being envisioned that the floodplain also would eventually revert to more natural conditions and become part of the adjacent corridor as agricultural operations cease. Area B also contains eight acres of existing urban land, including road rights-of-way, and five existing housing units. The 99-acre remainder of Area B is currently in agricultural use. The developable portion of area B is anticipated to accommodate 135 housing units with a population of about 350 persons.

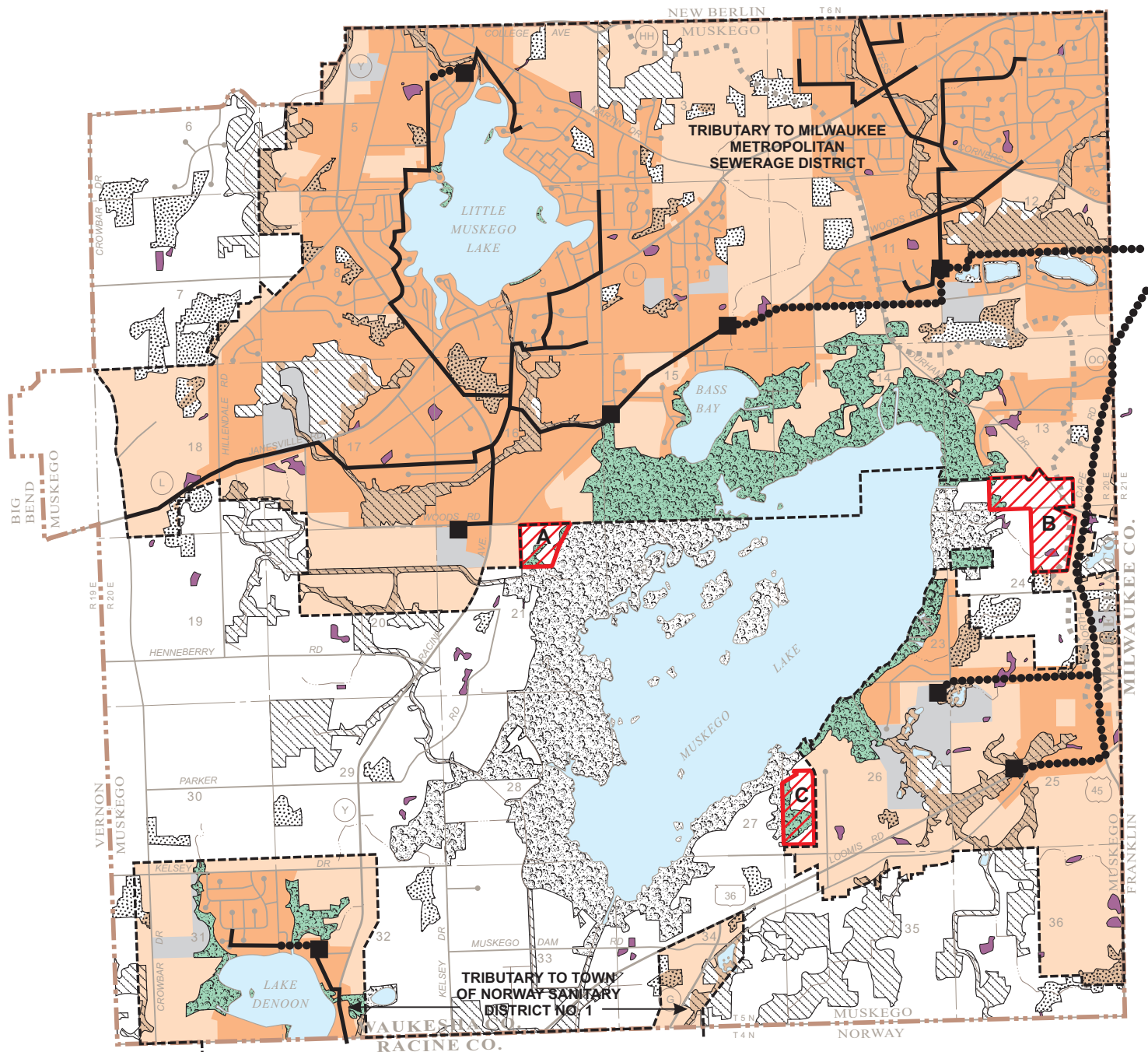
Area C:





Area C encompasses 54 acres located northwest of the intersection of Heinrich Drive and Thode Drive, south of Muskego Lake. It contains 21 acres of primary environmental corridor and 33 acres in agricultural use. The developable portion of area C is anticipated to accommodate 69 housing units with a population of about 180 persons.

In total, the areas proposed to be added to the Muskego-MMSD sanitary sewer service area encompass 207 acres. Of that total, about 39 acres, or 19 percent, has been identified as environmentally significant lands. The developable portions of the subject areas would accommodate 241 housing units with a population of about 630 persons.



Maps 2 to 4 present a more detailed delineation of the proposed sewer service area and the environmentally significant lands within. The boundaries of the environmentally significant areas as shown on these maps have been updated to reflect year 2005 conditions as well as the results of any wetland field survey work.










PROPOSED AMENDMENT TO THE CITY OF MUSKEGO SANITARY SEWER SERVICE AREA

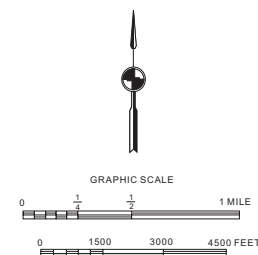


-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREA
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

RESTRICTIONS ON SEWERED DEVELOPMENT

-  PRIMARY ENVIRONMENTAL CORRIDORS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IS CONFINED TO LIMITED RECREATIONAL AND INSTITUTIONAL USES AND RURAL-DENSITY RESIDENTIAL DEVELOPMENT IN AREAS OTHER THAN WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES.
-  PORTIONS OF SECONDARY ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA WHICH ARE COMPRISED OF WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IN THESE AREAS IS NOT PERMITTED.

-  EXISTING AREA SERVED BY PUBLIC SANITARY SEWER SYSTEM: 1997
-  PLANNED SANITARY SEWER SERVICE AREA
-  AIRPORTS, LARGE PARK AND RECREATION SITES, AND SIMILAR USES WITHIN THE SEWER SERVICE AREA
-  PLANNED SANITARY SEWER SERVICE AREA BOUNDARY
-  EXISTING TRUNK SEWER
-  EXISTING FORCE MAIN
-  EXISTING PUMPING STATION
-  CITY OF MUSKEGO CIVIL DIVISION BOUNDARY
-  AREAS PROPOSED TO BE ADDED TO THE MUSKEGO SANITARY SEWER SERVICE AREA



RELATIONSHIP OF THE PROPOSED CHANGE TO THE EXISTING SANITARY SEWER SERVICE AREA

The proposed addition of 207 acres to the Muskego-MMSD sanitary sewer service area represents an increase in the planned sewer service area of about 2 percent and would result in an approximately 3 percent increase in the population of the sewer service area.

WATER QUALITY IMPACTS

Under the adopted regional water quality management plan and the amended Muskego sanitary sewer service area plan, it is envisioned that all urban lands within the planned urban service area would ultimately receive sanitary sewer service. In addition, the provision of public sanitary sewer service to those lands within the planned sanitary sewer service area which are currently developed and served by onsite sewage disposal systems may be expected to reduce the pollutant loadings from the existing onsite sewage disposal systems to both surface and ground waters. Assuming that all applicable Federal, State, and local permits are obtained and that proper site development and construction practices are employed, there should be no significant adverse water quality impacts attributable to the development of the planned sanitary sewer service area.

SEWAGE TREATMENT PLANT CAPACITY IMPACT ANALYSIS

The size and capacity of the MMSD sewage conveyance and treatment facilities are set forth in the District's facility plan completed in 1998.¹ That facility plan is based upon a planned Muskego-MMSD sewer service area resident population level of 25,100 persons. The sewage flow estimates developed for the MMSD facility plan included a sewage contribution allowance for commercial development as a component of the estimated per capita contribution used in the planning; and, in addition, a separate allocation for sewage loadings from industrial lands. The 2005 population of the Muskego-MMSD sanitary sewer service area is estimated at about 20,500 persons. The proposed additions to the sewer service area would add a population of about 630 persons. Thus, there is planned capacity available for the areas proposed to be added to the sewer service area.

The MMSD is currently carrying out facility planning to extend the plan design year for its facilities to the year 2020. The City of Muskego is working with the MMSD in that planning process.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on May 23, 2006, at the Muskego City Hall to receive public comment on, and reaction to, the proposed plan amendment. The hearing was sponsored by the City of Muskego and the Regional Planning Commission. A summary of the plan amendment was presented prior to receiving public comment, including a description of the lands proposed to be added to the sewer service area and any environmentally significant land located within.

No objections were expressed at the hearing. Accordingly, no changes were made to the proposed plan amendment as presented at the public hearing.

LOCAL GOVERNMENT SUPPORT FOR THE PLAN AMENDMENT

The Common Council of the City of Muskego adopted the plan amendment on May 23, 2006.

CONCLUDING RECOMMENDATION

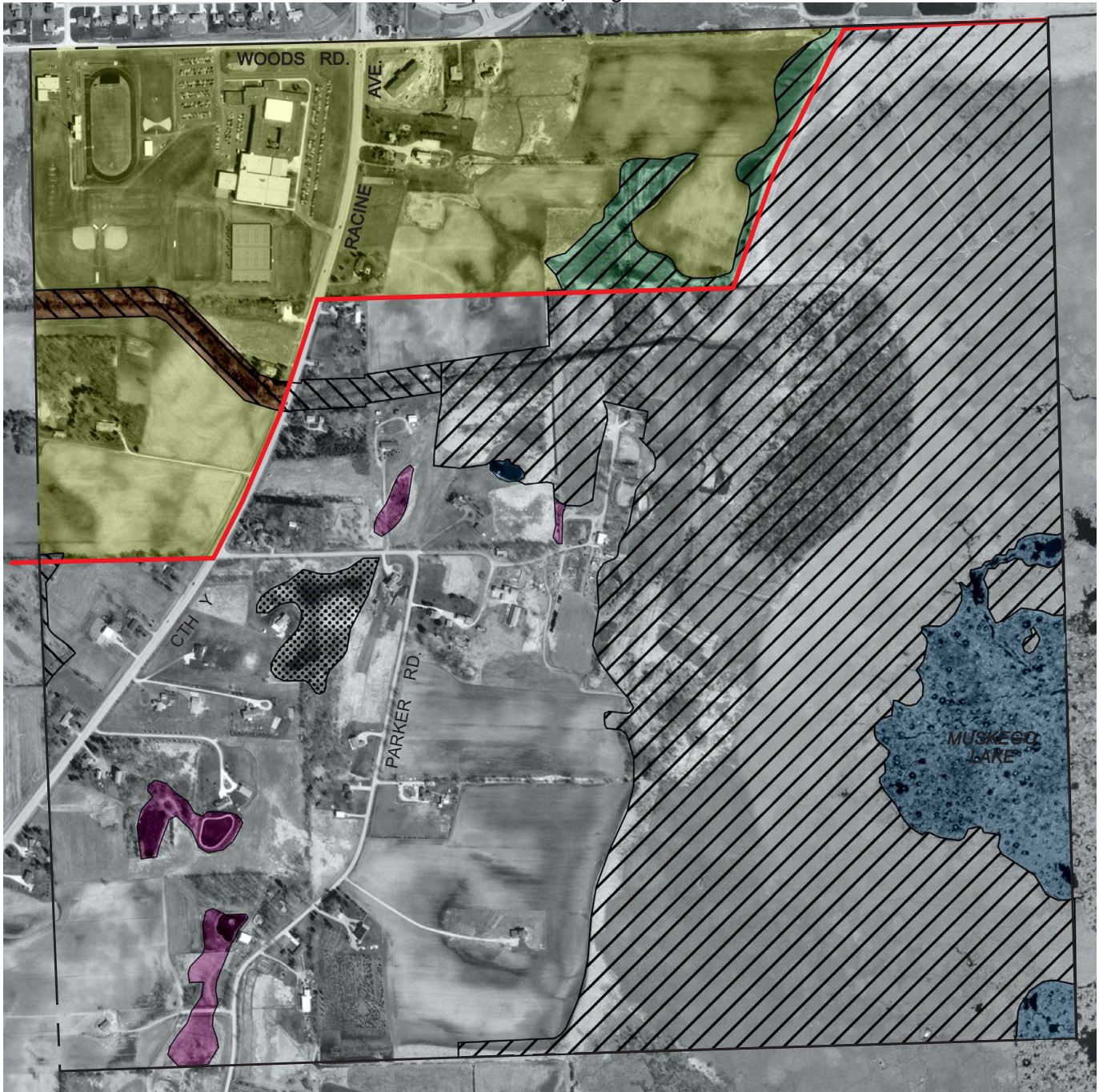
Based on the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the sanitary sewer service area for the City of Muskego as documented in SEWRPC Community Assistance Planning Report No. 64 (3rd Edition), as amended.

¹Milwaukee Metropolitan Sewerage District 2010 Facilities Plan, *May 1998*.







Map 2

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

U. S. Public Land Survey Section 21
Township 5 North, Range 20 East





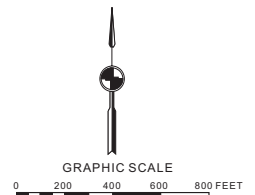
Photography Date: April 2000

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREA
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
-  SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED RESOURCE AREAS
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

-  PLANNED SANITARY SEWER SERVICE AREA

RESTRICTIONS ON SEWERED DEVELOPMENT

-  PRIMARY ENVIRONMENTAL CORRIDORS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IS CONFINED TO LIMITED RECREATIONAL AND INSTITUTIONAL USES AND RURAL-DENSITY RESIDENTIAL DEVELOPMENT IN AREAS OTHER THAN WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES.
-  PORTIONS OF SECONDARY ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA WHICH ARE COMPRISED OF WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IN THESE AREAS IS NOT PERMITTED.



NOTE: This map replaces the corresponding portion of map 3-6, page 11, of SEWRPC Amendment to the Regional Water Quality Management Plan—City of Muskego, December 1999.

Source: SEWRPC.







Map 3

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

U. S. Public Land Survey Sections 13 and 24
Township 5 North, Range 20 East





Photography Date: April 2000

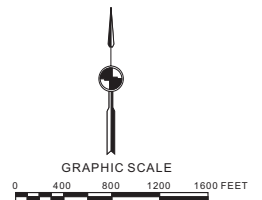
-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREA
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
-  SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

-  PLANNED SANITARY SEWER SERVICE AREA

RESTRICTIONS ON SEWERED DEVELOPMENT

-  PRIMARY ENVIRONMENTAL CORRIDORS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IS CONFINED TO LIMITED RECREATIONAL AND INSTITUTIONAL USES AND RURAL-DENSITY RESIDENTIAL DEVELOPMENT IN AREAS OTHER THAN WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES.
-  PORTIONS OF SECONDARY ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA WHICH ARE COMPRISED OF WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IN THESE AREAS IS NOT PERMITTED.

NOTE: This map replaces the corresponding portion of map 3-7, page 12, of SEWRPC Amendment to the Regional Water Quality Management Plan—City of Muskego, December 1999.

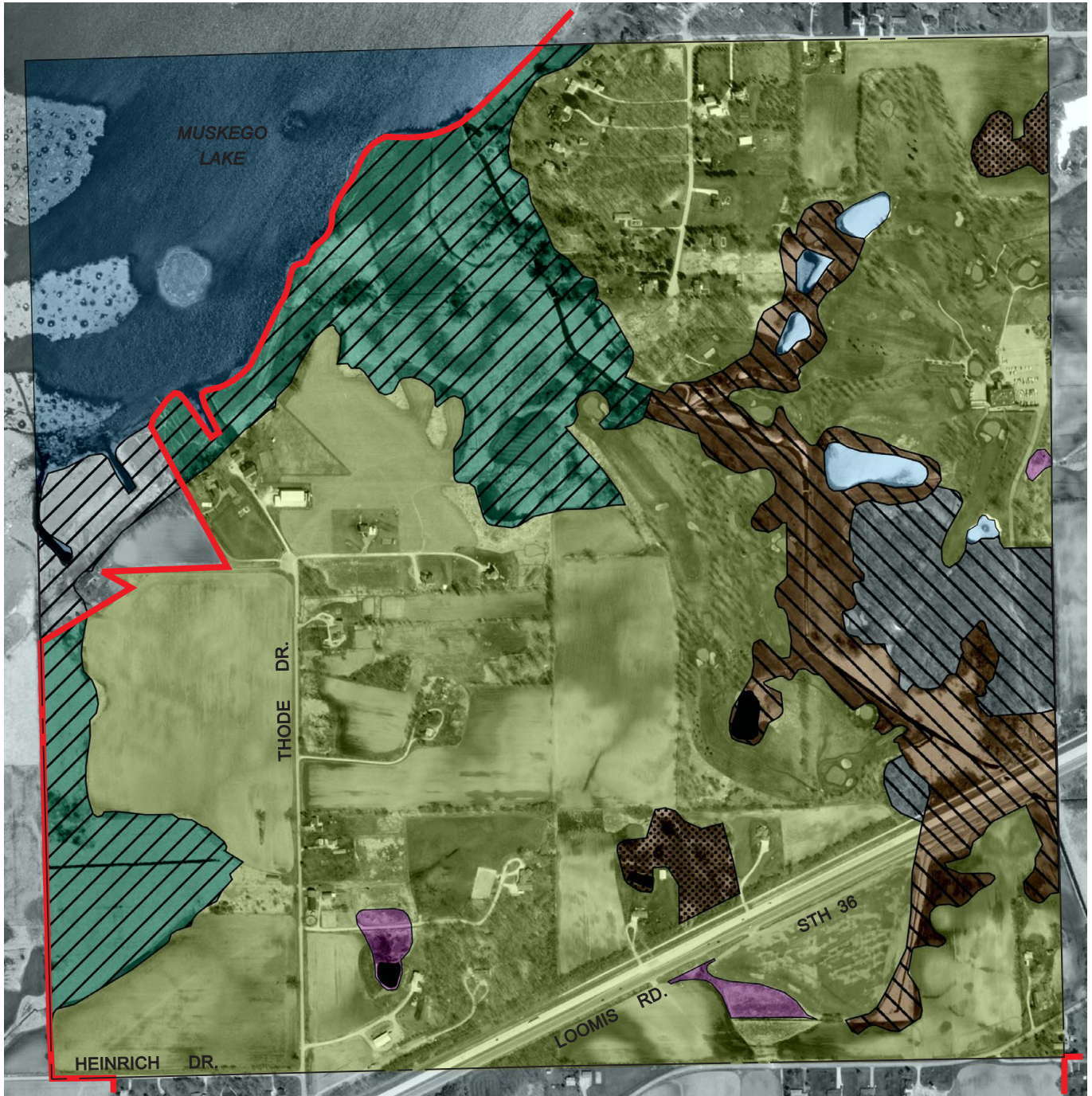


Source: SEWRPC.







Map 4

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

U. S. Public Land Survey Section 26
Township 5 North, Range 20 East





Photography Date: April 2000

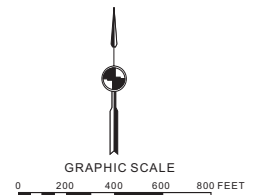
-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREA
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
-  SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

-  PLANNED SANITARY SEWER SERVICE AREA

RESTRICTIONS ON SEWERED DEVELOPMENT

-  PRIMARY ENVIRONMENTAL CORRIDORS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IS CONFINED TO LIMITED RECREATIONAL AND INSTITUTIONAL USES AND RURAL-DENSITY RESIDENTIAL DEVELOPMENT IN AREAS OTHER THAN WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES.
-  PORTIONS OF SECONDARY ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA WHICH ARE COMPRISED OF WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IN THESE AREAS IS NOT PERMITTED.

NOTE: This map replaces the corresponding portion of map 3-10, page 15, of SEWRPC Amendment to the Regional Water Quality Management Plan—City of Muskego, December 1999.



Source: SEWRPC.