

AMENDMENT TO THE

**REGIONAL WATER QUALITY
MANAGEMENT PLAN**

CITY OF MUSKEGO

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

JUNE 2005

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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 (Muskego 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 Fair Park Pavilion, Jackson, Wisconsin, on the 15th day of June 2005, the Commission did by unanimous vote of all Commissioners present, being 16 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 16th day of June 2005.

Thomas H. Buestrin, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Philip C. Evenson, Deputy Secretary

RESOLUTION NO. 2005-07

**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 February 24, 2005, 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 April 26, 2005; 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;

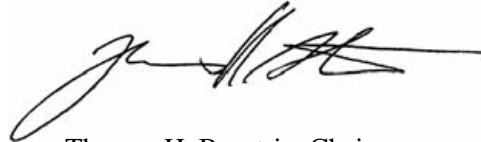
NOW, THEREFORE, BE IT HEREBY RESOLVED:

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.

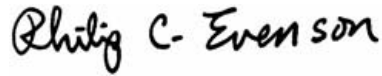
THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals 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 15th day of June 2005, the vote being: Ayes 16; 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

By letter dated February 24, 2005, 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 of, the currently adopted sewer service area to accommodate planned residential use.

AREA DESCRIPTION

The area proposed to be added to the Muskego sewer service area encompasses 33 acres located in U.S. Public Land Survey Sections 17 and 18, Township 5 North, Range 20 East, in the City of Muskego, as shown on Map 1. The subject area contains 8 acres of secondary environmental corridor. The remainder of 25 acres, currently in agricultural use with one existing housing unit, is anticipated to be developed for residential use to accommodate an additional 40 to 50 housing units.

More detailed delineations of the amended sewer service area and of the environmentally significant lands within are shown on the aerial photograph reproduced as Map 2. The environmentally significant lands shown on Map 2 have been revised from the previously published maps as set forth in SEWRPC Community Assistance Planning Report No. 64 (3rd Edition) in order to reflect environmental resources as shown on the most recent available aerial photography.

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

The proposed addition of 33 acres to the Muskego sanitary sewer service area represents an increase in the planned sewer service area of less than 1 percent and would result in a very modest increase in the population of the sewer service area. The estimated population which could be accommodated upon full development of the sewer service area would lie within the year 2020 population projection range for the Muskego area embodied in the regional land use plan.

WATER QUALITY IMPACTS

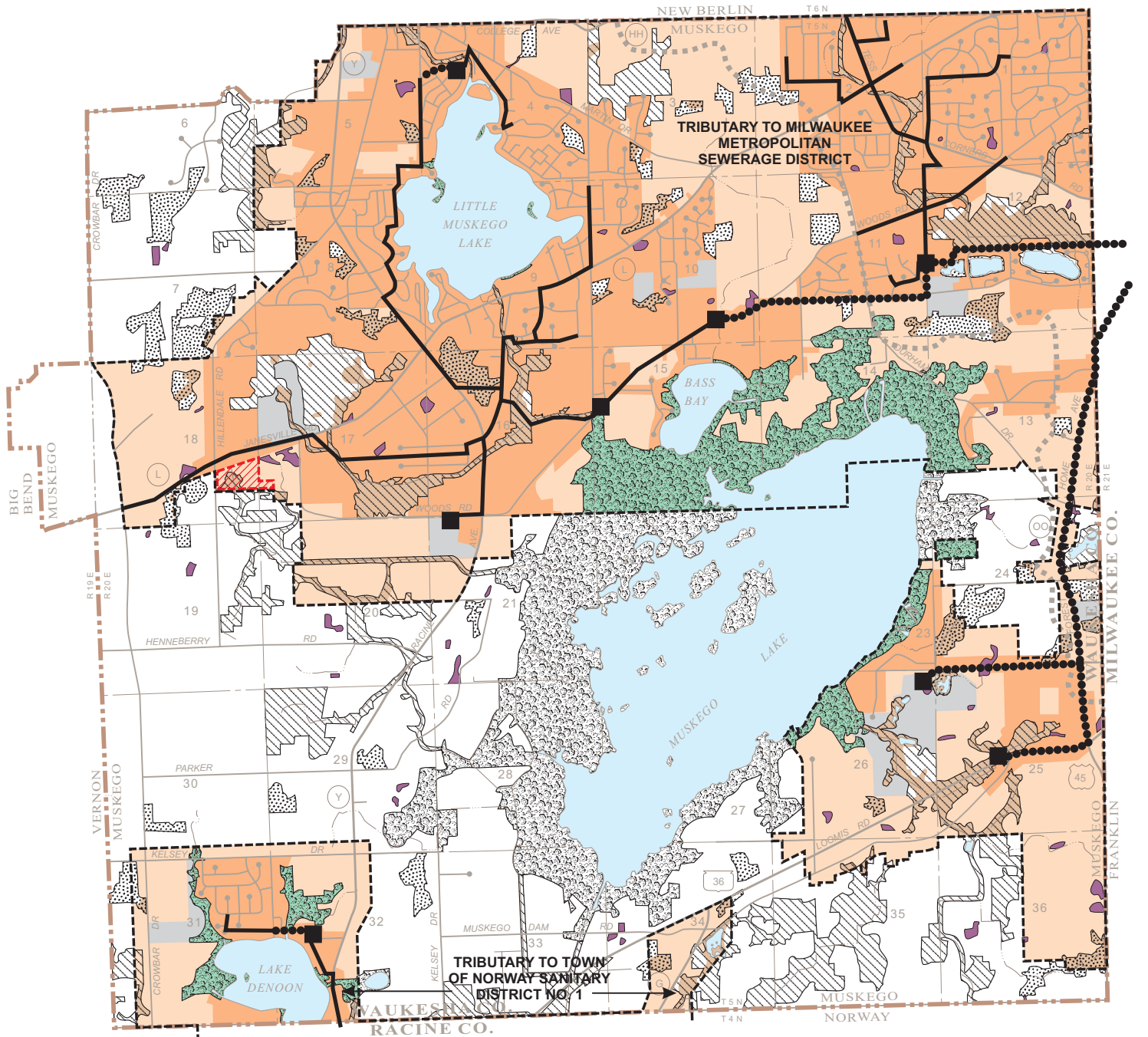
Under the adopted regional water quality management plan and the Muskego sanitary sewer service area plan, it is envisioned that all urban lands within the planned urban service area would receive sanitary sewer service. Assuming that all applicable Federal, State, and local permits are obtained and 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.

COST-EFFECTIVENESS ANALYSIS

The proposed addition to the Muskego sanitary sewer service area is immediately adjacent to the currently approved Muskego sanitary sewer service area tributary to the Milwaukee Metropolitan Sewerage District (MMSD). The nearest other public sanitary sewerage system, operated by the Town of Norway Sanitary District

Map 1

PROPOSED AMENDMENT TO THE CITY OF MUSKEGO SANITARY SEWER SERVICE AREA

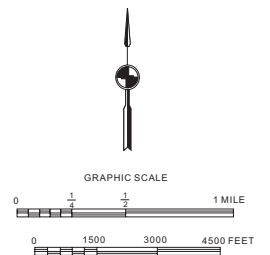


- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL RESOURCE AREA
- WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

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.

No. 1, is located about 2 miles from the subject area. No further analysis is necessary to conclude that the most cost-effective means of providing public sanitary sewer service to the subject area is via City of Muskego sewers tributary to the MMSD.

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 current population of the Muskego-MMSD sanitary sewer service area is about 19,500 persons. The proposed addition to the sewer service area would add a population of about 125 persons. Thus, there is planned capacity available for the area 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 April 26, 2005, 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 April 26, 2005.

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

Southeast Quarter of U. S. Public Land Survey Section 18 and Southwest Quarter of U.S. Public Land Survey Section 17, Township 5 North, Range 20 East



Photography Date: April 2000

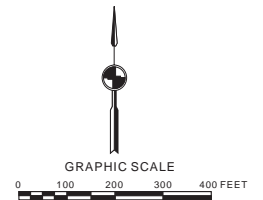
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREA
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
-  PLANNED SANITARY SEWER SERVICE AREA
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

RESTRICTIONS ON SEWERED DEVELOPMENT



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 3-5, page 10, of SEWRPC Amendment to the Regional Water Quality Management Plan—City of Muskego, December 1999.



Source: SEWRPC.