

AMENDMENT TO THE

**REGIONAL WATER QUALITY
MANAGEMENT PLAN**

**WALWORTH COUNTY
METROPOLITAN SEWERAGE
DISTRICT - DELAVAN/DELAVAN
LAKE SANITARY SEWER
SERVICE AREA**

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

DECEMBER 2004

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SUBJECT: Certification of Amendment to the Adopted Regional Water Quality Management Plan (Delavan/Delavan Lake Sewer Service Area)

TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Walworth, the City of Delavan, the Walworth County Metropolitan Sewerage District, and the Town of Delavan.

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at O'Donnell Park, Milwaukee, Wisconsin, on the 1st day of December 2004, 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 Delavan/Delavan Lake 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 2nd day of December 2004.

Thomas H. Buestrin, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Philip C. Evenson, Deputy Secretary

RESOLUTION NO. 2004-19

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 (DELAVAN/DELAN LAKE 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 4th day of December 1991, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Delavan/Delavan Lake sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 56 (2nd Edition), *Sanitary Sewer Service Areas for the Walworth County Metropolitan Sewerage District, Walworth County, Wisconsin*, November 1991, as amended; and

WHEREAS, by letter dated October 4, 2004, the Walworth County Metropolitan Sewerage District requested that the Commission amend the Delavan/Delavan Lake 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 Walworth County Metropolitan Sewerage District to Amend the Delavan/Delavan Lake 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 Walworth County Metropolitan Sewerage District and the Regional Planning Commission on November 9, 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 4th day of December 1991 to include the refined Delavan/Delavan Lake sewer service area, as set forth in SEWRPC Community Assistance Planning Report No. 56 (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.

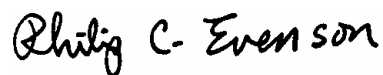
THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals 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 1st day of December 2004, 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 WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT TO AMEND THE DELAVAN/DELAVAN LAKE SANITARY SEWER SERVICE AREA

INTRODUCTION AND BACKGROUND

By letter dated October 4, 2004, the Walworth County Metropolitan Sewerage District (WalCoMet) requested that the Southeastern Wisconsin Regional Planning Commission amend the Delavan/Delavan Lake sanitary sewer service area as that area is currently documented in SEWRPC Community Assistance Planning Report No. 56 (2nd Edition), *Sanitary Sewer Service Areas for the Walworth County Metropolitan Sewerage District, Walworth County, Wisconsin*, dated November 1991, 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 of, the currently adopted sewer service area.

AREA DESCRIPTION

The area proposed to be added to the Delavan/Delavan Lake sanitary sewer service area encompasses 320 acres located along IH 43 in U.S. Public Land Survey Sections 9 and 10, Township 2 North, Range 16 East, in the City of Delavan and the Town of Delavan (see Maps 1 and 2). The subject 320-acre area includes 65 acres of existing road rights-of-way and existing urban land uses, and does not include any environmental corridors or isolated natural resource areas. The remainder of 255 acres is anticipated to be developed as an industrial/business park.

Although the subject area contains no environmental corridors or isolated natural resource areas, two small environmentally significant areas were identified. A strip of prairie, located within the publicly-owned railroad right-of-way traversing the area, has been identified as a natural area of local significance under the regional natural areas and critical species habitat protection and management plan. The prairie is recommended to be retained in public ownership and managed by a local conservation organization. In addition, the Wisconsin Wetlands Inventory, completed in the early 1980s, identified a small wetland in the northwest portion of the subject area. The most recent aerial photography taken in 2000 indicates that the area concerned was in agricultural use at that time. Both of these areas—the prairie and the small farmed wetland—should be taken into consideration in design work for the development of the subject area.

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

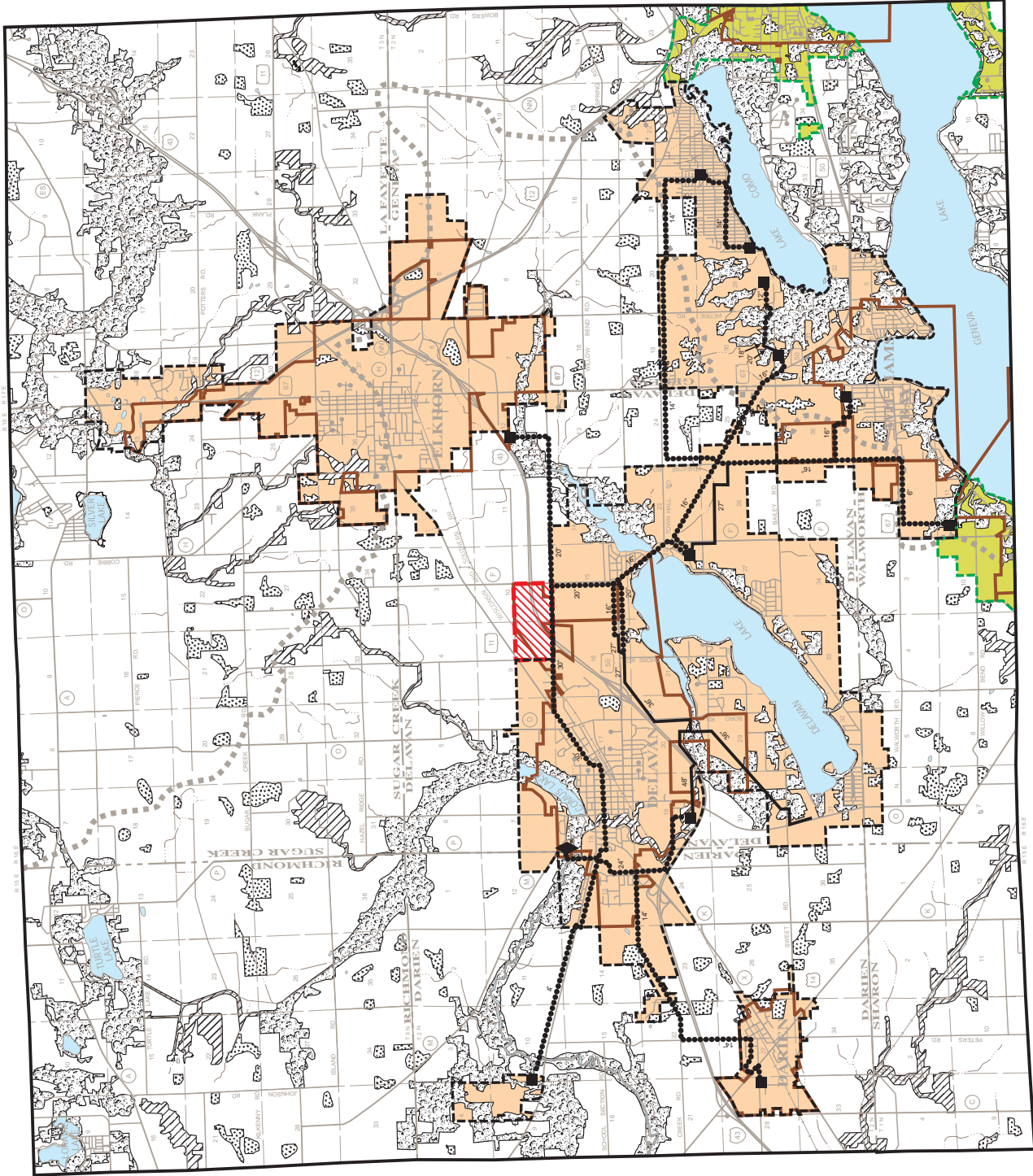
The proposed addition of 320 acres to the Delavan/Delavan Lake sanitary sewer service area represents an increase in the planned sewer service area of 2.4 percent, with no increases in the resident population of the sewer service area. Thus, the planned resident population of the sewer service area would not change.

WATER QUALITY IMPACTS

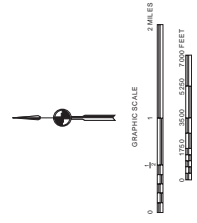
Under the adopted regional water quality management plan and the refined Delavan/Delavan Lake sanitary sewer service area plan herein set forth, it is envisioned that all urban lands within the planned urban service area would receive sanitary sewer service. Assuming that all applicable Federal, State, 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 WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT SANITARY SEWER SERVICE AREA PLAN (DELAVAN/DELANVA LAKE SEWER SERVICE AREA)



- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL RESOURCE AREAS
- PLANNED SANITARY SEWER SERVICE AREA
- PLANNED SANITARY SEWER SERVICE AREA BOUNDARY
- OTHER PLANNED SANITARY SEWER SERVICE AREAS NOT TRIBUTARY TO THE WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT
- AREA PROPOSED TO BE ADDED TO THE DELAVALAN/DELANVA LAKE SANITARY SEWER SERVICE AREA
- EXISTING PUBLIC SEWAGE TREATMENT FACILITY
- EXISTING TRUNK SEWER
- EXISTING FORCE MAIN
- EXISTING PUMPING STATION
- CITY AND VILLAGE BOUNDARIES



Source: SEWRPC.

COST-EFFECTIVENESS ANALYSIS

The proposed addition to the Delavan/Delavan Lake sanitary sewer service area is immediately adjacent to the currently approved sewer service area. The nearest other public sanitary sewer system, the City of Elkhorn system, is located approximately 2 miles from the subject area. No further analysis is deemed necessary to conclude that the most cost-effective means of providing public sanitary sewer service to the subject area is via City of Delavan sewers.

SEWAGE TREATMENT PLANT CAPACITY IMPACT ANALYSIS

Sewage from the Delavan area is treated at the WalCoMet sewage treatment facility located in the City of Delavan. The WalCoMet sewage treatment plant has a hydraulic design capacity of 5.75 million gallons per day (mgd) on an average annual basis. The current hydraulic loading to the plant is about 4.1 mgd on an average annual basis. The anticipated sewage flow to be generated in the area proposed to be added to the Delavan/Delavan Lake sewer service area may be expected to be between 0.25 and 0.40 mgd on an average annual basis, depending upon the type of development and specific businesses which locate within the subject area. Thus, the treatment plant has available capacity to serve the proposed addition to sewer service area.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on November 9, 2004 at the WalCoMet offices to receive public comment on, and reaction to, the proposed plan amendment. The hearing was sponsored by WalCoMet 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.

A review of the hearing record indicates that no substantive concerns were raised 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 Board of Commissioners of the Walworth County Metropolitan Sewerage District adopted the plan amendment on November 9, 2004.

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 Walworth County Metropolitan Sewerage District as documented in SEWRPC Community Assistance Planning Report No. 56 (2nd Edition) in the manner identified on Map 1.

Map 2

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

U. S. Public Land Survey Sections 9 and 10, Township 2 North, Range 16 East



Photography Date: March 2000

— GROSS SANITARY SEWER SERVICE AREA BOUNDARY

■ PLANNED SANITARY SEWER SERVICE AREA

NOTE: This map replaces the corresponding portion of Map 11-20, page 51, of SEWRPC Community Assistance Planning Report No. 56 (2nd Edition), *Sanitary Sewer Service Areas for the Walworth County Metropolitan Sewerage District*, November 1991.

Source: SEWRPC.

