AMENDMENT TO THE

REGIONAL WATER QUALITY MANAGEMENT PLAN

GREATER KENOSHA AREA/ TOWN OF SOMERS

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

DECEMBER 2005

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

KENOSHA COUNTY

Leon T. Dreger Adelene Greene Leonard R. Johnson

MILWAUKEE COUNTY

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

OZAUKEE COUNTY

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

RACINE COUNTY

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

WALWORTH COUNTY

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

WASHINGTON COUNTY

Kenneth F. Miller 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
Leland H. Kreblin, RLS	Chief Planning Illustrator
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
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:

MILWAUKEE
OZAUKEE
RACINE
WALWORTH
WASHINGTON
WAUKESHA

KENOSHA



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,

and the Town of Somers

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Milwaukee Public Museum, Milwaukee, Wisconsin, on the 7th day of December 2005, the Commission did by unanimous vote of all Commissioners present, being 14 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 8th day of December 2005.

Thomas H. Buestrin, Chairman Southeastern Wisconsin Regional Planning Commission

ATTEST:

Philip C. Evenson, Deputy Secretary

Philip C- Even son

RESOLUTION NO. 2005-23

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 August 12, 2005, the City of Kenosha and the Town of Somers 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 Somers 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 October 31, 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:

<u>FIRST</u>: 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 1 of the aforementioned SEWRPC staff memorandum.

<u>SECOND</u>: 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.

<u>THIRD</u>: 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 7th day of December 2005, the vote being: Ayes 14; Nays 0.

Thomas H. Buestrin, Chairman

ATTEST:

Philip C. Evenson, Deputy Secretary

SEWRPC STAFF MEMORANDUM

RESPONSE TO REQUEST BY THE KENOSHA WATER UTILITY AND THE TOWN OF SOMERS TO AMEND THE GREATER KENOSHA SANITARY SEWER SERVICE AREA

INTRODUCTION AND BACKGROUND

By letter dated August 12, 2005, the Kenosha Water Utility, in concurrence with a request from the Town of Somers, 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. 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. The proposed expansion of the sewer service area is an outgrowth of a recent boundary agreement between the City of Kenosha and the Town of Somers.

AREA DESCRIPTION

As shown on Map 1, two areas are proposed to be added to the Greater Kenosha sanitary sewer service area. These areas are described below:

Area A:

Area A encompasses about 6.8 square miles generally located between IH 94 and Green Bay Avenue (STH 31), north of CTH S. It contains 663 acres of environmentally significant lands, including 105 acres of secondary environmental corridor, 8 acres of isolated natural resource area, 13 acres of small wetlands, and 537 acres of farmed floodplains. It is envisioned that the farmed floodplains would eventually revert to more natural conditions and become part of the adjacent environmental corridors as agricultural operations cease.¹

Area A also encompasses 318 acres of existing urban land, including street and railroad rights-of-way, a golf course, and residential land with 76 existing housing units having population of about 200 persons. The remainder of 3,360 acres (5.3 square miles) is in agricultural use, and is planned for future urban use under the Town of Somers land use plan. Of this total, about 2,000 acres (3.1 square miles) is designated for future residential development, while the balance is designated for future commercial/industrial, recreational, and governmental/institutional uses. The proposed residential areas would accommodate a population of about 6,700 persons under full development conditions.

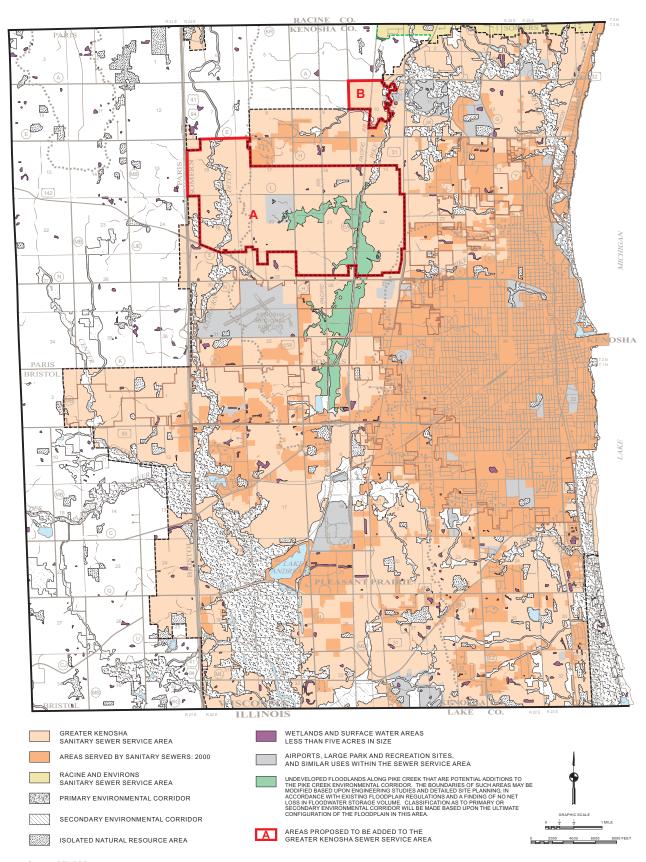
Area B

Area B encompasses about 0.4 square mile generally located south of CTH A and west of Pike Creek. It contains 49 acres of environmentally significant lands, including 40 acres of primary environmental corridor, 6 acres of secondary environmental corridor, and 3 acres of farmed floodplains. The 3 acres of farmed floodplain are envisioned to eventually revert to more natural conditions and become part of the adjacent secondary environmental corridor as agricultural operations cease.

¹ It is recognized that the boundaries of floodplain areas may be modified based upon future engineering studies and detailed site planning and in accordance with existing floodplain regulations. Such modification is considered to be consistent with this sewer service area plan, provided there is no net loss of floodwater storage volume. Under this sewer service area plan, it is envisioned that those floodplain areas that are determined on the basis of detailed site planning to be retained as open space would eventually revert to more natural conditions and become part of the environmental corridor system. With respect to the corridor along Pike Creek, the classification as primary or secondary environmental corridor will be made based upon the ultimate configuration of the floodplain.

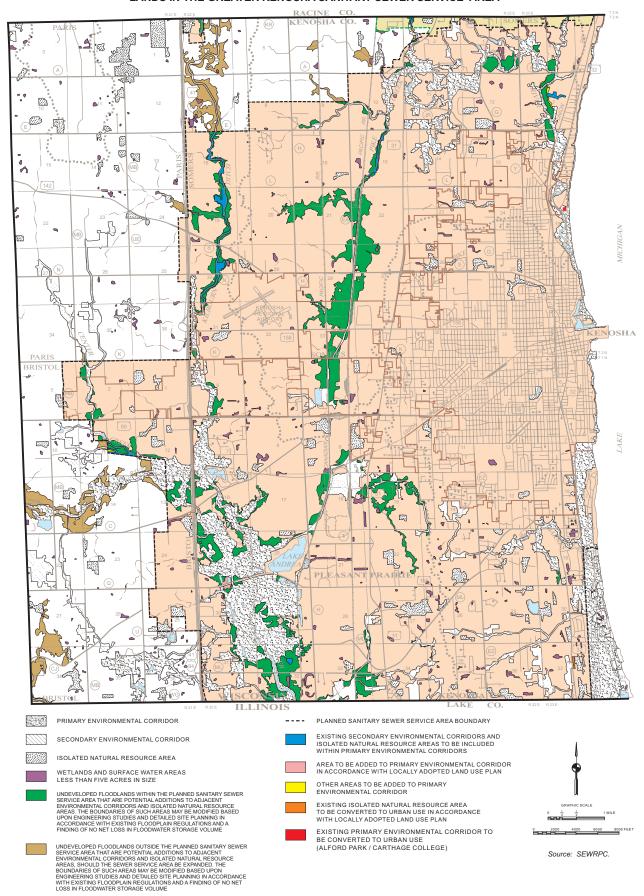
Map 1

GREATER KENOSHA PLANNED SANITARY SEWER SERVICE AREA WITH PROPOSED ADDITIONS



Map 2

ANTICIPATED CHANGES TO THE ENVIRONMENTALLY SIGNIFICANT LANDS IN THE GREATER KENOSHA SANITARY SEWER SERVICE AREA



Area B also contains 22 acres of existing urban land, including street and railroad rights-of-way, recreational lands, and residential land with 4 existing housing units having a population of about 10 persons. The remainder of 215 acres is in agricultural use, and is anticipated to be developed for residential use to accommodate a population of about 700 persons.

In total, the areas proposed to be added to Greater Kenosha sewer service area encompass 7.2 square miles and include 1.1 square miles of environmentally significant lands, 0.5 square mile of existing urban lands, and 5.6 square miles of developable land. The subject areas would accommodate a resident population of about 7,600 persons under full development conditions.

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 through 8.

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

The proposed addition of 7.2 square miles to the Greater Kenosha sewer service area represents an increase in the planned sewer service area of 9.5 percent. Including the potential population of the area proposed to be added to the sewer service area, the buildout population of the sewer service area—that is, the population which could be accommodated upon full development of the sewer service area—is estimated to be 164,600 persons. This figure exceeds the high end of the year 2020 population projection range of 148,900 persons for the Greater Kenosha sewer service area embodied in the regional land use plan.

The Regional Planning Commission is currently updating and extending the regional land use plan further into the future, to the year 2035; that plan will be completed later this year. The new regional plan will include new population projections, including a new projected population range for the Greater Kenosha sewer service area. These projections will reflect continued rapid population growth in the Greater Kenosha area. It is anticipated that the buildout population of the Greater Kenosha sewer service area, expanded as indicated on Map 1, will lie within the projection range for the Kenosha area under the forthcoming 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 range from 1.6 mgd to 2.0 mgd on an average annual basis, depending upon the extent and type of new commercial and industrial development that may occur. Based upon the average annual basis data, 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, as well as the areas currently proposed to be added. If the vacant developable lands within the Greater Kenosha sewer service area, including the areas added in 2001 and the areas 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, with the time for initiating facility planning dependent upon the pace of development over the entire service area.

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.

PUBLIC REACTION TO, AND LOCAL GOVERNMENTACTION ON, THE PLAN AMENDMENT

A public hearing was held on October 31, 2005, at the Kenosha Municipal Building to receive public comments on, and reaction to, the proposed plan amendment. The hearing was sponsored by the Kenosha Water Utility and the Regional Planning Commission. A summary of the plan amendment was presented prior to receiving public comments, including a description of the lands proposed to be added to the sewer service area and the environmentally significant lands located within.

At the hearing, one individual spoke against the addition of Area B to the sewer service area, saying that there has been no indication of interest in developing that area. There were no other objections to the proposed amendment.

With respect to the objection to the addition of Area B to the sewer service area raised at the public hearing, the Town of Somers has indicated that there is in fact developer interest in developing Area B. Moreover, Area A and Area B are both designated for future urban use in the long-range land use plan for the Town of Somers. Accordingly, no change in the proposed sewer service area plan amendment is deemed necessary.

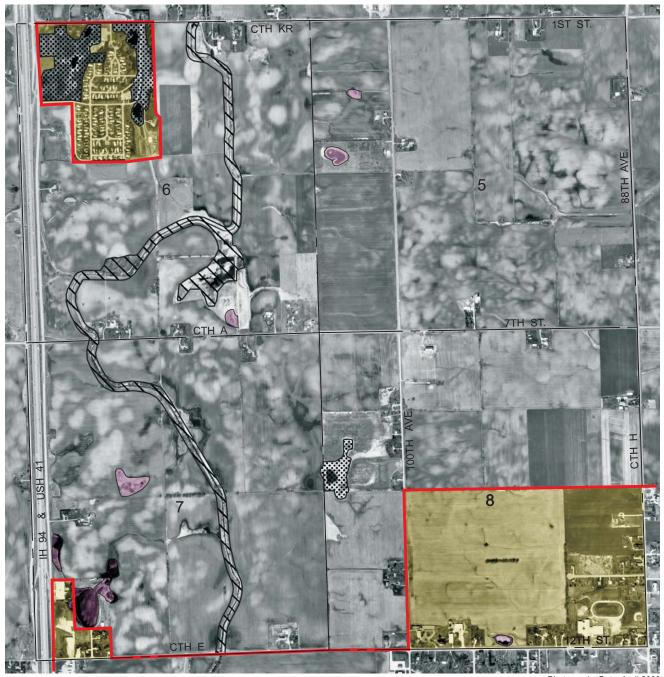
Following the public hearing, the Kenosha Utility Board approved the sewer service area amendment as presented at the hearing.

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 in this memorandum.

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

U. S. Public Land Survey Sections 5, 6, 7, and 8 Township 2 North, Range 22 East



Photography Date: April 2000

SECONDARY ENVIRONMENTAL CORRIDOR



ISOLATED NATURAL RESOURCE AREA



WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE



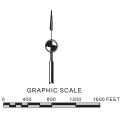
PLANNED SANITARY SEWER SERVICE AREA



GROSS SANITARY SEWER SERVICE AREA BOUNDARY

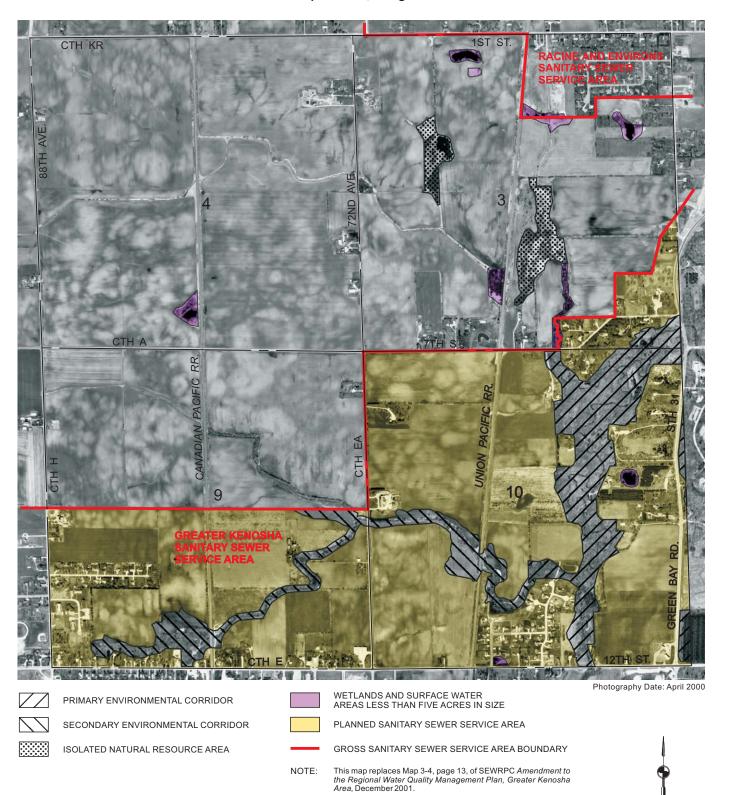
NOTE:

This map replaces Map 3-3, page 12, of SEWRPC Amendment to the Regional Water Quality Management Plan, Greater Kenosha Area, December 2001.



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

U. S. Public Land Survey Sections 3, 4, 9, and 10 Township 2 North, Range 22 East



Source: SEWRPC.

1600 FEET

GRAPHIC SCALE

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

U. S. Public Land Survey Sections 17, 18, 19, and 20 Township 2 North, Range 22 East



PRIMARY ENVIRONMENTAL CORRIDOR



WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

GROSS SANITARY SEWER SERVICE AREA BOUNDARY



PLANNED 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. CLASSFICATION AS TO PRIMARY OR SECONDARY ENVIRONMENTAL CORRIDOR WILL BE MADE BASED UPON THE ULTIMATE CONFIGURATION OF THE FLOODPLAIN IN THIS AREA.

GRAPHIC SCALE

1600 FEET

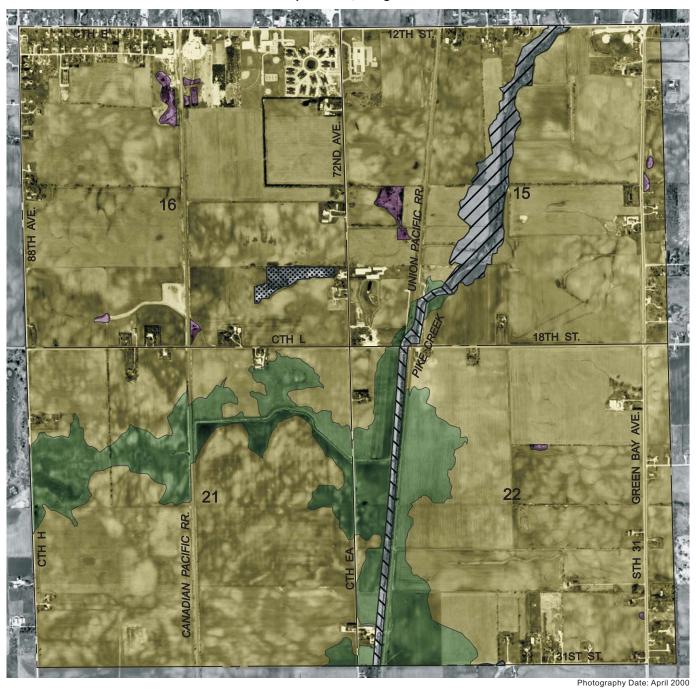
NOTE:

This map replaces Map 3-9, page 18, of SEWRPC Amendment to the Regional Water Quality Management Plan, Greater Kenosha Area, December 2001.



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

U. S. Public Land Survey Sections 15, 16, 21, and 22 Township 2 North, Range 22 East



PRIMARY ENVIRONMENTAL CORRIDOR

SECONDARY ENVIRONMENTAL CORRIDOR

•.•.•.•

ISOLATED NATURAL RESOURCE AREA

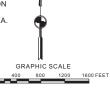
WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

PLANNED 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.

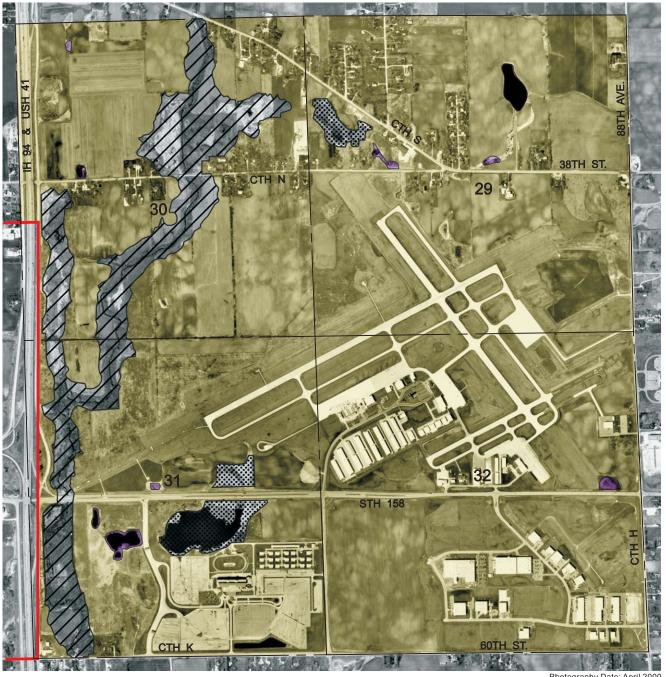
NOTE:

This map replaces Map 3-10, page 19, of SEWRPC Amendment to the Regional Water Quality Management Plan, Greater Kenosha Area, December 2001.



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

U. S. Public Land Survey Sections 29, 30, 31, and 32 Township 2 North, Range 22 East



Photography Date: April 2000

PRIMARY ENVIRONMENTAL CORRIDOR



ISOLATED NATURAL RESOURCE AREA



WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE



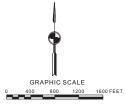
PLANNED SANITARY SEWER SERVICE AREA



GROSS SANITARY SEWER SERVICE AREA BOUNDARY

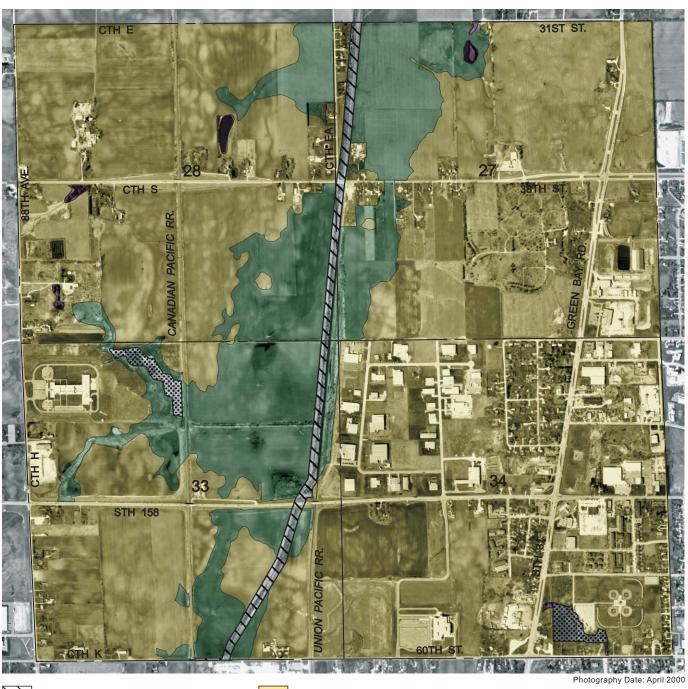
NOTE:

This map replaces Map 3-15, page 24, of SEWRPC Amendment to the Regional Water Quality Management Plan, Greater Kenosha Area, December 2001.



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

U. S. Public Land Survey Sections 27, 28, 33, and 34 Township 2 North, Range 22 East



SECONDARY ENVIRONMENTAL CORRIDOR



ISOLATED NATURAL RESOURCE AREA



WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE



PLANNED 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.



This map replaces Map 3-16, page 25, of SEWRPC Amendment to the Regional Water Quality Management Plan, Greater Kenosha Area, December 2001.



GRAPHIC SCALE 1600 FEET