

**AMENDMENT TO THE
LITTLE
MUSKEGO
LAKE**

**REGIONAL WATER QUALITY
MANAGEMENT PLAN**

CITY OF MUSKEGO

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

MARCH 2009

**WAUKESHA CO
RACINE CO**

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Elizabeth A. Larsen Business Manager
John G. McDougall Geographic Information Systems Manager
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Dr. Donald M. Reed Chief Biologist
Kenneth J. Schlager, PE Chief Telecommunications Engineer
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William J. Stauber Chief Land Use Planner

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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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 Ozaukee County Administration Building, Port Washington, Wisconsin, on the 4th day of March 2009, the Commission did by unanimous vote of all Commissioners present, being 11 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 5th day of March 2009.

David L. Stroik, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Kenneth R. Yunker, Deputy Secretary

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RESOLUTION NO. 2009-01

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 by letter dated October 15, 2008, 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 January 27, 2009; 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.

RESOLUTION NO. 2009-01

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 4th day of March 2009, the vote being: Ayes 11; Nays 0.



David L. Stroik, Chairman

ATTEST:



Kenneth R. Yunker, Deputy Secretary

SEWRPC STAFF MEMORANDUM

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

INTRODUCTION AND BACKGROUND

By letter dated October 15, 2008, 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 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.

AREA DESCRIPTION

The area proposed to be added to the Muskego sanitary sewer service area encompasses 122 acres located west of North Cape Road in U.S. Public Land Survey Section 24, Township 5 North, Range 20 East, in the City of Muskego (see Map 1). The subject area is comprised of nine acres of existing urban development, including five existing homes; 72 acres of agricultural land; and 41 acres of environmentally significant land. The environmentally significant lands include about 40 acres of isolated natural resource area and about one acre of small wetlands less than five acres in size. The developable portion of the subject area is anticipated to be developed for residential use, accommodating an estimated future population of about 150 persons.

A more detailed delineation of the revised sewer service area and of the environmentally significant lands within is shown on the aerial photograph reproduced as Map 2. The environmentally significant lands shown on Map 2 have been revised to reflect the most recent available natural resource base information.

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

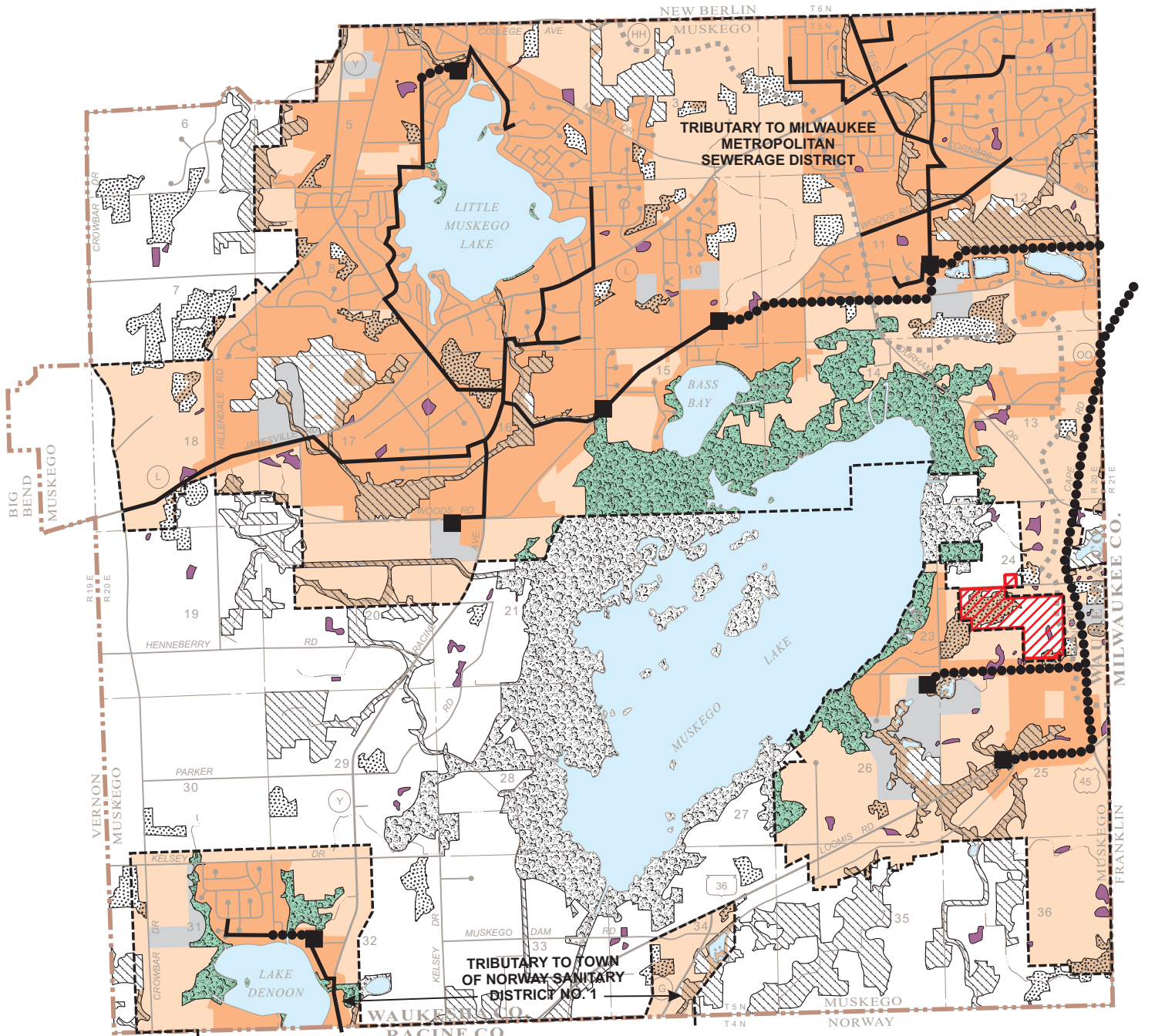
The proposed addition of 122 acres to the Muskego sanitary sewer service area represents an increase in the planned sanitary sewer service area of about 1 percent and would result in an approximately 1 percent increase in the population of the sewer service area.





WATER QUALITY IMPACTS

Under the adopted regional water quality management plan, including the Muskego sanitary sewer service area plan, it is envisioned that all new urban development within the planned sewer service area would receive sanitary sewer service. In addition, the provision of public sanitary sewer service to those lands within the planned sanitary sewer service area that 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.



Map 1










PROPOSED AMENDMENT TO THE CITY OF MUSKEGO SANITARY SEWER SERVICE AREA

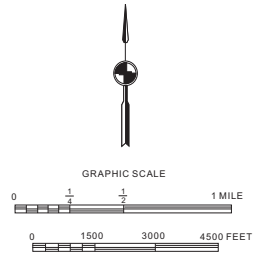


-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREA
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

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
-  AREA PROPOSED TO BE ADDED TO THE MUSKEGO SANITARY SEWER SERVICE AREA



Source: SEWRPC.

SEWERAGE SYSTEM CAPACITY IMPACTS

The size and capacity of the MMSD sewage conveyance and treatment facilities are set forth in the District's facility plan completed in 2007.¹ That facility plan is based upon a planned Muskego-MMSD sewer service area resident population level of 34,100. In addition to the estimated per capita contribution allowance for residential development, a separate allocation was developed for sewage loadings from commercial and industrial lands. The year 2000 population of the Muskego-MMSD sanitary sewer service area was about 20,000 persons. The proposed addition to the sewer service area would add a population of about 160 persons, including existing residents. Thus, there is planned capacity available for the areas proposed to be added to the sewer service area.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on January 27, 2009, at the Muskego City Hall to receive public comment on, and reaction to, the proposed sewer service area 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 lands located within.

No objections to the proposed amendment 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 January 27, 2009.

CONCLUDING RECOMMENDATION

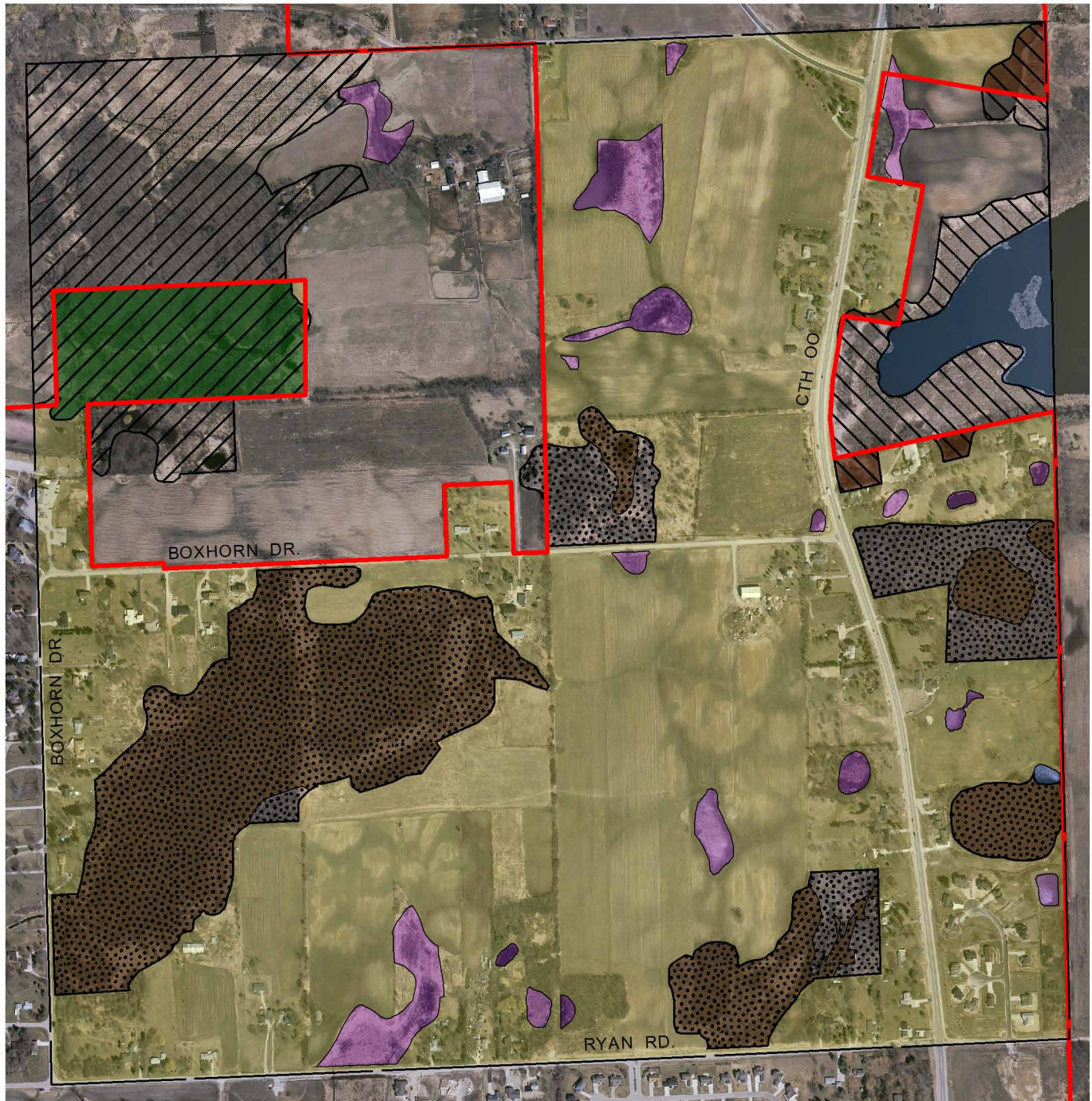
Based upon the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the City of Muskego sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 64, (3rd Edition), as amended, in the manner shown on Map 1.







¹ Milwaukee Metropolitan Sewerage District 2020 Facilities Plan, *June 2007*

Map 2

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

U.S. Public Land Survey Section 24
Township 5 North, Range 20 East





-  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

Photography Date: April 2005

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.
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NOTE: This map replaces Map 2, page 4, of SEWRPC Amendment to the Regional Water Quality Management Plan, City of Muskego, December 2007.



Source: SEWRPC.