

Policies and Criteria for Sewer Service Area Amendments

Dane County Water Quality Plan

Capital Area Regional Planning Commission

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Contents

Article I. Sewer Service Area Amendments – General	2
Section 1.01 Key Terms and Concepts.....	2
Section 1.02 Need for Sewer Service Area Planning	2
Section 1.03 Regional Planning Priorities.....	3
Section 1.04 Public Participation Process	4
Section 1.05 Creation of New Sewer Service Areas.....	4
Section 1.06 Historical Limited Service Areas.....	5
Section 1.07 Overview of Amendment Processes.....	5
Section 1.08 Criteria for All SSA Amendments.....	6
Section 1.09 Submittal Requirements.....	7
Article II. Sewer Service Area Major Amendments – Standard Process	11
Section 2.01 Procedures for Standard Process.....	11
Article III. Sewer Service Area Major Amendments – Expedited Process	14
Section 3.01 Additional Criteria for Expedited Process	14
Section 3.02 Procedures for Expedited Process	14
Article IV. Sewer Service Area Minor Amendments.....	18
Section 4.01 Additional Criteria for Minor Amendments	18
Section 4.02 Procedures for Minor Amendment Process	18

Article I.

Sewer Service Area Amendments – General

SECTION 1.01 KEY TERMS AND CONCEPTS

(i) Sewer Service Areas (SSA)

Planning areas which identify existing sewer service areas and adjacent lands most suitable for new development, as well as environmentally sensitive areas where development would have an adverse impact upon water quality (see Environmental Corridors definition below). In the Dane County region, sewer service areas have historically been further defined as either Urban Service Areas or Limited Service Areas (see definitions below).

(ii) Urban Service Areas (USA)

Lands intended for urban development, located in and around existing communities in the Dane County region, with the capacity to provide a full range of urban services (e.g., public sanitary sewer, public water supply, trash/refuse collection, emergency medical services, etc.).

(iii) Limited Service Areas (LSA)

Lands intended for limited urban development, located in and around existing communities in the Dane County region, with the capacity to provide one or more urban services (typically inclusive of public sanitary sewer collection).

(iv) Environmental Corridors

Generally contiguous network of open space and environmentally sensitive areas within urban service areas that are protected from development.

(v) Estimated Environmental Corridors

Preliminary estimates of lands that would be required to be designated as Environmental Corridor if brought into an urban service area.

(vi) Voluntary Environmental Corridors

Lands that provide important benefits to the region, but do not have legal protection from development or disturbance (e.g., 500-year floodplains, endangered and sensitive habitats, etc.), and which are recommended for voluntary inclusion in Environmental Corridors.

SECTION 1.02 NEED FOR SEWER SERVICE AREA PLANNING

SSA planning plays an important role in keeping Wisconsin's water safe for drinking, recreation and diverse aquatic life. SSA planning is not intended to restrict a community's growth, obligate wastewater treatment plants to provide sewer throughout the planning boundary, and/or affect community annexation policy. Planning accommodates future growth, while at the same time consolidating wetland, shoreland, and floodplain protection programs within a community-based plan for sewer service development.¹ Effective service area planning and policies relating to wastewater collection and treatment are best developed in tandem with comprehensive planning at a regional and local level. The

Capital Area Regional Planning Commission (CARPC) conducts SSA planning activities under contract with Wisconsin Department of Natural Resources (DNR).

Predicting the specific impacts of any one development on water resources can be difficult, or even impossible. It is similarly challenging at a regional or watershed scale to recognize and account for the cumulative impacts of development on the ecological systems that are vital to the region's wellbeing. As watersheds experience increased urbanization, infrastructure expansion, and increases in impervious surfaces, the cumulative impacts can push these natural systems past the point where ecological degradation accelerates, often irreversibly. The needs of a growing economy and population must be balanced with the need for sustaining the ecological systems that are the foundation of the region's vitality.

Avoiding all detrimental impacts to water resources and ecological systems within a highly urbanized watershed can be difficult, or entirely impossible, especially given the historical lack of proper stormwater management or focus on conservation and protection of these sensitive ecosystems. However, there are strategies which can slow and even reverse some these impacts. One of the most effective ways of pairing the need for development with limiting detrimental impacts on ecosystems is to use development practices prioritizing sustainability and progressive stormwater management using integrated green infrastructure and nature-based solutions.

In areas of the region where water resources are not already highly impaired, special emphasis should be placed on avoiding degradation and preventing pushing these resources beyond the tipping points described above. Current stormwater management ordinances do not fully mitigate the effects of development on water resources. Even with more protective stormwater management performance standards, the effects of land conversion from natural systems to agriculture use or urban development can have detrimental impacts on water resources and biological systems. As such, it is often appropriate to enact higher standards for stormwater management and ecosystem conservation to further limit the degradation of sensitive resources.

SECTION 1.03 REGIONAL PLANNING PRIORITIES

The following items represent general planning priorities and best practices supported by CARPC. While the applicant is encouraged to incorporate these into their proposal, these are not a basis for a decision on water quality criteria.

(i) Contiguity to Existing Urban Infrastructure

Development should seek the efficient use of existing capacity in urban infrastructure (roads and streets, sewerage systems, water systems, parks and open space, etc.).

(ii) Efficient Land Use

Development should seek efficient use of land through higher densities of development, infill development and redevelopment of existing development areas across the region.

A. Reliance on Planning.

Urban Service Area (USA) expansion should be based on the community's comprehensive plan. Ad-hoc plan amendments in response to an unanticipated development opportunity should be rare but are sometimes necessary, especially for a land use in short supply in the community.

- B. Intergovernmental Cooperation. Infrastructure systems (e.g. transportation) and natural systems (e.g. watersheds) cross municipal boundaries. Annexation and development decisions affect functions and outcomes for neighboring communities. CARPC encourages good communication between neighbors and intergovernmental agreements that coordinate growth, boundaries and services.
- C. Climate Change Mitigation and Resiliency. All facets of planning and development should consider the impacts of a warming climate and increased precipitation anticipated in the region, including increased severe weather patterns. Future development and infrastructure planning should aim to ensure reliability and sustainability in the face of these conditions and consider the associated socio-economic impacts.
- D. Transportation Planning. Careful planning of transportation systems can improve cost efficiency and mobility outcomes for current and future residents of our region. CARPC will provide all SSA amendment applications to the Greater Madison Metropolitan Planning Organization (MPO) for review and commentary.

SECTION 1.04 PUBLIC PARTICIPATION PROCESS

A key component of areawide water quality planning, and specifically the sewer service area amendment process, is meaningful public participation. Amendment proposals should be prepared with public input at the local process. All areawide water quality plan and plan revisions, including SSA amendments, must have been subject to a public participation process approved by Wisconsin DNR including, at a minimum, a public hearing [pursuant to [NR 121.07\(1\)\(b\)](#)].

A public hearing will be set for the next possible CARPC meeting unless the DNR determines it will hold the hearing at a time and place it deems appropriate in accordance with the contractual agreement between DNR and CARPC. The DNR may petition the circuit court for an order extending the time to act on the proposed amendment [pursuant to [Wis. Stat. § 283.83\(1m\)\(c\)\(2\)](#)]. All affected local units of government (generally, local clerks and administrators), applicable county board supervisors, local chief elected officials, and other interested parties will be notified by letter thirty (30) days prior to the public hearing in accordance with [Wis. Stat. § 66.1001\(4\)\(d\)](#). For amendments which would expand the Central Urban Service Area (USA) more than 300 developable acres, CARPC will notify all the units of government within the Central USA and invite them to comment.

All materials, including the application, staff analysis, CARPC recommendation, records of public hearings and Commission action, and DNR decision letter will be made available to the public throughout the amendment process through the CARPC website or other designated media.

SECTION 1.05 CREATION OF NEW SEWER SERVICE AREAS

In general, new sewer service areas will not be created unless there is no existing wastewater treatment facility and service area which could logically be expanded to serve the area. Creation of new service

areas must meet the requirements and conditions of NR 110 regarding new treatment facilities to serve new and existing residential and non-residential development, and the state anti-degradation policy (NR 207, which prevents the unnecessary creation of new point-sources of wastewater discharge on water bodies). This process will require additional coordination with DNR and may be subject to additional criteria and requirements not stated in this document.

SECTION 1.06 HISTORICAL LIMITED SERVICE AREAS

Historically, Limited Service Areas (LSA) have been defined within the Dane County region for areas where only one or a few urban services, such as sanitary sewer service, are provided to accommodate special or unique facilities or institutional uses which are appropriately located outside urban service areas, or areas of existing development experiencing wastewater disposal or water supply problems. This offered distinction from Urban Service Areas, which provided a full range of urban services.

At times, some Limited Service Areas have been “absorbed” by Urban Service Areas during amendments to the sewer service area. In other instances, reference names of both Limited Service Areas (e.g., Oak Hill Correctional LSA) and Urban Service Areas (e.g., Central USA) have been retained. However, the distinction is no longer relevant and both Limited Service Areas and Urban Services Areas are more broadly defined as sewer service areas.

SECTION 1.07 OVERVIEW OF AMENDMENT PROCESSES

Revisions to SSA boundaries allow for a careful and structured approach to the expansion of urban areas to meet the needs of a growing region, while managing, protecting, and enhancing groundwater and surface water quality. All amendments to urban service areas and limited service areas represent changes to the SSA within the *Dane County Water Quality Plan*, and as such, are referred to as SSA amendments. This planning approach considers the interconnected relationship and impact of land development on water resources and ecosystem resources on an areawide basis.

In general, the SSA amendment process includes a formal application, public hearing, review by CARPC staff, Commission action on a Water Quality Management Letter, and Wisconsin DNR final review and decision.

Given the varying levels of complexity and the associated potential for adverse water quality impacts on receiving waters and ecosystem resources for any given SSA amendment, two primary types of amendments have been established – Major Amendments and Minor Amendments. Major Amendments are often associated with imminent or future growth of the community and typically involve larger areas and more complexities and thus require a higher level of review. Whereas Minor Amendments are associated with small adjustments to the SSA to accommodate existing development on septic or minor development which would have a negligible impact on wastewater infrastructure and water quality. An applicant of a prospective Major Amendment can elect to follow one of two processes (where certain eligibility criteria are met): Standard Process (refer to [Article II](#)) or Expedited Process (refer to [Article III](#)). An applicant of a prospective Minor Amendment follows a separate process for such amendments (refer to [Article IV](#)). These processes have been established in accordance with [Wis. Stat. § 283.83\(1m\)](#).

SECTION 1.08 CRITERIA FOR ALL SSA AMENDMENTS

Requests for all amendments (Major *and* Minor) must comply with *ALL* the following:

- A. The applicant for a proposed amendment should be the municipality the property will be located within at the time of development, or the municipality the property is located within at the time of application in the case of an amendment to serve existing development.
- B. The following must be provided with the application to show that certain designated local management agencies in charge of various aspects of water quality protection have the ability and recognize their responsibilities in serving the amendment area (*Note: one or more of the following can be combined if coming from the same entity*):

- i. Resolution stating support of the amendment to the SSA by municipality who is making the application
- ii. Resolution acknowledging obligation to enforce **nonpoint source pollution control** (i.e., stormwater management) by the municipality who will have regulatory jurisdiction at the time of development
- iii. Resolution acknowledging role in helping to protect designated **Environmental Corridors** by the municipality who will have regulatory jurisdiction at the time of development

Note: In lieu of a Resolution, applicant may demonstrate this by reference to existing policy or planning document

- iv. Written statement of the ability to serve the proposed amendment area by representative of the entity (local municipality or sewerage district) who will be providing **wastewater treatment** for amendment area at the time of development

Note: In lieu of a statement from separate entities, the applicant can demonstrate sufficient capacity within the treatment system (e.g., calculations, intergovernmental agreement, etc.)

- v. Written statement of the ability to serve the proposed amendment area by representative of each entity (local municipality(ies) and/or sewerage district(s)) who will provide **wastewater collection and/or conveyance** from the amendment area to the treatment plant at the time of development

Note: In lieu of a statement from separate entities, the applicant can demonstrate sufficient capacity within the downstream systems

- C. The applicant must have provided notice of their intent to expand the service area (including identification of location of the amendment) to adjacent municipalities as well as any municipality which would be directly affected by the proposed amendment (e.g., issues stemming from intergovernmental agreements, utility service, etc.). Where post-development stormwater runoff from the amendment area will likely be discharged to an area under the jurisdiction of another unit of government, notification must identify this condition.

- D. Adequate wastewater collection and treatment capacity must be available in existing and proposed facilities to receive the anticipated volume of wastewater generated by the area. If existing capacity is not available at the time of application, ability to provide adequate capacity at the time of development must be identified.
- E. Service areas must be delineated to ensure the cost-effective (as defined in NR 110.03) and environmentally sound expansion of public sewerage facilities.
- F. The boundary of SSA amendment areas should generally follow parcel lines, rights-of-ways (ROWs), or other appropriate, repeatable boundaries. Consult with CARPC staff on delineation.
- G. In general, SSA amendment areas should be contiguous to existing sewer service areas, although exceptions may be made for unique land uses where isolation is warranted. In these rare instances, an amendment area may be discontinuous (on an "island") to accommodate special/unique facilities or institutional uses which are appropriately located outside the immediate vicinity of existing service areas, or areas of existing development experiencing wastewater disposal or water supply problems.
- H. Amendments should not omit adjacent lands which would create a gap or "hole" in the resulting SSA.
- I. Stormwater management measures should be aimed at mitigating to the maximum extent practicable the cumulative and incremental adverse impacts of development on surface water, groundwater resources, and associated ecological systems. Such impacts include, but are not limited to, increases in off-site erosion and flooding, increases in pollution, reductions in stream baseflow, reductions in groundwater recharge, lowering of groundwater levels and groundwater quality, reductions in flows to and from springs, hydrologic alterations of wetlands, and reductions in the ecological health of natural habitats. The effectiveness of proposed measures should be analyzed in the context of the current best management practices and available technology, and in consultation with municipal, county, and Wisconsin DNR technical staff.

SECTION 1.09 SUBMITTAL REQUIREMENTS

The following describes submittal requirements for an SSA amendment application. Refer to the respective Application – Major Amendments or Application – Minor Amendments for additional details and a checklist of items needed for submittal to help demonstrate compliance with these *Policies and Criteria for SSA Amendments* [[link](#) to webpage containing applications].

Requests for sewer service area amendments must be accompanied by plans for development, including proposed land uses and major facilities in the area, provisions for water supply and wastewater collection and treatment services to be provided to the amendment area, description of nonpoint source pollution control measures and standards (e.g., stormwater management), and identification of environmentally sensitive areas which will be protected from development along with a description of local policies, ordinances and other measures to protect such areas.

The specific level of detail in supporting materials can vary depending on how much is known about the future development area and whether there are specific development plans, provided that enough

specificity is provided in terms of: type and densities of land use to enable the determination of long-range urban service needs and impacts of development; the applicant can show compliance with water quality standards under Wis Stats. 281.15, applicable provisions of NR 121, and additional policies and criteria of the *Dane County Water Quality Plan*.

(i) Completeness

For a complete submittal, the applicant shall submit the following, unless otherwise noted:

- 1) Cover letter from applicant (sponsoring municipality) or applicant’s representative (see Application form).
- 2) Supporting resolution(s).
- 3) Supporting statements of wastewater treatment and collection capacity.
- 4) Documentation of notification to adjacent local governmental units.
- 5) Application form (Major or Minor)

Note: This form is not required for a complete submittal, but is intended to help ensure all required materials are provided and increase efficiency of review

- 6) Signed letter certifying that the proposed revision is consistent with water quality standards, pursuant to Wis. Stat. § 283.83 (*Note: completion of the Certification section in Application form satisfies this requirement*).
- 7) Narrative and associated maps, tables, and figures which address requirements of application checklist.
- 8) Relevant reports and studies, as appropriate (e.g., wetland delineation, stormwater management report, flora/fauna assessment, utility report, etc.)

(ii) Land Use Tables

Applications require two land use tables using the categories provided below, one table for the existing land uses and a second for proposed land uses. It is important for CARPC data collection that applicants use consistent land use categories (i.e., all land uses should fit into one of the predefined categories). When in doubt, applicants should refer to the [North American Industry Classification System \(NAICS\)](#) for example uses within each category. Provide values rounded to the nearest tenth of an acre.

Table 1. Existing Land Use

Land Use	Total Area (ac)	Housing Units (Count)
Agricultural		
Cemetery		
Commercial ¹		
Extractive		
Governmental/Institutional		
Manufacturing		
Military		
Open Land		
Parks and Recreation		
Residential		
Single-Unit		
Multi-Unit		
Rural		
Group Quarters		
Mixed-Use	... ³	
Road Rights-of-Way (ROW)		
Stormwater Management		
Water and Wetlands		
Woodland		
TOTAL ACREAGE		

¹ “Commercial” refers to service-providing industries, including Wholesale Trade (NAICS 42) and Retail Trade (NAICS 44-45) (e.g., wholesale, sale of goods, services, etc.); “manufacturing” is a separate category referring to the actual *production* of goods.

² Where possible, separate residential uses into the following categories: Single-Unit, Multi-Unit, Rural, Group Quarters, and Residential/Commercial Mixed-Use.

³ For mixed use, list housing units under residential subsection and acreage under corresponding other use (e.g., commercial).

Table 2. Proposed Land Use

Land Use	Total Area (ac)	Existing Development (ac)	New Development (ac)	Housing Units (Count)
Agricultural				
Cemetery				
Commercial ¹				
Extractive				
Governmental/Institutional				
Manufacturing				
Military				
Open Land				
Parks and Recreation				
Residential ²				
Single-Unit				
Multi-Unit				
Rural				
Group Quarters				
Mixed-Use	_3		_3	
Road Rights-of-Way (ROW)				
Stormwater Management				
Water and Wetlands				
Woodland				
TOTAL ACREAGE				

¹ “Commercial” refers to service-providing industries, including Wholesale Trade (NAICS 42) and Retail Trade (NAICS 44-45) (e.g., wholesale, sale of goods, services, etc.); “manufacturing” is a separate category referring to the actual *production* of goods.

² Where possible, separate residential uses into the following categories: Single-Unit, Multi-Unit, Rural, Group Quarters, and Residential/Commercial Mixed-Use.

³ For mixed use, list housing units under residential subsection and acreage under corresponding other use (e.g., commercial).

Article II.

Sewer Service Area Major Amendments – Standard Process

The goal of the Standard Process is to provide a pathway for applicants to amend the sewer service area boundaries to accommodate imminent and future planned growth in a structured manner while managing, protecting, and enhancing groundwater and surface water quality. Additional Criteria for Standard Process

In addition to the criteria listed under Section 1.08, Criteria for All SSA Amendments, requests for Major Amendments utilizing the Standard Process must comply with ALL the following:

(no additional criteria)

SECTION 2.01 PROCEDURES FOR STANDARD PROCESS

The following describes the application and review of an SSA Major Amendment, utilizing the Standard Process. Refer to the associated flow chart for an illustrative outline of steps (in case of discrepancy, these *Policies and Criteria for SSA Amendments* shall control) [[link](#) to webpage containing flow charts].

(i) Pre-Application Stage

- 1) The applicant is encouraged to provide written (via email is preferred) notice to CARPC staff of the intent to pursue an SSA amendment.
- 2) A Pre-Application meeting between the applicant, the applicant's representative(s) (e.g., planning consultant), and CARPC staff is optional but *highly recommended*. Attendance of technical support and the development team is optional but may be helpful. The following represents the basic topics which should be covered at this meeting:
 - a. Discussion of goals and priorities of the development, municipality, and region
 - b. Process and schedule review
 - c. Potential issues anticipated (including any known public controversy)
 - d. Review of key issues related to stormwater management, wastewater collection and treatment, and Environmental Corridors
 - e. Review of environmentally sensitive areas and ecosystems as well as opportunities for enhanced protections which still meet the goals of the municipality and development

Note: CARPC staff will provide information on Voluntary and Estimated Environmental Corridors
- 3) CARPC staff will provide a general update at the next CARPC Commission to inform them of the upcoming application.
- 4) A draft application is recommended to be submitted to CARPC staff at least two (2) weeks prior to a formal application submittal to allow for informal staff review. Staff will review for

completeness and clarity, potential concerns, and gaps in information. This review does not constitute acceptance of a formal application, guarantee acceptability of the content within, nor guarantee future acceptance of the proposed amendment. Rather, it is intended to assist the applicant with preparation of a complete submittal.

- 5) Applicant submits a formal application to CARPC staff (via email is preferred).

(ii) Formal Review Stage

- 1) Upon receipt of an application package, CARPC staff will review for completeness within 10 days [pursuant to Wis. Stat. § 283.83(1m)(c)(1)]. If determined to be incomplete, the application will be put on hold until sufficient information is provided to make it complete. If no determination has been made within 10 days, the application will be assumed complete.

Note: A complete, formal application must have been received at least 31 days prior to holding the public hearing for the prospective amendment in order to comply with posting requirements (see [Section 1.04, Public Participation Process](#) for additional information). Due to meeting schedules and posting requirements, applications determined incomplete may be delayed by one or more meeting cycles.

- 2) A public hearing notice will be posted by CARPC staff.
- 3) CARPC staff review public feedback collected during the public comment period and conduct a detailed review of the application for conformance with water quality standards [pursuant to [Wis. Stat. § 281.15](#)] and these *Policies & Criteria for Sewer Service Area Amendments*.
- 4) **CARPC Meeting:** A public hearing and applicant presentation will take place at the next Commission meeting, and include the following:
 - a. A public hearing, open to members of the public to provide testimony
 - b. A presentation by the applicant on the proposed amendment, which should give an overview of the planned development for the area and cover the following topics:
 - i. Need for SSA amendment
 - ii. Land use patterns and consistency with local community's comprehensive plan (or neighborhood plan, if applicable)
 - iii. Natural resources within and adjacent to the amendment area which may be impacted by the development and mitigation measures to avoid impacts
 - iv. Proposed environmental corridors
 - v. Utilities (generally how area will be served with water and sewer, noting any capacity issues)
 - vi. Stormwater management concepts/approach
 - vii. Any known water quality issues of concern
- 5) Staff prepare a detailed report containing an analysis of the amendment proposal and how it meets (or does not meet) water quality standards. Conditions of approval may be recommended to DNR to ensure water quality standards and other policies and criteria of the *Dane County Water Quality Plan* will be met, or to address water quality concerns raised at

the public hearing. Staff also prepare a Water Quality Management Letter, containing the findings and recommendations to Wisconsin DNR.

- 6) **CARPC Meeting:** A staff presentation and Commission action will take place at the next Commission meeting, and include the following:
 - a. Staff will provide a presentation of their findings and provisions contained within the draft Water Quality Management Letter, for the Commission's action.
 - b. The Commission will act on the Water Quality Management Letter, which may contain recommendations to DNR for certain conditions of approval to ensure compliance with water quality parameters and/or other water quality and environmental resources protection needs.
- 7) Upon the action of the Commission, staff will forward the recommendation to Wisconsin DNR for their review and administrative decision.

(iii) DNR Review Stage

- 1) DNR reviews all materials and issues an administrative decision on the proposed amendment (typically within 30 days of CARPC's action). DNR's decision letter often includes, by reference, the provisions contained within the CARPC Water Quality Management Letter but may also adjust or add additional conditions of approval.
- 2) Staff forward the final administrative decision to the applicant and make it available on the CARPC website.

Article III.

Sewer Service Area Major Amendments – Expedited Process

The goal of the Expedited Process is to provide an elective, alternative route of pursuing an SSA Major Amendment. Working collaboratively prior to the formal amendment application allows for the possibility to resolve issues, align priorities, and yield better outcomes. By initiating the proposal early in the overall development process and proactively engaging with CARPC staff regarding possible issues and concerns, the formal amendment review period has the potential to be completed on a shorter timeline (60 days from formal submittal, compared to 90 days for the Standard Process).

Note: DNR has historically operated in a manner which provides their decision within 30 days of receipt of CARPC's recommendation, thus rendering a final decision within 90 days of formal application pursuant to [Wis. Stat. § 283.83\(1m\)](#); 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.

SECTION 3.01 ADDITIONAL CRITERIA FOR EXPEDITED PROCESS

In addition to the criteria listed under Section 1.08, Criteria for All SSA Amendments, requests for Major Amendments utilizing the Expedited Process must comply with ALL the following:

- A. There shall not be any known, unmitigated water quality concerns related to the proposed amendment to the sewer service area upon submittal of formal application.
- B. Sewer service area amendments that would enable the expansion of a general aviation airport would not be eligible for the expedited process.
- C. All steps within the pre-application stage (see below) must be completed prior to formal application.

SECTION 3.02 PROCEDURES FOR EXPEDITED PROCESS

The following describes the application and review of an SSA Major Amendment, utilizing the Expedited Process. Refer to the associated flow chart for an illustrative outline of steps (in case of discrepancy, these *Policies and Criteria for SSA Amendments* shall control) [[link](#) to webpage containing flow charts].

Note: it is recommended to begin the pre-application stage at least 45 days prior to a formal SSA application to allow time for completion of all activities.

(i) Pre-Application Stage

- 1) The applicant shall provide written (via email is preferred) notice to CARPC staff of the intent to pursue an SSA amendment prior to local approval of the preliminary plat. It is intended for this to occur early in the overall development process (for a specific development request) or comprehensive planning process (for long-term planning requests).

- 2) A Pre-Application meeting between the applicant, the applicant's representative(s) (e.g., planning consultant), and CARPC staff is *required*. Attendance of technical support and the development team is optional but may be helpful. The following represents the basic topics which should be covered at this meeting:
 - a. Discussion of goals and priorities of the development, municipality, and region
 - b. Process and schedule review
 - c. Potential issues anticipated (including any public controversy)
 - d. Review of key issues related to stormwater management, wastewater collection and treatment, and Environmental Corridors
 - e. Review of environmentally sensitive areas and ecosystems and opportunities for enhanced protections which still meet the goals of the municipality and development
Note: CARPC staff will provide information on Voluntary and Estimated Environmental Corridors

- 3) A meeting(s) between the applicant (and/or applicant's representative), affected municipalities (including all adjacent municipalities), and CARPC staff is required. Attendance of technical support and the development team is optional, but may be helpful. The following represents the basic topic which should be covered at this meeting:
 - a. Discussion of goals and priorities of the development, municipality, and region
 - b. Discussion of conflicts and possible resolution between municipalities due to the SSA amendment

Note: In lieu of a meeting with affected municipalities, the applicant may demonstrate that the invitation to the meeting was declined or not responded to within 10 business days

- 4) CARPC staff, in consultation with the applicant and other municipal, county, and Wisconsin DNR technical staff (as appropriate) will decide if the application can proceed with the Expedited Process, based on whether there are unmitigated water quality concerns which raise uncertainty to the ability to meet water quality standards. Proposals with such unmitigated concern must follow the Standard Process from this point forward.

- 5) CARPC staff will provide a general update at the next CARPC Commission to inform them of the upcoming application.

- 6) A draft application is recommended to be submitted to CARPC staff at least two (2) weeks prior to a formal application submittal to allow for informal staff review. Staff will review for completeness and clarity, potential concerns, and gaps in information. This review does not constitute acceptance of a formal application, guarantee acceptability of the content within, nor guarantee future acceptance of the proposed amendment. Rather, it is intended to assist the applicant with preparation of a complete submittal.

- 7) Applicant submits a formal application to CARPC staff (via email is preferred).

(ii) Formal Review Stage

- 1) Upon receipt of an application package, CARPC staff will review for completeness within 10 days [pursuant to [Wis. Stat. § 283.83\(1m\)\(c\)\(i\)](#)]. If determined to be incomplete, the application will be put on hold until sufficient information is provided to make it complete. If no determination has been made within 10 days, the application will be assumed complete.

Note: A complete, formal application must have been received at least 31 days prior to holding the public hearing for the prospective amendment in order to comply with posting requirements (see [Section 1.04, Public Participation Process](#) for additional information). Due to meeting schedules and posting requirements, applications determined incomplete may be delayed by one or more meeting cycles.

- 2) A public hearing notice will be posted by CARPC staff.
- 3) CARPC staff review public feedback collected during the public comment period and conduct a detailed review of the application for conformance with water quality standards [pursuant to [Wis. Stat. § 281.15](#)] and these *Policies & Criteria for Sewer Service Area Amendments*.
- 4) Staff prepare a detailed report containing an analysis of the amendment proposal and how it meets (or does not meet) water quality standards. Conditions of approval may be recommended to DNR to ensure water quality standards and other policies and criteria of the *Dane County Water Quality Plan* will be met, or to address water quality concerns raised at the public hearing. Staff also prepare a Water Quality Management Letter, containing the findings and recommendations to Wisconsin DNR.
- 5) **CARPC Meeting:** A public hearing, staff presentation and Commission action will take place at the next Commission meeting, and include the following:
 - a. A public hearing, open to members of the public to provide testimony
 - b. A presentation by the applicant on the proposed amendment, which should give an overview of the planned development for the area and cover the following topics:
 - i. Need for SSA amendment
 - ii. Land use patterns and consistency with local community's comprehensive plan (or neighborhood plan, if applicable)
 - iii. Natural resources within and adjacent to the amendment area which may be impacted by the development and mitigation measures to avoid impacts
 - iv. Proposed environmental corridors
 - v. Utilities (generally how area will be served with water and sewer, noting any capacity issues)
 - vi. Stormwater management concepts/approach
 - vii. Any known water quality issues of concern
 - c. Staff will provide a presentation of their findings and provisions contained within the draft Water Quality Management Letter, for the Commission's action
 - d. The Commission may act on the Water Quality Management Letter, which may contain recommendations to DNR for certain conditions of approval to ensure compliance with

water quality parameters and/or other water quality and environmental resources protection needs

Note: If any unmitigated water quality concerns have been raised, no action will be taken, and the application will be routed through the [Standard Process](#), beginning on Day 30

- 6) Upon the action of the Commission, staff will forward the recommendation to Wisconsin DNR for their review and administrative decision.

(iii) DNR Administrative Decision

- 7) DNR reviews all materials and issues an administrative decision on the proposed amendment (typically within 30 days of CARPC's action). DNR's decision letter often includes, by reference, the provisions contained within the CARPC Water Quality Management Letter but may also adjust or add additional conditions of approval.
- 8) Staff forward the final administrative decision to the applicant and make it available on the CARPC website.

Article IV.

Sewer Service Area Minor Amendments

SSA Minor Amendments facilitate the connection of existing structures to the public wastewater collection and treatment system. They provide a simplified pathway for small adjustments to the sewer service area boundaries which would have a negligible impact on the wastewater collection and treatment system.

SECTION 4.01 ADDITIONAL CRITERIA FOR MINOR AMENDMENTS

In addition to the criteria listed under [Section 1.08, Criteria for All SSA Amendments](#), requests for Minor Amendments must comply with ALL the following:

- A. Minor Amendment requests shall be limited to serve any of the following:
 - i. Existing buildings or the comparable replacement of existing buildings currently on septic systems
 - ii. Additional ancillary buildings on a portion of a parcel only partly within the sewer service area (i.e., outside of the current SSA boundary)
 - iii. Buildings in existence as of February 13, 2020, which are already connected to public sanitary sewer but are currently outside of the approved sewer service area
 - iv. Up to 4 units of new residential construction
- B. The amendment area must adhere to all adopted *Policies & Criteria for Environmental Corridors* within the *Dane County Water Quality Plan* [[link](#) to webpage containing policies] (i.e., no Major Changes allowed).
- C. Area must be contiguous with existing sewer service areas.
- D. There shall not be any known, unmitigated water quality concerns related to the proposed addition to the sewer service area.

SECTION 4.02 PROCEDURES FOR MINOR AMENDMENT PROCESS

The following describes the application and review of an SSA Minor Amendment. Refer to the associated flow chart for an illustrative outline of steps (in case of discrepancy, these *Policies and Criteria for SSA Amendments* shall control) [[link](#) to webpage containing flow charts].

(i) Pre-Application Stage

- 1) The applicant is encouraged to provide written (via email is preferred) notice to CARPC staff of the intent to pursue an SSA amendment.
- 2) A Pre-Application meeting between the applicant, the applicant's representative(s) (e.g., planning consultant), and CARPC staff is optional but *highly recommended*. Attendance of

technical support and the development team is optional but may be helpful. The following represents the basic topics which should be covered at this meeting:

- a. Discussion of goals and priorities of the development, municipality, and region
- b. Process and schedule review
- c. Potential issues anticipated (including any public controversy)
- d. Review of key issues related to stormwater management, wastewater collection and treatment, and Environmental Corridors
- e. Review of environmentally sensitive areas and ecosystems as well as opportunities for enhanced protections which still meet the goals of the municipality and development

Note: CARPC staff will provide information on Voluntary and Estimated Environmental Corridors

- 3) CARPC staff will provide a general update at the next CARPC Commission to inform them of upcoming application.
- 4) A draft application is recommended to be submitted to CARPC staff at least two (2) weeks prior to a formal application submittal to allow for informal staff review. Staff will review for completeness and clarity, potential concerns, and gaps in information. This review does not constitute acceptance of a formal application, guarantee acceptability of the content within, nor guarantee future acceptance of the proposed amendment. Rather, it is intended to assist the applicant with preparation of a complete submittal.
- 5) Applicant submits a formal application to CARPC staff (via email is preferred).

(ii) Formal Review Stage

- 1) Upon receipt of an application package, CARPC staff will review for completeness within 10 days [pursuant to [Wis. Stat. § 283.83\(1m\)\(c\)\(1\)](#)]. If determined to be incomplete, the application will be put on hold until sufficient information is provided to make it complete. If no determination has been made within 10 days, the application will be assumed complete.

Note: A complete, formal application must have been received at least 31 days prior to holding the public hearing for the prospective amendment in order to comply with posting requirements (see [Section 1.04, Public Participation Process](#) for additional information). Due to meeting schedules and posting requirements, applications determined incomplete may be delayed by one or more meeting cycles.

- 2) A public hearing notice will be posted by CARPC staff.
- 3) CARPC staff review public feedback collected during the public comment period and conduct a detailed review of the application for conformance with water quality standards [pursuant to [Wis. Stat. § 281.15](#)] and these *Policies & Criteria for Sewer Service Area Amendments*.
- 4) Staff prepare a detailed report containing an analysis of the amendment proposal and how it meets (or does not meet) water quality standards. Conditions of approval may be

recommended to DNR to ensure water quality standards and other policies and criteria of the *Dane County Water Quality Plan* will be met, or to address water quality concerns raised at the public hearing. Staff also prepare a Water Quality Management Letter, containing the findings and recommendations to Wisconsin DNR.

9) **CARPC Meeting:** A public hearing, staff presentation and Commission action will take place at the next Commission meeting, and include the following:

- a. A public hearing, open to members of the public to provide testimony
- b. A presentation by the applicant on the proposed amendment, which should give an overview of the planned development for the area and cover the following topics:
 - i. Need for SSA amendment
 - ii. Land use patterns and consistency with local community's comprehensive plan (or neighborhood plan, if applicable)
 - iii. Natural resources within and adjacent to the amendment area which may be impacted by the development and mitigation measures to avoid impacts
 - iv. Proposed environmental corridors
 - v. Utilities (generally how area will be served with water and sewer, noting any capacity issues)
 - vi. Stormwater management concepts/approach
 - vii. Any known water quality issues of concern
- c. Staff will provide a presentation of their findings and provisions contained within the draft Water Quality Management Letter, for the Commission's action
- d. The Commission may act on the Water Quality Management Letter, which may contain recommendations to DNR for certain conditions of approval to ensure compliance with water quality parameters and/or other water quality and environmental resources protection needs

Note: If any unmitigated water quality concerns have been raised, no action will be taken, and the application will be routed through the [Standard Process](#), beginning on Day 30

5) Upon the action of the Commission, staff will forward the recommendation to Wisconsin DNR for their review and administrative decision.

(iii) DNR Administrative Decision

- 6) DNR reviews all materials and issues an administrative decision on the proposed amendment (typically within 30 days of CARPC's action). DNR's decision letter often includes, by reference, the provisions contained within the CARPC Water Quality Management Letter but may also adjust or add additional conditions of approval.
- 7) Staff forward the final administrative decision to the applicant and make it available on the CARPC website.

i "Sewer Service Area Planning". Wisconsin DNR.
<https://dnr.wisconsin.gov/topic/SurfaceWater/SSAPanning.html>