

AMENDMENT TO THE

**REGIONAL WATER QUALITY
MANAGEMENT PLAN**

GREATER KENOSHA AREA

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

JUNE 2007

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SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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

TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Kenosha, the City of Kenosha, the Village of Pleasant Prairie, and the Town of Bristol

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Washington County Government Center, West Bend, Wisconsin, on the 20th day of June 2007, the Commission did by unanimous vote of all Commissioners present, being 15 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 Greater Kenosha 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 21st day of June 2007.

Thomas H. Buestrin, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Philip C. Evenson, Deputy Secretary

RESOLUTION NO. 2007-10

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 (GREATER KENOSHA 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, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Greater Kenosha sanitary sewer service area in 1985, as originally documented in SEWRPC Community Assistance Planning Report No. 106, *Sanitary Sewer Service Area for the City of Kenosha and Environs, Kenosha County, Wisconsin* and most recently amended in *Amendment to the Regional Water Quality Management Plan, Greater Kenosha Area*, dated December 2001; and

WHEREAS, by letter dated March 20, 2007, the City of Kenosha and the Town of Bristol requested that the Commission amend the Greater Kenosha 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 Kenosha Water Utility and the Town of Bristol to Amend the Greater Kenosha 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 Kenosha Water Utility and the Regional Planning Commission on April 30, 2007; 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 5th day of December 2001 to include the refined Greater Kenosha sewer service area, as set forth in *Amendment to the Regional Water Quality Management Plan, Greater Kenosha Area*, be and the same hereby is amended in the manner identified on Map 2 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.

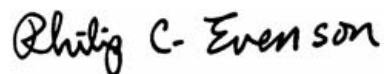
THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals 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 20th day of June 2007, the vote being: Ayes 15; Nays 0.

A handwritten signature in black ink, appearing to read 'Thomas H. Buestrin', written in a cursive style.

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 KENOSHA WATER UTILITY AND THE TOWN OF BRISTOL TO AMEND THE GREATER KENOSHA SANITARY SEWER SERVICE AREA

INTRODUCTION AND BACKGROUND

By letter dated March 20, 2007, the Kenosha Water Utility, in concurrence with requests from the Town of Bristol and the Village of Pleasant Prairie, requested that the Southeastern Wisconsin Regional Planning Commission amend the Greater Kenosha sanitary sewer service area tributary to the City of Kenosha sewage treatment facility. That area is currently documented in a SEWRPC report entitled *Amendment to the Regional Water Quality Management Plan – Greater Kenosha Area*, dated December 2001, as amended. The basic purpose of this amendment would be to include within the planned Greater Kenosha sewer service area certain lands located immediately adjacent to, but outside, the currently adopted sewer service area in the Town of Bristol.

PRE-PUBLIC HEARING PROPOSED ADDITION TO THE SEWER SERVICE AREA

The area proposed to be added to the Greater Kenosha sanitary sewer service area encompasses 502 acres located approximately one mile southwest of the interchange of CTH C and I-94. (see Map 1). The subject area is comprised of 42 acres of existing urban development including road rights-of-way and 20 existing housing units; 459 acres of agricultural land; and 1 acre of small wetlands less than five acres in size. There are no environmental corridors or isolated natural resource areas located within the subject area.

A small portion of the subject area (8 acres) is traversed by a narrow floodplain following a drainageway between CTH U and I-94. This area is protected under Kenosha County and Village of Pleasant Prairie floodplain zoning regulations.

The subject area, in combination with adjacent lands to the east already within the sewer service area, is anticipated to accommodate long-term business park, office, and industrial uses. No specific development proposals have been advanced.

PUBLIC REACTION AND KENOSHA WATER UTILITY ACTION REGARDING THE PLAN AMENDMENT

A public hearing was held on April 30, 2007, at the Kenosha City Hall to receive public comment on, and reaction to, the proposed amendment to the Greater Kenosha sanitary sewer service area plan. The hearing was sponsored by the Kenosha Water Utility and the Regional Planning Commission.

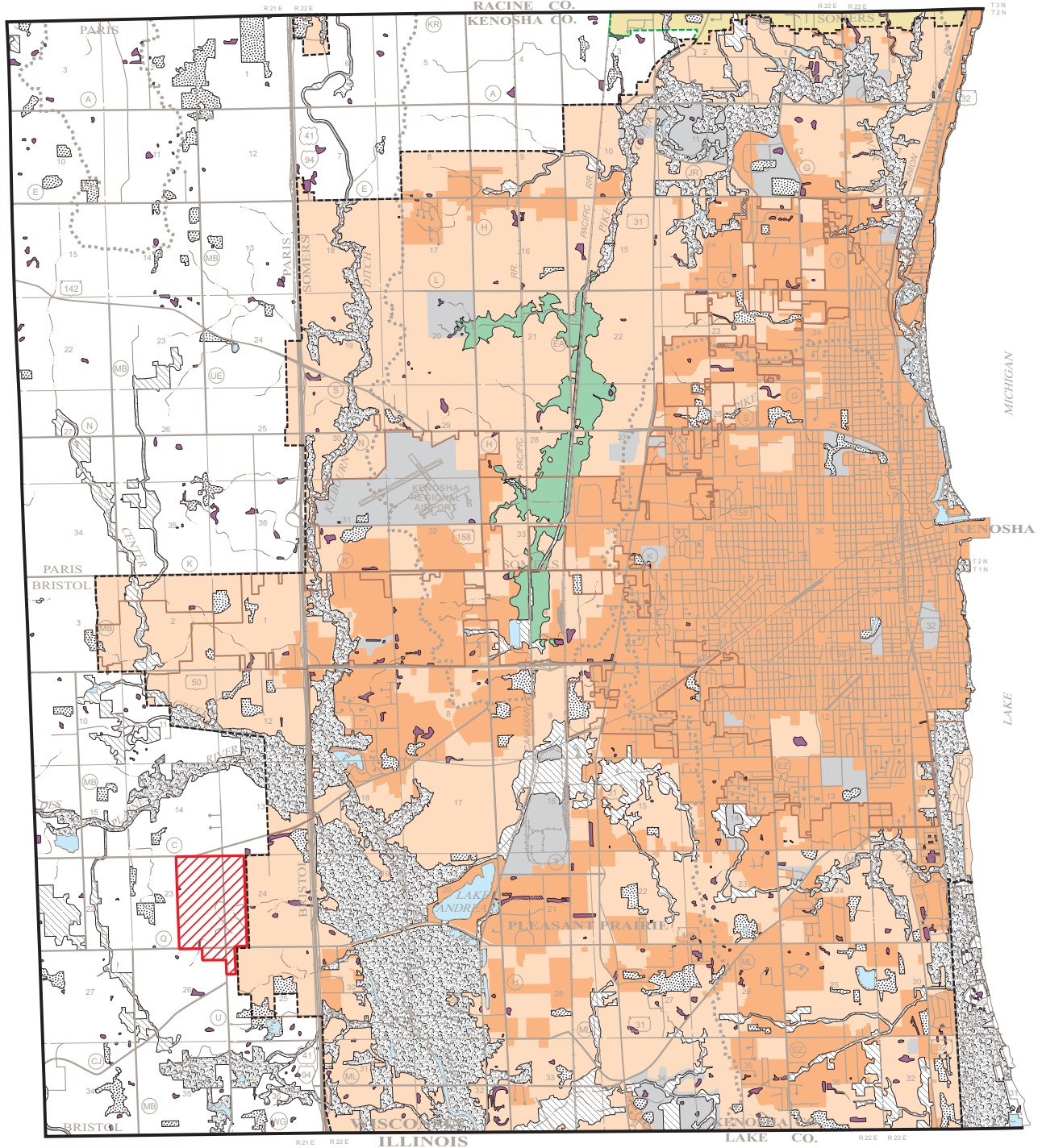
Shortly before the public hearing, by letter to the Kenosha Water Utility dated April 24, 2007, the Village of Pleasant Prairie requested that an additional 40-acre parcel be added to the sewer service area. That area is located one-half mile west of IH-94 in U.S. Public Land Survey Section 25, Township 1 North, Range 21 East. The area contains about 2.5 acres of environmentally significant lands consisting of wetland and floodplain, with the remainder being agricultural lands. The area is anticipated to accommodate future industrial uses. It was agreed that the proposal to add this 40-acre parcel would also be considered at the public hearing.

A summary of the plan amendment was presented prior to receiving public comment, including a description of the lands initially proposed to be added to the sewer service area, the additional 40-acre parcel requested by the Village of Pleasant Prairie, environmentally significant land located within the areas proposed to be added, and potential impacts on population and sewage treatment plant capacity.

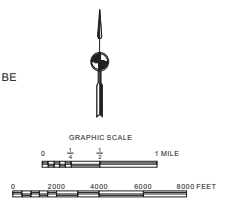
At the hearing, several Town of Bristol residents asked general questions regarding the proposed plan amendment, the timing and probable costs for future public sanitary sewer service, and the timing of new development. The Town administrator was present to answer questions from Town residents. None of the residents present expressed objections to the proposed sewer service area plan amendment.

Map 1

GREATER KENOSHA PLANNED SANITARY SEWER SERVICE AREA WITH PROPOSED ADDITION (Pre-Public Hearing)



- GREATER KENOSHA SANITARY SEWER SERVICE AREA
- AREAS SERVED BY SEWERS TRIBUTARY TO THE CITY OF KENOSHA SEWAGE TREATMENT FACILITY: 2006
- RACINE AND ENVIRONS 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
- AIRPORTS, LARGE PARK AND RECREATION SITES, AND SIMILAR USES WITHIN THE SEWER SERVICE AREA
- UNDEVELOPED FLOODLANDS ALONG PIKE CREEK THAT ARE POTENTIAL ADDITIONS TO THE PIKE CREEK ENVIRONMENTAL CORRIDOR. THE BOUNDARIES OF SUCH AREAS MAY BE MODIFIED BASED UPON ENGINEERING STUDIES AND DETAILED SITE PLANNING. IN ACCORDANCE WITH EXISTING FLOODPLAIN REGULATIONS AND A FINDING OF NO NET LOSS IN FLOODWATER STORAGE VOLUME, CLASSIFICATION AS TO PRIMARY OR SECONDARY ENVIRONMENTAL CORRIDOR WILL BE MADE BASED UPON THE ULTIMATE CONFIGURATION OF THE FLOODPLAIN IN THIS AREA.
- AREA PROPOSED TO BE ADDED TO THE GREATER KENOSHA SANITARY SEWER SERVICE AREA: JUNE 2007



Source: SEWRPC.

Also at the hearing, several Kenosha Water Utility Board members inquired when it may be necessary to start facilities planning for expansion of the wastewater treatment facility. City staff present at the hearing indicated that under the existing intergovernmental agreement among communities sharing capacity in the facility, such planning cannot be initiated until the facility is operating at 90 percent of capacity. City staff also indicated that some of the heavy users of the sewerage system, such as food processing operations, could be approached and flow reduction measures could be undertaken to alleviate any capacity issues that may arise in the short-term. Based upon the current flow situation, and considering that certain measures can be taken to reduce sewage flows, it may not be necessary to initiate facility planning for several years.

Following the public hearing, the Kenosha Water Utility Board acted to approve the proposed amendments to the sewer service area. The post-public hearing amendment to the Greater Kenosha sewer service area, as approved by the Kenosha Water Utility Board on April 30, 2007, is shown on Map 2.

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

The proposed addition of 542 acres to the Greater Kenosha sewer service area represents an increase in the planned sewer service area of about one percent. The proposed addition would add a negligible amount of population to the sewer service area since only 20 housing units are involved. The buildout population of the sewer service area—that is, the estimated population which could be accommodated upon full development of the sewer service area—would remain at about 164,600 persons. That population is within the year 2035 population projection range of between 155,800 and 179,300 persons for this area embodied in the regional land use plan.

WATER QUALITY IMPACTS

Under the adopted regional water quality management plan and the refined sanitary sewer service area plan presented herein, it is envisioned that all new urban development within the planned urban service area would receive sanitary sewer service. Assuming that any 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 ANALYSIS

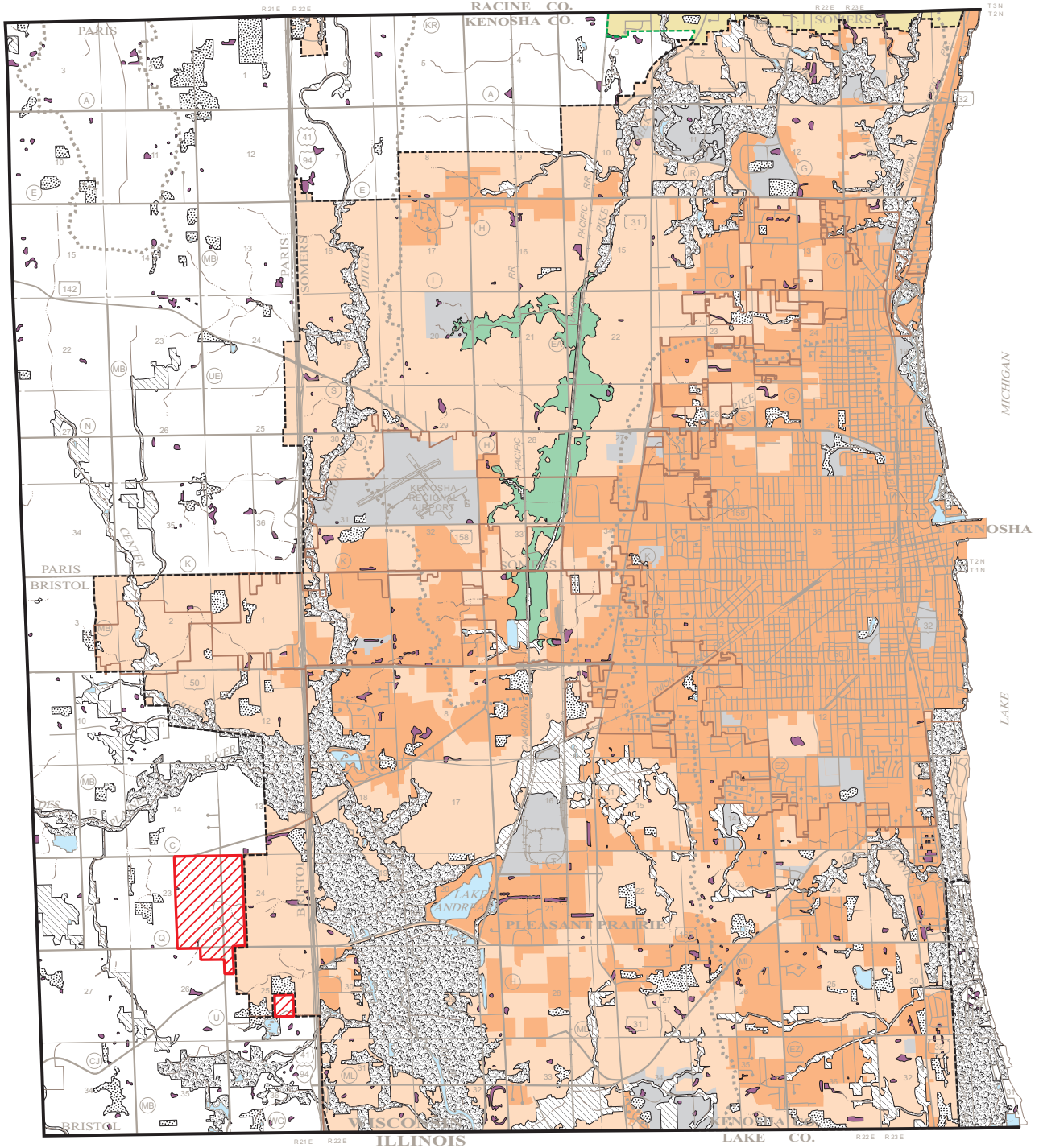
The City of Kenosha sewage treatment plant was expanded in 1994 and has a capacity to treat 28 million gallons per day (mgd) of wastewater on an average annual basis. The current hydraulic loading to the plant is about 23 mgd on an average annual basis. The anticipated sewage flow to be generated in the areas proposed to be added to the sewer service area is estimated to be about 0.5 to 0.7 mgd on an average annual basis. Thus, the treatment plant has capacity to treat sewage flows from the areas proposed to be added to the sewer service area.











It should be noted that the sewage treatment plant experienced flows exceeding the plant and storage system peak flow capacity on a few occasions during the early 2000s. Those occurrences were during periods of extreme rainfall events, including the short-term intense rainfall event which occurred on June 12, 2000. The Kenosha Water Utility undertook steps in 2002 to improve the peak flow and storage capacity.

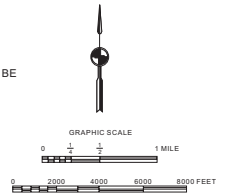
The current sewage treatment plant design, based upon a 1991 facilities plan, did not consider areas added to the sewer service area in 2001 and 2005, as well as the area currently proposed to be added. If the vacant developable lands within the Greater Kenosha sewer service area, including the areas added in 2001 and 2005, along with the the area currently proposed to be added, were fully developed in accordance with local plans, flows to the City of Kenosha sewage treatment facility would approximate 33 to 35 mgd on an average annual basis, with the total flows being somewhat dependent upon the sewage flows generated by new commercial and industrial development. **It is thus expected that the plant capacity may be exceeded before 2020. However, based upon current trends, the existing capacity should be adequate at least through the year 2010. It is recommended that the Water Utility coordinate with individual large dischargers to implement flow and/or loading reduction programs, as well as consider initiating facilities planning in the near future.**

Map 2

**GREATER KENOSHA PLANNED SANITARY SEWER SERVICE AREA WITH PROPOSED ADDITIONS
(Post-Public Hearing)**



- | | | | |
|---|--|---|---|
|  | GREATER KENOSHA
SANITARY SEWER SERVICE AREA |  | WETLANDS AND SURFACE WATER AREAS
LESS THAN FIVE ACRES IN SIZE |
|  | AREAS SERVED BY SEWERS TRIBUTARY TO THE CITY
OF KENOSHA SEWAGE TREATMENT FACILITY, 2006 |  | AIRPORTS, LARGE PARK AND RECREATION SITES,
AND SIMILAR USES WITHIN THE SEWER SERVICE AREA |
|  | RACINE AND ENVIRONS
SANITARY SEWER SERVICE AREA |  | UNDEVELOPED FLOODLANDS ALONG PIKE CREEK THAT ARE POTENTIAL ADDITIONS TO
THE PIKE CREEK ENVIRONMENTAL CORRIDOR. THE BOUNDARIES OF SUCH AREAS MAY BE
MODIFIED BASED UPON ENGINEERING STUDIES AND DETAILED SITE PLANNING IN
ACCORDANCE WITH EXISTING FLOODPLAIN REGULATIONS AND A FINDING OF NO NET
LOSS IN FLOODWATER STORAGE VOLUME. CLASSIFICATION AS TO PRIMARY OR
SECONDARY ENVIRONMENTAL CORRIDOR WILL BE MADE BASED UPON THE ULTIMATE
CONFIGURATION OF THE FLOODPLAIN IN THIS AREA. |
|  | PRIMARY ENVIRONMENTAL CORRIDOR |  | AREAS PROPOSED TO BE ADDED TO THE GREATER
KENOSHA SANITARY SEWER SERVICE AREA: JUNE 2007 |
|  | SECONDARY ENVIRONMENTAL CORRIDOR | | |
|  | ISOLATED NATURAL RESOURCE AREA | | |



Source: SEWRPC.

Agreements in place between the Kenosha Water Utility and the communities served by the City of Kenosha sewage treatment plant provide for the utility to notify the communities at least three and one-half years before any major sewage treatment plant expansion is initiated. Accordingly, review of the plant operation for contractual purposes, as well as for Wisconsin Department of Natural Resources compliance maintenance purposes, will be required and appropriate planning will be put in place prior to any needed plant expansion.

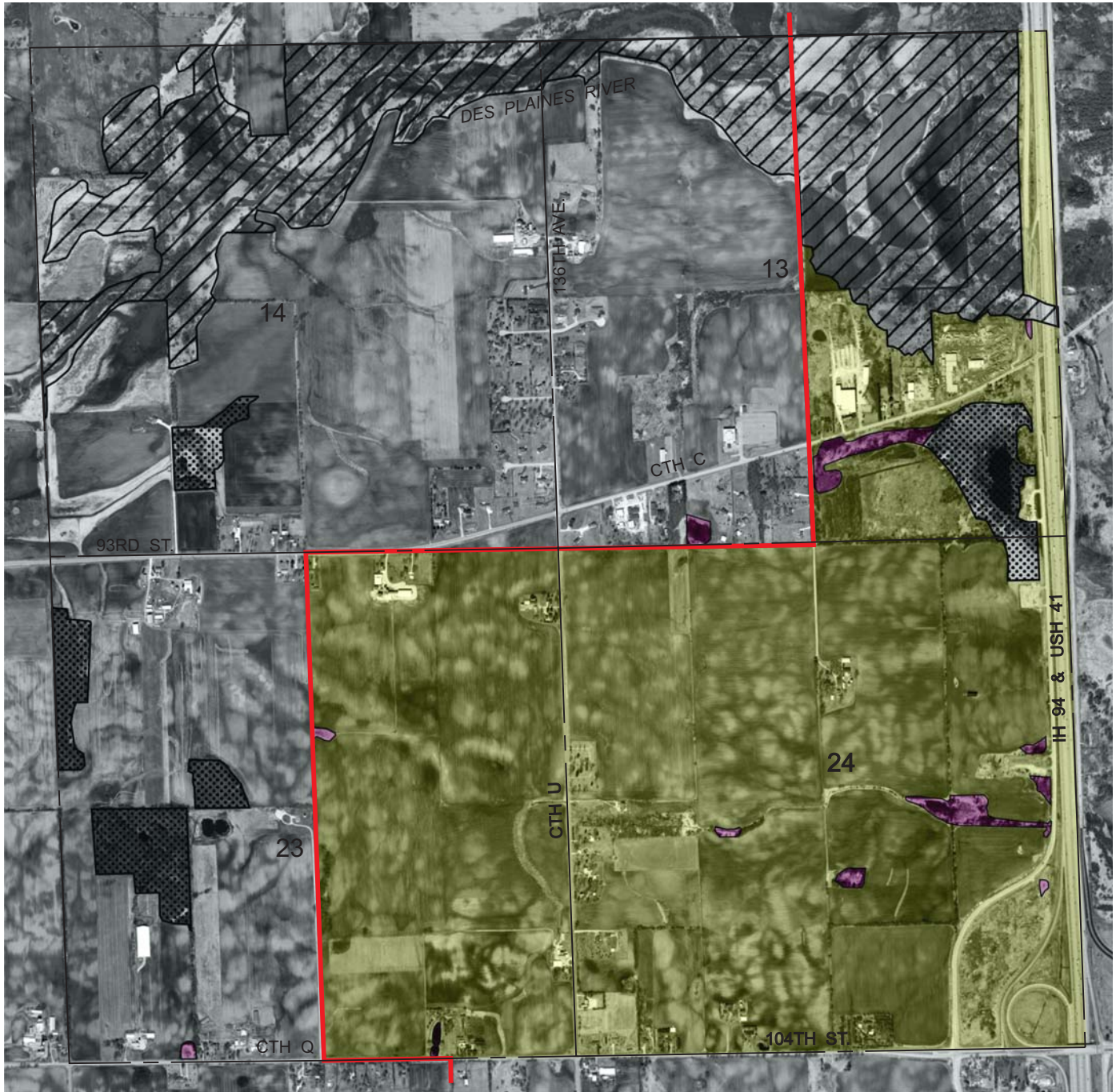
CONCLUDING RECOMMENDATION

It is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the sanitary sewer service area for the Greater Kenosha area as documented on Map 2. A more detailed delineation of the amended sewer service area and of the environmentally significant lands within is shown on the aerial photographs reproduced as Maps 3 and 4.






Map 3

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE GREATER KENOSHA AREA

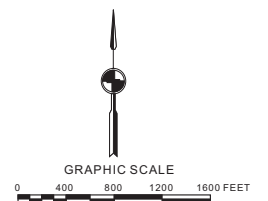
U. S. Public Land Survey Sections 13, 14, 23, and 24
Township 1 North, Range 21 East



Photography Date: April 2005

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

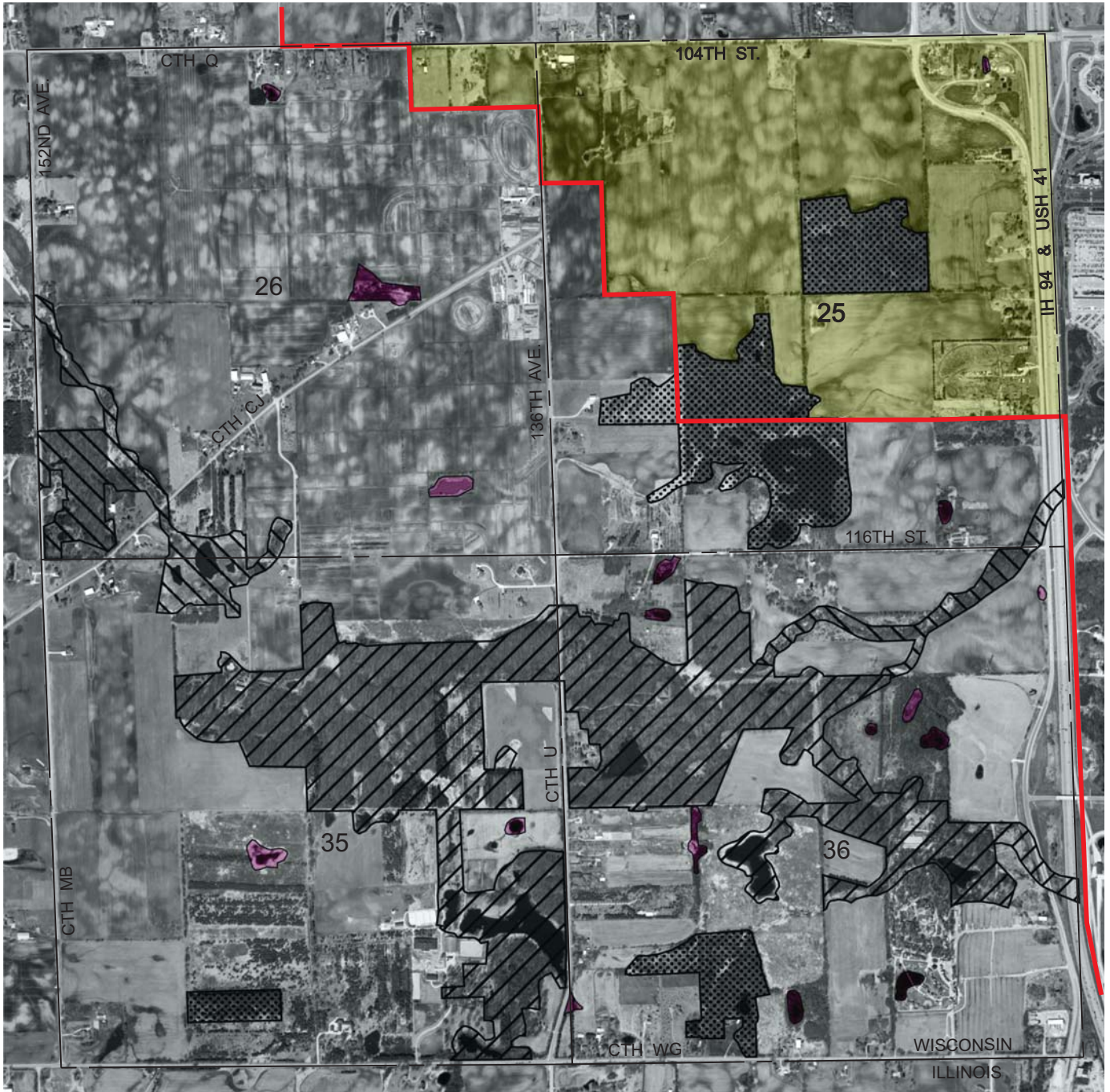
Source: SEWRPC.








Map 4

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE GREATER KENOSHA AREA

U. S. Public Land Survey Sections 25, 26, 35, and 36
Township 1 North, Range 21 East



Photography Date: April 2005

- | | | | |
|---|---|---|--|
|  | PRIMARY ENVIRONMENTAL CORRIDOR |  | PLANNED SANITARY SEWER SERVICE AREA |
|  | SECONDARY ENVIRONMENTAL CORRIDOR |  | GROSS SANITARY SEWER SERVICE AREA BOUNDARY |
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Source: SEWRPC.

