

# Policies and Criteria for the Review of Sewer Service Area Amendments

Summary of Public Commentary Received (through 2/26/2026):

December 22, 2025	Chad Lawler, Madison Area Builders Association (MABA)
<p><b>Comment:</b></p> <p><i>Based on the below, I don't believe CARPC can delay the application days based on an incomplete application. Only the Department can do so and the Department has to notify the applicant within 10 days. The "Department" is not CARPC.</i></p> <p><i>Wis. Stat. s. 283.83(1m)(c)1. Except as provided under subd. 2, the department shall approve or reject a proposed revision to the areawide water quality management plan for the area consisting of Dane County no later than the 90th day after the day on which the department, or a person contracting with the department under par. (f), receives the formal application for the proposed revision, including a letter from the applicant certifying that the proposed revision is consistent with water quality standards and information supporting the certification. If the department determines that the application is incomplete, the department shall notify the applicant in writing within 10 days after the department receives the application and may make only one request for additional information during the 90-day period under this subdivision.</i></p>	
<p><b>CARPC Staff Response:</b></p> <p>This comment appears to refer to the provisions during the "Completeness Review Stage" which state that an 'incomplete' application "will be put on hold until sufficient information is provided to make it complete", also noting that incomplete applications may be delayed by one or more meeting cycles.</p> <p>Wis. Stat. s. 283.83(1m)(f) states the Department may contract with CARPC "to provide advisory services relating to the review of proposed revisions... but the Department may not delegate its authority to approve or reject proposed revisions." Since CARPC is under contract with DNR to provide such services, it is understood that the review and determinations of completeness which lead to the approval or rejection (by DNR) can be performed by CARPC.</p> <p>Determinations of 'incompleteness' are extremely rare and would only be made if the missing components were critical to the evaluation of the proposal for compliance with water quality standards; otherwise, such missing components would be handled as a request for additional information. In the case of an incomplete application causing an inability to review, it can be logically inferred that an application cannot reasonably be considered 'formal' and future review and action cannot be taken on it; and thus, the</p>	

application must be put on hold until such time that the application is determined to be complete.

No changes made to proposed policy.

January 8, 2026

Helena Tiedmann, WDNR

**Comment:**

*We'd recommend revising the note using the language from item 5 in the application document to clarify the timeline/statutory requirement. Our requested revision:*

*Note: DNR generally issues their administrative decision within 30 days upon receipt of CARPC's recommendation; in the Expedited Process where CARPC is able to recommend approval 30 days after formal application, DNR is expected to be able to continue providing their decision within 30 days of receipt of CARPC's recommendation, thus rendering a final decision within 60 days of formal application. However, in accordance with Wis. Stat. 283.83 which allows up to 90 days from the time of formal application to issue a final administrative determination, DNR may take up to 60 days to issue their decision.*

**CARPC Staff Response:**

Revision has been made to the SSA Amendment Application – Major Amendment.

January 8, 2026

Brian Grady, City of Madison

**Comment:**

*Below are two comments for your consideration.*

**Authorized Representative**

*Consider including guidance whether this would be an elected official or a municipal staff person. If a staff person, is there a specific role/position you are envisioning as the authorized representative?*

**Statement of Capacity - Wastewater Treatment (and to some extent Wastewater Collection)**

*In the case of the City of Madison, this would be a written statement from the Madison Metropolitan Sewerage District. Please suggest if there is a specific official/position at MMSD you are envisioning as the authorized representative.*

**CARPC Staff Response:**

Comments were discussed in person. Below is a summary:

- Regarding Authorized Representative, this can be determined by the local municipality as the role will vary by community and utility, and we want to keep it

open to the signer and others associated with the application whether the signer is, in fact, internally authorized to make the various statements in the application.

- Regarding the Statement of Capacity, this would be a written statement (can be email) from MMSD (can be staff) stating their ability to serve the additionally anticipated loading from the amendment area. Further guidance will be developed to help municipalities meet this requirement, including possible work flow and contacts.

Minor changes were made to proposed policy to provide clarity on expectations. Guidance materials may be produced in the future to assist municipalities with interpreting and meeting these provisions.

January 8, 2026

Tom Mathies, Town of Verona

**Comment:**

*(Numerous places) Review use of "should" and consider replacing with "must." The word "should" is ambiguous in terms of what is required. For example:*

*The applicant for a proposed amendment should be the municipality within which the property will be located at the time of development.*

*(Numerous places) Review grammar. It looks like an effective grammar checker was not used. For example:*

*A public hearing, at which members of the general public will be open to speak.*

**CARPC Staff Response:**

Policy and supporting materials were reviewed in detail – some revisions have been made where appropriate, remaining uses of “should”, “must”, etc. are intentional.

January 20, 2026

Richard Downey, Village of Deerfield

**Comment:**

*I spoke to my staff here, and we have no comments on these changes. Let me know if you need anything further.*

**CARPC Staff Response:**

No response. No changes made to proposed to policy.

January 21, 2026

Katherine Holt, City of Verona

**Comment:**

*We didn't really have subjective comments on your proposals as we talked through it when we met with you and Jason. The only comments we had were the following:*

- *Is it possible to get a resolution from MMSD to serve our proposed amended area to meet your requirement?*
- *You answered this in the meeting, but our concern was that voluntary environmental corridors would be required to be required and not voluntarily especially if it is attached to another process (i.e. USA amendment).*
- *What is expected for the City to enforce environmental corridors? If there is a recorded document noting these, will the City have a copy of the recorded document to help with enforcement?*
- *The City Engineer didn't fully understand what changes that they are proposing on the estimated environmental corridors—perhaps this is just a clarification.*

Require that amendment area also <b>not contain "estimated environmental corridors"</b> ; reference adopted Policies & Criteria for Env Corridors	Requires that amendment area not contain "environmental corridors" (which generally do not exist outside of the current SSA – such areas which would require inclusion are identified as "estimated environmental corridors". <b>[Item 1.C.]</b>	Revised text: "The amendment area cannot contain any environmentally sensitive areas (environmental corridors or estimated environmental corridors) as defined by NR 121 or by the adopted Policies & Criteria for Environmental Corridors within the <i>Dane County Water Quality Plan</i> ."
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*Overall, the USA amendment process seemed the same with better explains of what is expected.*

**CARPC Staff Response:**

These comments were responded to in email, with the original comments copied below and with CARPC response in blue.

- *Is it possible to get a resolution from MMSD to serve our proposed amended area to meet your requirement?*  
CARPC: Yes, we have discussed this concept with MMSD and they support it. We are still working on the details of what the workflow will look like and intend to develop some additional guidance.
- *You answered this in the meeting, but our concern was that voluntary environmental corridors would be required to be required and not voluntarily especially if it is attached to another process (i.e. USA amendment).*  
CARPC: The environmental corridors are generally regulated by their own set of policies and criteria. Additional protections for a given USAA are not common and only applied when specific site conditions/resources warrant it. In recent years we are striving to make this a collaborative process with the local municipality.
- *What is expected for the City to enforce environmental corridors? If there is a recorded document noting these, will the City have a copy of the recorded document to help with enforcement?*

CARPC: We intend to develop some additional guidance, but the intention is not really change how most entities operate but rather just to reinforce good collaboration between municipalities and CARPC.

- *The City Engineer didn't fully understand what changes that they are proposing on the estimated environmental corridors—perhaps this is just a clarification.*

CARPC: The version of the table cited below is outdated (refer to the version dated 2025-12-02 sent on Dec 9 or Jan 14). The current proposal is to remove the stipulation around Minor SSA amendments not containing environmental corridors (which is intended to be less of a barrier to pursuing this Minor process).

Minor changes were made to proposed policy to provide clarity on expectations. Guidance materials may be produced in the future to assist municipalities with interpreting and meeting these provisions.

January 22, 2026

Lauren Freeman, Village of Waunakee

**Comment:**

*I'm reaching out regarding the proposed USA/SSA amendment policies that were sent out earlier this month.*

*Here are a few comments I would like to share on the proposed policies:*

- *Increase of fee for minor amendments to an urban service area from \$1,500 to \$2,500. This is understandable given the amount of staff time often used for these reviews; however, some minor amendments are needed to reflect errors or oversights from the past. The fee seems a bit high when those circumstances arise.*
- *Creation of an expedited process for major urban service area amendments; timeframe goes from 90 days to 60 days - We support this.*
- *New policy that makes it explicit that local municipality is expected to support CARPC's execution of environmental corridor policies (EC). Does this policy apply to all areas in the county and municipalities? Or does this only apply to areas within a municipal sewer service area? Please clarify.*
- *The proposed flow charts and application materials have been updated to more clearly outline process and expected application materials. This provides more clarity to the amendment process - thank you!*

**CARPC Staff Response:**

These comments were responded to in email, with the original comments copied below and with CARPC response in [blue](#).

- *Increase of fee for minor amendments to an urban service area from \$1,500 to \$2,500. This is understandable given the amount of staff time often used for these reviews; however, some minor amendments are needed to reflect errors or*

oversights from the past. The fee seems a bit high when those circumstances arise.

CARPC: To be clear, the \$2,500 fee only applies to scenarios with new development (up to 4 residential units), which was not previously allowed through the minor process. The rest of the fee structure for minor amendments (\$1,500 for existing development; \$0 for existing development on septic) is not proposed to change.

- Creation of an expedited process for major urban service area amendments; timeframe goes from 90 days to 60 days - We support this.
- New policy that makes it explicit that local municipality is expected to support CARPC's execution of environmental corridor policies (EC). Does this policy apply to all areas in the county and municipalities? Or does this only apply to areas within a municipal sewer service area? Please clarify.

CARPC: Since Environmental Corridor policy is only applicable to areas within a sewer service area, the expectation is only that a municipality would support execution of the policies within their respective jurisdiction (within a sewer service area).

- The proposed flow charts and application materials have been updated to more clearly outline process and expected application materials. This provides more clarity to the amendment process - thank you!

Minor changes were made to proposed policy to provide clarity on expectations. Guidance materials may be produced in the future to assist municipalities with interpreting and meeting these provisions.

February 20, 2026

Barbara Roeslein, Town of Middleton

**Comment:**

*Dear Chair Pfeiffer and CARPC Commission Members,*

*Attached please find a Letter dated February 19, 2026, from the Town Board of Supervisors of the Town of Middleton.*

[Ltr to CARPC on Sewer Service Area Amendment to Water Quality Plan 2 19 2026.pdf](#)

**CARPC Staff Response:**

Staff support the objective of discontinuing the use of leaded aviation gasoline (avgas).

Staff have inquired with DNR on the significance of leaded aviation gasoline within the context of Areawide Water Quality Management Planning (AWQMP), the basis for CARPC's contractual authority to administer sewer service area planning. Discussions are ongoing as of the date of this publication (March 5, 2026).

The Town commissioned and provided a report titled [Perchlorate, Metals, Organic Compounds, and Lead Isotopes in Groundwater, Surface Water, Shallow Groundwater, and Soil Within and Near the Middleton Municipal Airport–Morey Field \(C29\), Middleton, Wisconsin, 2022](#). That report includes this summary:

*Ratios of lead isotopes in most water and soil samples collected within the airport study area indicate that lead was primarily sourced from background atmospheric lead deposition, Wisconsin galena lead ore, or lead-based paint; however, isotopic signatures of lead matching the leaded aviation fuel (Avgas 100LL) used at the airport were also detected. Of the 24 samples analyzed for lead isotopes, all 11 surface-water samples, all 4 soil samples, all 3 shallow groundwater samples, and 4 of the 6 groundwater samples had isotopic ratios of lead matching background atmospheric lead deposition, Wisconsin galena lead ore, or lead-based paint. Two groundwater samples, one upgradient from the airport and one downgradient from the airport in Highwood Circle Estates, had isotopic signatures similar to leaded aviation fuel.*

Regarding lead levels in the environment, the report says:

*Environmental exposure to lead is known to affect multiple organ systems, resulting in deficits that may affect someone for life, even after the lead exposure has been eliminated (McFarland and others, 2022). The EPA action level for lead in drinking water is 15 parts per billion (equivalent to micrograms per liter), according to the EPA's lead and copper rule; however, the EPA nonenforceable maximum contaminant level (MCL) goal for lead in drinking water is 0 parts per billion because the EPA has stated that the best available science determined no level of exposure to lead is safe (U.S. Environmental Protection Agency, 2023).*

Most of the lead levels identified in water samples in the study ranged from below the measurement threshold to a maximum of 0.956 ppb, with one shallow groundwater sample at 46.8 ppb. None of the 11 surface water samples tested for lead had isotopic signatures consistent with leaded avgas; two of the nine groundwater samples tested for lead had isotopic signatures consistent with leaded avgas.

It is CARPC staff's opinion that addressing water quality issues specific to certain land uses is outside of the scope of the proposed updates to the *Policies and Criteria for the Review of Sewer Service Area Amendments*. Rather, such water quality issues may be more appropriate for discussion in the broader *Dane County Water Quality Plan*. DNR staff concurred with CARPC staff on this determination.

Staff also inquired with the WI Bureau of Aeronautics. Per Hal Davis, Bureau Airport Compliance Manager, airport owners that receive funds from the Federal Aviation Administration (FAA), including the City of Middleton and Dane County, are obligated to comply with [federal grant assurances](#). The FAA Reauthorization Act of 2024 Section 770 added federal grant assurance #40, which specifically prohibits any restrictions on the

sale or self-fuel of 100LL if it was sold at the airport in CY2022. This requirement remains in effect until 12/31/2030 or until the FAA approves an acceptable replacement; violation of this requirement may result in civil penalties and may jeopardize eligibility for future federal funding. Per the FAA, as of 12/25/25, no fuel meets the approved replacement fuel criteria.

If determined to be within the jurisdiction of the AWQMP, a restriction on the use of leaded avgas could be a condition of approval on a future SSA amendment. Such a restriction would likely restrict any SSA expansions for airports (such as for hangars) until the FAA rule is satisfied or changed.

No changes made to proposed policy.

3/12/26 EDIT: During the CARPC Meeting on March 12<sup>th</sup>, 2026, the Commission acted to add language to Section 3.01 of the draft Policies and Criteria for Sewer Service Area Amendments (dated 3/3/26) to ensure that sewer service area amendments enabling the expansion of general aviation airports would not be eligible for the Major SSA Expedited process.