

AMENDMENT TO THE

**REGIONAL WATER QUALITY
MANAGEMENT PLAN**

CITY OF OAK CREEK

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

SEPTEMBER 2007

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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 (Oak Creek Sanitary Sewer Service Area)

TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the City of Oak Creek and the Milwaukee Metropolitan Sewerage District

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Waukesha County Airport, Waukesha, Wisconsin, on the 12th day of September 2007, 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 Oak Creek 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 13th day of September 2007.

Thomas H. Buestrin, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Philip C. Evenson, Deputy Secretary

RESOLUTION NO. 2007-15

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 (OAK CREEK 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 7th day of September 1994, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Oak Creek sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 213, *Sanitary Sewer Service Area for the City of Oak Creek, Milwaukee County, Wisconsin*, dated July 1994; and

WHEREAS, by letter dated June 18, 2007, the City of Oak Creek requested that the Regional Planning Commission amend the Oak Creek sanitary sewer service area to update the boundary of the primary environmental corridor in two areas of the City to account for updated delineations of the 100-year floodplain; 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 Oak Creek to amend the Oak Creek 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 Oak Creek and the Regional Planning Commission on August 21, 2007; 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 7th day of September 1994 to include the refined Oak Creek sewer service area, as set forth in SEWRPC Community Assistance Planning Report No. 213, 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.

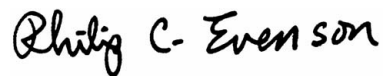
THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals 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 12th day of September 2007, the vote being: Ayes 14; 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 OAK CREEK TO AMEND THE OAK CREEK SANITARY SEWER SERVICE AREA

INTRODUCTION

By letter dated June 18, 2007, the City of Oak Creek requested that the Southeastern Wisconsin Regional Planning Commission amend the Oak Creek sanitary sewer service area as that area is documented in SEWRPC Community Assistance Planning Report No. 213, *Sanitary Sewer Service Area for the City of Oak Creek, Milwaukee County, Wisconsin*, dated September 1994. The basic purpose of the amendment would be to update the boundary of the primary environmental corridor in two areas of the City to account for updated delineations of the 100-year floodplain.

AREA DESCRIPTION

The proposed amendment includes a re-delineation of the primary environmental corridor in two areas of the City of Oak Creek, as indicated on Map 1. The areas are comprised of: 1) the southeast quarter of U.S. Public Land Survey Section 21; and 2) the southeast quarter of U.S. Public Land Survey Section 27, Township 5 North, Range 22 East. The revised environmental corridor delineations are shown on Maps 2 and 3, respectively.

The primary environmental corridor delineations shown on Maps 2 and 3 reflect the latest available information regarding wetlands, woodlands, and other natural resource features. In addition to wetlands and woodlands, these corridors also include farmed and other undeveloped floodplain areas which do not currently contain any natural resources that would qualify them as environmental corridors, but which would take on environmental corridor characteristics if allowed to revert to more natural conditions. The floodplain information used in the preparation of Map 3 is the preliminary floodplain delineation released by the Wisconsin Department of Natural Resources (WDNR) and the Federal Emergency Management Agency (FEMA) in September 2006. The floodplain information used in the preparation of Map 2 includes the following:

- A floodplain delineation provided by the City of Oak Creek to SEWRPC for the area in the vicinity of the Verhalen property. The City has submitted this delineation to WDNR/FEMA as a proposed modification of the preliminary WDNR/FEMA floodplain in this area (blue line on Map 2).
- A floodplain delineation based upon a proposed compensatory storage and grading plan for the Oak Creek-Franklin Joint School District site recently submitted to the City of Oak Creek (pink line on Map 2)
- Preliminary floodplain delineation released by WDNR/FEMA in September 2006 (black line on Map 2).

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

This is an interim amendment. Later this year, the Regional Planning Commission and the City of Oak Creek will begin an update to the environmental corridor delineations throughout the remainder of the Oak Creek sewer service area to reflect the latest available natural resource inventory information and revised 100-year floodplains.

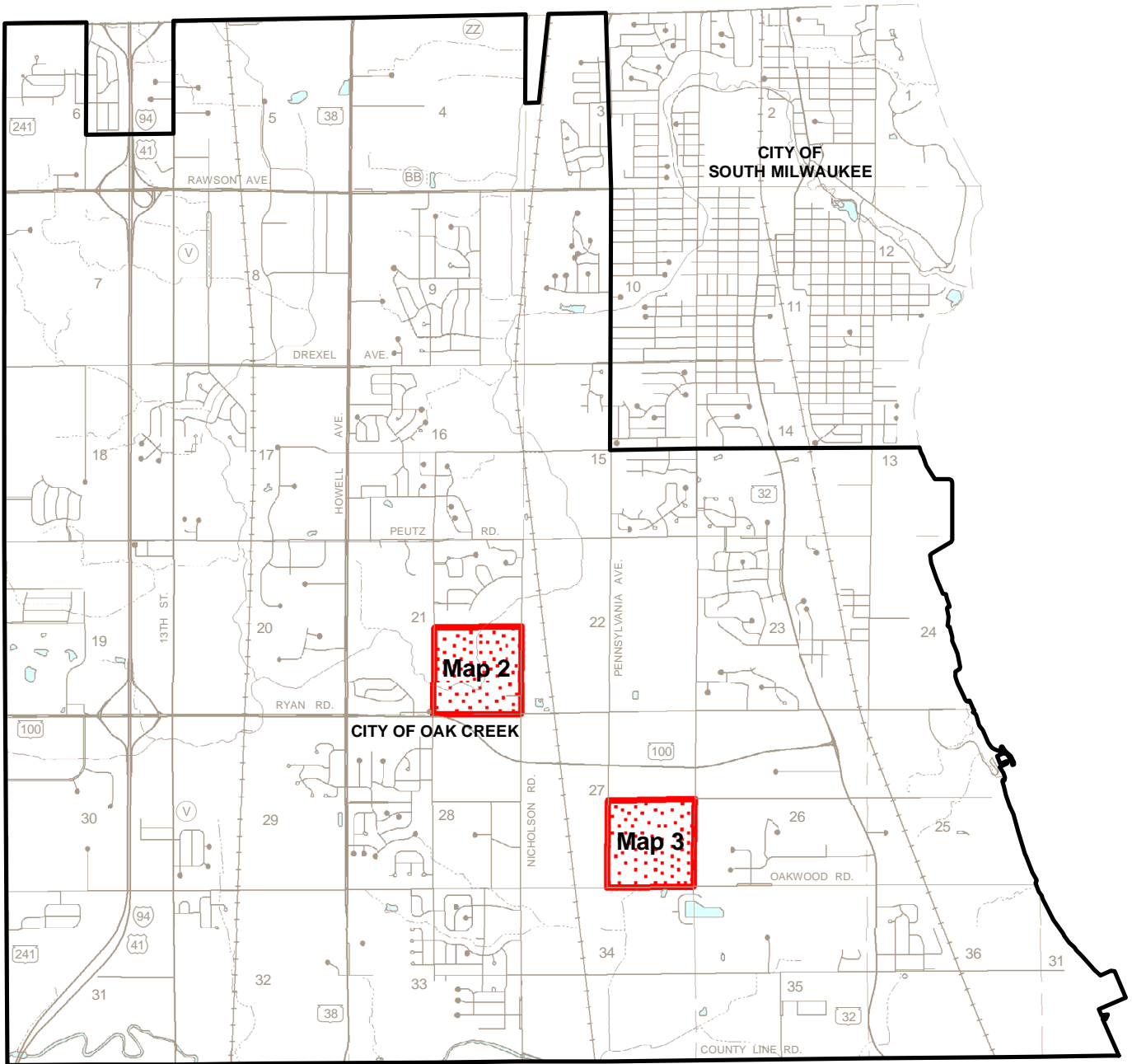
PUBLIC REACTION TO THE PLAN AMENDMENT



A public hearing was held on August 21, 2007, at the Oak Creek City Hall to receive public comment on, and reaction to, the proposed plan amendment. The hearing was sponsored by the City of Oak Creek and the Regional Planning Commission. A summary of the plan amendment was presented prior to receiving public comment.

A review of the hearing record indicates that no substantive concerns were raised at the hearing. Accordingly, no changes were made to the proposed plan amendment as presented at the public hearing.

Map 1

LOCATIONS OF PROPOSED CHANGES IN THE DELINEATION OF PRIMARY ENVIRONMENTAL CORRIDOR IN THE OAK CREEK SANITARY SEWER SERVICE AREA



-  AREAS WHERE THE PRIMARY ENVIRONMENTAL CORRIDOR HAS BEEN RE-DELINEATED (SEE MAPS 2 AND 3)
-  BOUNDARY OF OAK CREEK PLANNED SANITARY SEWER SERVICE AREA

Source: SEWRPC.

LOCAL GOVERNMENT SUPPORT FOR THE PLAN AMENDMENT

The Common Council of the City of Oak Creek adopted the plan amendment on August 21, 2007.

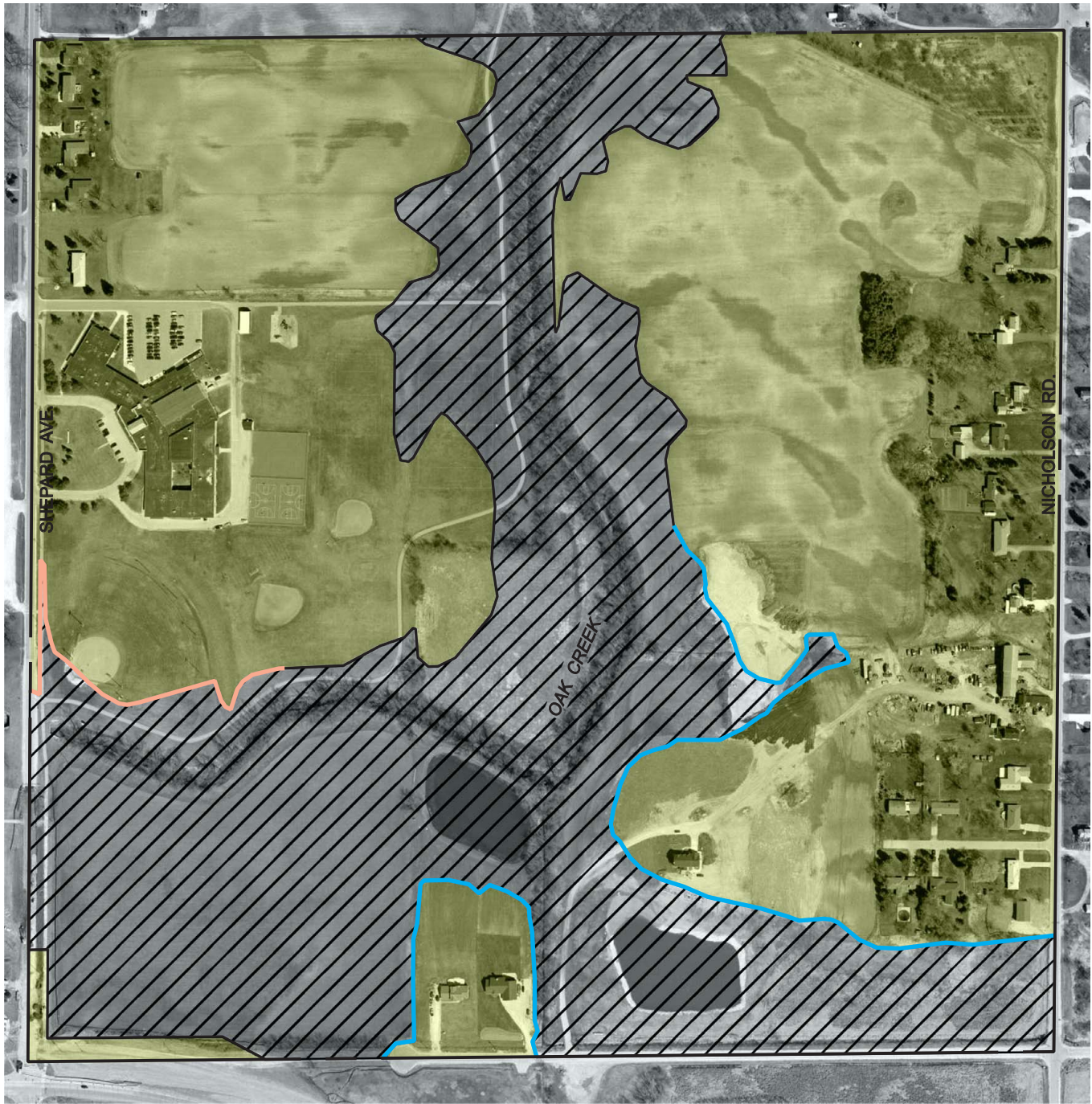
CONCLUDING RECOMMENDATION

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 Oak Creek as documented in SEWRPC Community Assistance Planning Report No. 213, in the manner identified on Maps 2 and 3.



Map 2

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




Southeast Quarter of U. S. Public Land Survey Section 21 – Township 5 North, Range 22 East

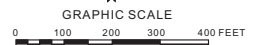


Photography Date: April 2005

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  PLANNED SANITARY SEWER SERVICE AREA

NOTE: This map replaces the corresponding portion of Map 7-4, page 24, of SEWRPC Community Assistance Planning Report No. 213, Sanitary Sewer Service Area for the City of Oak Creek, Milwaukee County, Wisconsin, July 1994.

-  FLOODPLAIN DELINEATION PROVIDED BY THE CITY OF OAK CREEK FOR THE AREA IN THE VICINITY OF THE VERHALEN PROPERTY. THE CITY HAS SUBMITTED THIS DELINEATION TO WDNR/FEMA AS A PROPOSED MODIFICATION OF THE PRELIMINARY WDNR/FEMA FLOODPLAIN IN THIS AREA
-  FLOODPLAIN DELINEATION BASED UPON A PROPOSED COMPENSATORY STORAGE AND GRADING PLAN FOR THE OAK CREEK-FRANKLIN JOINT SCHOOL DISTRICT SITE RECENTLY SUBMITTED TO THE CITY OF OAK CREEK
-  PRELIMINARY FLOODPLAIN DELINEATION RELEASED BY WDNR/FEMA IN SEPTEMBER 2006

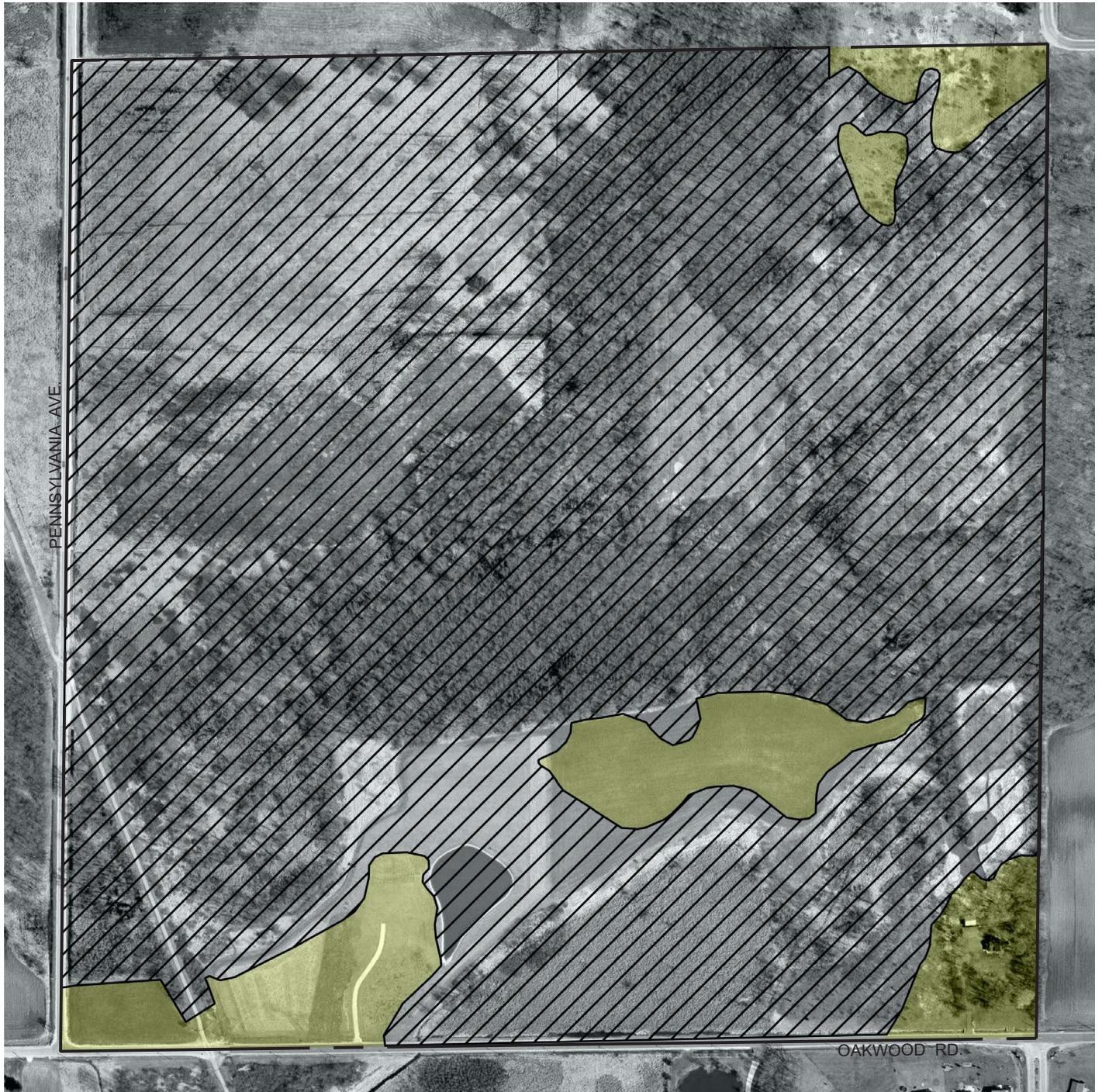


Source: SEWRPC.



Map 3

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

Southeast Quarter of U. S. Public Land Survey Section 27 – Township 5 North, Range 22 East



Photography Date: April 2005

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  PLANNED SANITARY SEWER SERVICE AREA

NOTE: This map replaces the corresponding portion of Map 7-7, page 27, of SEWRPC Community Assistance Planning Report No. 213, *Sanitary Sewer Service Area for the City of Oak Creek, Milwaukee County, Wisconsin*, July 1994.

Source: SEWRPC.

