

ENVIRONMENTAL ANALYSIS AND DECISION ON THE NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT (EIS)

Department of Natural Resources (DNR)

Form 1600-8 Rev. 6-90

March 20, 2002 Draft

District or Bureau Southeast Region
Type List Designation

NOTE TO REVIEWERS: This document is a DNR environmental analysis that evaluates probable environmental effects and decides on the need for an EIS. The attached analysis includes a description of the proposal and the affected environment. The DNR has reviewed the attachments and, upon certification, accepts responsibility for their scope and content to fulfill requirements in s. NR 150.22, Wis. Adm. Code. Your comments should address completeness, accuracy or the EIS decision. For your comments to be considered, they must be received by the contact person before 4:30 p.m., _____ (date).

Contact Person	Terry Lohr
Title	Program Planning Analyst
Address	T. Lohr, WT/2 P.O. Box 7921 Madison, WI 53703
Telephone:	Terry Lohr (608-267-2375)

Applicant: Southeastern Wisconsin Regional Planning Commission

Address: 916 N. East Avenue, P.O.Box 1607 Waukesha, WI 53187-1607

Title of Proposal: Sanitary Sewer Service Area for the City of Waukesha and Environs

Location: Waukesha County, City of Hartford, and Environs. The study area considered for revising the Hartford sanitary sewer service area consists of the entire City of Hartford, all of the Town of Hartford; and portions of the Towns of Polk and Rubicon (Dodge County) and the Village of Slinger. The total study area is 54.9 square miles: 5.8 in the City of Hartford, 31.2 in the Town of Hartford, 3.9 in the Town of Polk, 11.9 in the Town of Rubicon, and 2.1 in the Village of Slinger. These areas are based on the 2000 civil divisions boundaries and include areas in the following. Township 10, Range 17 East, Sections 1-3, 10-12, 13-15, 22-24.

PROJECT SUMMARY

The sewer service area update and related documents for this environmental analysis are found in the Southeast Wisconsin Regional Planning Commission (SEWRPC) community assistance Planning Report 92, 3rd Edition, Sanitary Sewer Service Area for the City of Hartford and Environs September, 2001. This amendment was proposed by the City of Hartford to update the area's sewer service area plan to reflect regional recommendations found in the SEWRPC's 2020 Land Use Plan. By letter dated February 16, 1999, the City of Hartford requested the Regional Planning Commission revise the currently adopted second edition Hartford sanitary sewer service area with a design year of 2020. The revised SSA plan includes delineation and preservation of environmentally sensitive lands. Environmentally sensitive lands are areas where sewered development should not occur.

Under Chapter NR 121, Wisconsin Administrative Code, the delineation of a sewer service boundary includes the identification of areas appropriate for current and future sewered development. Communities may also develop without sanitary sewer by utilizing onsite sewage systems. Where sewer service is available within a reasonable proximity, onsite systems may not provide an equivalent cost-effective and environmentally sustainable option for wastewater management. This environmental analysis focuses on the potential impacts of providing sanitary sewer service within the proposed revised sewer service area boundary.

The proposed amendment included the entire City of Hartford, all of the Town of Hartford, portions of the Towns of Polk and Rubicon (Dodge County) and the Village of Slinger. Lands and surface water encompassed in the primary environmental corridors of the Hartford study area in 1995 totaled 8.6 square miles, or about 16 percent of the total study area. Lands and surface water encompassed within secondary environmental corridors totaled 2.8 square miles, or about 5 percent of the total study area. Lands and surface water encompassed within isolated natural resource areas totaled 1.2 square miles, or about 2 percent of the study area. About 105 acres or 0.3 percent of the study area was encompassed within wetlands and surface water areas less than five acres in size. In total, all environmentally significant lands in the Hartford study area encompassed 12.8 square miles, or about 23 percent of the study area.

The planned Hartford sanitary sewer service area is 3.7 square miles or 29 percent larger than the currently adopted sewer service area. All of the proposed additions to the Hartford and environs sewer service area lie adjacent to the currently adopted sewer service area. The nearest other public sanitary sewerage system, the Village of Slinger system, is located adjacent to the eastern portion of the existing Hartford sewer service area, and at least one mile from the areas proposed to be added. The most cost effective means of providing public sanitary sewer service to the entire Hartford area appears to be through the City of Hartford sewerage system.

Treatment Plant Capacity

Sewage from the Hartford area, including the Pike Lake area, and the Town of Rubicon Sanitary District No. 1 is treated at the City of Hartford sewage treatment facility. Construction was recently completed to upgrade and expand the Hartford sewage treatment plant providing for a design capacity of 3.4 million gallons per day (mgd) on an average annual basis. The average flow in the year 2000 was about 2.0 mgd and served about 11,300 people.

Population Projection

The recently expanded City of Hartford sewage treatment plant was designed to serve a population of 15,900. Year 2020 regional plan population projections for the sewer service area range from about 14,200 to 22,000 persons (including about 500 people in the Dodge County portion of the sewer service area), while full development of the planned sewer service area at densities envisioned in the city land use plan would result in a population of about 22,700 people (including some 500 people in Dodge County). The recently expanded sewage treatment plant should be able to meet wastewater treatment needs in the area over the next two decades. Future facility planning may be needed toward the end of that period, particularly if growth and development in the area occur at the high end of the projected range.

DNR EVALUATION OF PROJECT SIGNIFICANCE

1. Environmental Effects and Their Significance

This sewer service plan update proposes an increase in the Sanitary Sewer Service Area for the City of Hartford and Environs 16.5 square miles (30 percent of the total study area of 54.9 square miles) and designates a number of areas in the parcel as environmentally sensitive. Therefore, this environmental analysis focuses on potential impacts associated with the addition of these particular parcels into sewer service. The status quo, or continued use of private on-site systems in this area will remain in effect under a "no action" scenario.

Short-Term Impacts of the Proposed Project:

Construction Impacts:

- * Noise, dust, congestion (traffic), and habitat disturbance
- * Increased quantity of stormwater flow
- * Reduced water quality of wetlands and surface waters which may include increased nutrients, solids, bacteria, metals and polycyclic aromatic hydrocarbons (and other organics) from stormwater conveyance from increased development and reduced infiltration
- * Possible dredge and fill of wetlands during land disturbance activities and development of hydric soils, which will likely displace the local hydrologic flow and affect regional hydraulics during and subsequent to sewer system development.

Historic/Cultural Area:

There are a number of historic properties in the area identified to be added to the sewer service area. No portion of the project area has been surveyed for archaeological remains; thus, there is a possibility that unreported remains are present.

Endangered/Threatened Species and Natural Areas:

The endangered resources review using the Natural Heritage Inventory Database determined that the Least Darter (ETHEOSTOMA MICROPERCA) may be present in the area to be added to the service area. Other endangered and threatened species may also be present in the primary and secondary corridors and isolated natural resources areas within the plan boundaries. Moreover, comprehensive endangered resources surveys have not been completed for the area, so the data are likely incomplete.

Location	Site Name and Species Found	Site Description
Rubicon River – Pike Lake	Etheostoma Microperca (Least Darter)	

Location	Site Name and Species Found	Site Description

Ecologically sensitive areas:

SEWRPC has identified environmentally sensitive areas (ESA) associated with water resource features within the expansion of the SSA

SEWRPC designates primary and secondary corridors and isolated natural resource areas based, in part, on the size (length, width and acreage), of the area, which may or may not have a direct positive correlation with a resource's ecological value or significance. Thus, there can be environmentally significant lands in the planning area in which an ecologically valuable resource does not conform to the size standards prescribed by SEWRPC. The following are SEWRPC's size standards for environmental corridors and isolated natural resource areas (Exhibit A).

- Primary Corridor At least 400 acres in size, at least two miles long, and a minimum width of 200 feet.
- Secondary Corridor A minimum of 100 acres and a minimum length of one mile.
- Isolated Natural At least 5 acres in size

The following is the Departments definition of environmentally sensitive areas based on language in NR121.

"Areas to be considered for exclusion from the SSA because of the potential for adverse impacts on the quality of the waters of the state from both point and nonpoint sources of pollution include but are not limited to wetlands, shorelands, floodways and floodplains, steep slopes, highly erodible soils and other limiting soil types, groundwater recharge areas and other such physical constraints." (NR121.05(1)(g)2.c.) (Exhibit D)

Resource Areas

The following are major environmentally sensitive areas that will likely be affected by urban development associated with this amendment.

Resource Area and Location	Site Description
Rubicon Lowlands – Town of Hartford (T10N, R18E, Sections 15, 21, 22).	Moderate quality southern sedge meadow along the Rubicon River; 30 acres
STH 60 Swamp – Town of Hartford (T10N, R18E, Sections 14, 23).	Lowland hardwood swamp of moderate quality, containing some northern elements. Dominated by yellow birch and black ash; 32 acres
Pike Lake Sedge Meadow (T10N, R18E, Section 23, Town of Hartford); 131 acres, owned by DOT.	Good-quality dry mesic woods that has suffered from past disturbance, including grazing and selective logging. The irregular kettle moraine topography includes a prominent wooded kame at the southeast corner;

For the reasons stated earlier, all areas identified as environmentally sensitive in the plan should be protected. Also, we encourage a closer look at the environmental corridors and isolated resources which may need to be crossed to develop surrounding areas. *All efforts to protect the integrity of the corridors should be undertaken.* Also, implementation of stormwater management practices for new and existing development should be encouraged to provide adequate stream protection for water quality.

SEWRPC policies allow five acre lot development in primary corridor, thus obfuscating intended protection that primary corridor designation is to provide

1.1 Data from Memorandum Report No. 93, *A Regional Water Quality Management Plan for Southeast Wisconsin: An Update and Status Report*.

Additional critical species habitats in the SSA area (and directly adjacent) include:

Other Resource Conditions

Within the amendment area, there are some tracks where soils pose limitations for residential development. These soils are associated with the wetland areas along the area's many wetlands, lakes and riverine floodplains and should be taken into consideration when development occurs. Generally, many of these soils are part of environmental corridors. However, there may currently be septic or private sewerage systems serving some of these areas at this time. If so, these existing developments would be better served by connection to public sewers as the inherent limitations of these soils can not be overcome by enlarging the lot size and will likely result in ponding and runoff of partially treated wastes into surface waters (from SEWRPC Planning Report No. 30, 1978).

Significance of Short-Term Impacts:

Increase in impervious surfaces are relatively permanent. Some urban BMPs can be used during development of roads, driveways, parking lots, etc. to abate degradation of natural resources.

- ! Onsite stormwater detention/retention facilities should be built into development plans. These facilities should mimic the natural setting as much as possible.
- ! Wetlands should not be used for stormwater treatment but primarily for environmental corridor/natural areas and habitat values; stormwater flows should be slowed before they reach wetland areas - ***and buffers of 75 feet or greater should be implemented around wetland areas to protect wildlife and water quality.***
- ! ***Secondary corridors and small headwater streams*** should not be used for "economical drainageways", but **should be protected to conserve natural hydrologic flows and groundwater recharge**. Waterbodies and wetlands interconnecting the cluster lakes should be preserved with a sizable buffer to allow free movement of animal species and to slow stormwater flows to prevent scouring and sedimentation in wetland areas.
- ! All wetlands, floodplains, and steep slopes associated with waterbodies should be off limits for development based on possible impacts to water quality; this protection should be applied despite or regardless of the the type of environmental corridor designation.

Department approval of this sewer service area plan amendment allows sewered development in the proposed area. As a single component of the land development process that includes streets, all utilities, building construction, parking area construction, etc., sewers are usually located in areas where earthmoving work would occur anyway (under streets). The sanitary sewer line installation probably has substantially less environmental impact than the coinciding earthmoving work on those sites. The industrial and commercial development that follows the land subdivision process causes an increase in stormwater runoff from roof tops and parking lots, and reduces the amount of groundwater recharge area.

Although the proposed sewer system will replace mainly existing onsite systems, the presence of a sewer system may enhance development in the area, increasing the amount of impervious surfaces in the area. Increases in impervious surfaces are relatively permanent; however, some urban best management practices can be used during development of sewer lines, roads, driveways, parking lots, etc. to abate the degradation of natural resources associated with an increase in impervious surfaces.

Recommended Steps to Reduce the Significance of Short-Term Impacts

- ! To reduce the significance of wetland alterations, wetlands should not be used for stormwater treatment but primarily for environmental corridor/natural areas and habitat values.

- ! Erosion control practices should be installed and properly maintained on all areas under development to minimize runoff.
- ! Implementation of stormwater management practices for new development should be encouraged to provide adequate stream protection for water quality.
- ! Infilling of vacant lots for future development should be encouraged over the use of existing agricultural or vacant/undeveloped lands on the outskirts of the sewer service area.
- ! The use of wetlands and railroad right-of-ways should be discouraged, if not prohibited, for sewerline laterals due to the sensitivity of wetlands and the likelihood of rare plant species in railroad right-of-ways.

Long-Term Impacts of the Proposed Project

One major long-term impact of this project will stem from the development of medium and low density residential development. While some of these are partially developed with septic systems, installation of sewers at large lot sizes encourages and legitimates the type of urban sprawl that the Department of Natural Resources is trying to reduce in urbanizing regions. This sprawl and its associated impervious surface areas have been linked to water quality impacts written of and analyzed in numerous public journals, newspaper articles , etc.

- ! Water quality, quantity, economic, social, and ecological habitat and potential wildlife impacts from hydrologic modifications, including enhanced flashiness of flow regimes and increased pollutant loads from roof drains, street and parking lot runoff, deicers, spills, and oil and grease. Enhanced delivery of total suspended solids, bacteria, metals and organics (polychlorinated aromatic hydrocarbons) to surface waters, with potentially substantial changes to the quality and character of the waterbodies.
- ! Operational, maintenance and upgrade costs for WWTP and infrastructure development should be anticipated as the treatment plant nears its design capacity.
- ! Long-term primary impacts include effects from enhanced suburban sprawl over large land areas. SEWRPC allows five acre lot development in primary environmental corridor, which results in habitat fragmentation. Growth of outlying areas versus infill and vertical development of existing urban areas is associated with:
 - ! Loss of prime agricultural land
 - ! Loss of existing rural character in the outlying township
 - ! Ecological, social and economic costs associated with an increase in air and noise pollution, traffic congestion, waste generation, spills, need for new and enhanced infrastructure in city and outlying areas.
- ! Air quality impacts from new industrial, commercial and residential land uses could be significant. Individual impacts will have to be addressed on a case-by-case basis through the state air operation permit process. An increase in the accompanying vehicular traffic and associated air pollution emisissions is likely from increased commercial and industrial activity.

Significance of Long-Term Impacts:

- ! Loss of prime agricultural land is irreversible and permanent for foreseeable future.
- ! Loss of existing rural character is irreversible and relatively permanent for the foreseeable future.

- ! Increase in air and noise pollution, traffic congestion, waste generation, spills is relatively irreversible and permanent as long as the industrial, commercial and residential development is implemented as planned.
- ! Loss of wildlife and extirpation of endangered species and loss of unique communities/habitats is permanent and irreversible.

2. Significance of Cumulative Effects.

Discuss the significance of reasonably anticipated cumulative effects on the environment (and energy usage, if applicable). Consider cumulative effects from repeated projects of the same type. Would the cumulative effects be more severe or substantially change the quality of the environment? Include other activities planned or proposed in the area that would compound effects on the environment.

The City of Hartford and Environs is seeking approval of the sewer development plan boundary as proposed to meet anticipated land requirements to the year 2020. The cumulative impacts of the area's growth will include: increased traffic, jobs, air pollution and stormwater runoff with accompanying sedimentation and pollution. The cumulative impacts also include loss of rare and endangered wildlife, wetlands, prime agricultural land, groundwater recharge areas, woodlands, wildlife intolerant to urbanization, and rural community character. The transitional edge between urban and rural land use is pushed out farther from the center of the urban area causing land use speculation and increases in property values.

This SSA Plan public hearing has provided an opportunity for public participation concerning the area's future development. All plans however; should be reviewed from time to time to be sure that they represent the most current ideas and knowledge available. Wisconsin Administrative Code, NR 121, requires periodic sewer service area plan updates.

3. Significance of Risk

a. Explain the significance of any unknowns which create substantial uncertainty in predicting effects on the quality of the environment. What additional studies or analysis would eliminate or reduce these unknowns?

The current sewer extension provisions of Chapters NR 110 and ILHR 82, Wis. Adm. Code, provide implementation authority for the plan.

While SEWRPC's sewer service area plan report does not secure protection of all environmentally sensitive lands within the amendment area, the opportunity for development to create adverse impacts in ignorance of water quality protection rules is diminished because the plan provides notice that the protection of wetlands and shorelands is required through other state and federal laws.

It is highly recommended that communities rezone areas identified as environmentally sensitive to conservancy for their long-term protection.

Wetlands and shorelands represent the major features within the subject environmentally sensitive areas. All wetlands and shorelands within the boundary of the proposed amendment to the sewer service area should be protected through either the implementation of sewer service area plan itself or the Army Corps 404 wetland permit process, water quality standards for wetlands (Wis. Adm. Code, NR 103), and Wisconsin Administrative Code NR 115, the shoreland wetland program for unincorporated areas which are administered locally by counties.

SEWRPC policy provides for the protection of environmentally sensitive areas within primary environmental corridors but allows development of environmentally sensitive areas designated secondary environmental corridors or isolated natural resource areas, at the discretion of the local unit of government. However; any development proposal that would have a significant adverse water quality impact on environmentally sensitive lands, requiring a Clean Water Act - Section 404 Permit or a Wisconsin State Statute - Chapter 30 Permit, is required to also obtain DNR water quality certification. WDNR administers Chapter NR 103 which specifies state water quality standards. Analysis of whether the proposed project will meet the qualitative standards set out in NR 103 is required through the water quality certification procedure; this analysis is required of any action affecting a wetland, regardless of the size of that wetland.

Stormwater management plan development is required for any construction site activity disturbing five or more acres of land, pursuant to Chapter NR 216, Wisconsin Administrative Code.

If there were insufficient industrial and commercial lands within the sewer service area to meet the demand, it's possible that development would occur with onsite sewage disposal systems. Within the relatively high densities of urban area development sanitary sewer generally has less adverse impact on the environment than numerous onsite sewage systems, particularly as the onsite systems become old. The delineation and protection of environmentally sensitive areas through the sewer service area planning process is a positive secondary impact. The Facility Planning and Wastewater Permitting Programs oversee the maintenance of wastewater treatment standards and capacity.

- b. Explain the environmental significance of reasonably anticipated operating problems such as malfunctions, spills, fires or other hazards (particularly those relating to health or safety). Consider reasonable detection and emergency response, and discuss the potential for these hazards.

None.

4. Significance of Precedent

Would a decision on this proposal influence future decisions or foreclose options that may additionally affect the quality of the environment? Describe any conflicts the proposal has with plans or policy of local, state or federal agencies. Explain the significance of each.

The approval of the subject plan provides significant direction for the community's future growth but does not foreclose future options which could have positive affects on the environment. Sewer service area plans allow amendment procedures to respond to new information and demands relative to providing water quality protection in a development setting. NR 121 requires periodic SSA plan updates.

5. Significance of Controversy Over Environmental Effects

Discuss the effects on the quality of the environment, including socio-economic effects, that are (or are likely to be) highly controversial, and summarize the controversy.

The proposed amendment to the City of Hartford and Environs sewer service area is large and there is known *public* controversy regarding the environmental effects of this sewer service area plan. However, without a sewer service area plan to exclude the sewered development of environmentally sensitive lands, the adverse impact upon water quality through the development of environmentally sensitive areas could be significant. While SSA planning may not provide positive environmental impacts other than water quality protection; (such as air pollution or traffic impacts), the net environmental concern and benefit it generates through the community planning process may be broadly beneficial.

ALTERNATIVES

Briefly describe the impacts of no action and of alternatives that would decrease or eliminate adverse environmental effects. (Refer to any appropriate alternatives from the applicant or anyone else.)

Alternatives exist to the proposed action, including the 1) No action scenario, and 2) the proposed action with implementation of a series of recommendations designed to reduce the significance of short and long term water quality impacts.

No Action

The no action plan would require the continued reliance for residential development and treatment of wastewater on private onsite facilities. This scenario, currently in effect, does not include the environmentally sensitive area delineations and protection measures as that enumerated in the proposed SSA plan. Thus, there is potential for local development to occur utilizing onsite sewage disposal systems the placement of which is not excluded in some environmentally sensitive areas. The WDNR believes that this alternative is not preferred due to the potential for local development to occur without water quality assessment and protection measures and the likelihood of continued health and environmental problems posed by high groundwater levels and failing septic systems.

Proposed Action - With Recommendations to Reduce Adverse Water Quality Impacts

- ! To reduce the significance of wetland alterations, wetlands should not be used for stormwater treatment but for environmental corridor/natural area and habitat values.

- ! Archaeological resources in the planned site area should be investigated and protected if necessary before earthmoving activity occurs.
- ! Water quantity and quality impacts from increased commercial, residential and industrial discharges and stormwater flows should be abated through:
 - ! Developing a comprehensive stormwater management plan for the entire area including the design and development of stormwater retention facilities and use of BMPs (preferably nonstructural) in future growth areas to abate pollutant loads to surface waters during and after construction activities take place, on a landscape or regional scale.
 - ! An assessment of water quantity impacts from groundwater withdrawals should be conducted using the hydrologic model currently being developed for the SEWRPC region.
 - ! A wellhead protection ordinance for the City of Waukesha should be developed and a wellhead protection area delineated if one is not currently available. A source water protection area for the public water supply should be delineated and protected. Local development plans should be coordinated with any setbacks and/or restrictions in the wellhead protection ordinance.
 - ! Update floodplain maps along the Fox River and associated tributaries as appropriate as well as evaluate secondary floodplain impacts on downstream areas; and rezoning land to provide protection for both land owners and the hydrology of the project and downstream area should occur over time.
 - ! Development (as necessary) and implementation of construction site erosion control ordinances for construction activities on sites smaller than that regulated under state building code requirements.
- ! If and when the time is necessary, considerable planning should take place among the city, the county, DOT, DNR and SEWRPC to design an expanded transportation infrastructure that will minimize impacts to surface waters and will maximize the utility of the designed roads. Care should be taken to avoid the design of a superhighway that cuts off people from their environment and that encourages "sprawl".
- ! Special protection should be given to all remaining wildlife and wetlands in the project area and downstream. Pressure will be placed on downstream resources as development is extended out. Fragmentation of wildlife areas and habitat should be minimized. It is highly recommended that communities rezone areas identified as environmentally sensitive to conservancy for their long-term protection.
- ! Infilling of vacant lots for future development should be encouraged over the use of existing agricultural or vacant/undeveloped lands on the outskirts of the sewer service area.
- ! The use of wetlands and railroad right-of-ways should be discouraged, if not prohibited, for sewerline laterals due to the sensitivity of wetlands and the likelihood of rare plant species in railroad right-of-ways.
- ! A protection plan should be developed and implemented for the adjoining wetland communities and floodplain resources associated with the Fox River, Pebble Brook Creek, Mill Creek, Red Wing Creek, Genessee Creek and other waters that feed the Vernon Marsh.

SUMMARY OF ISSUE IDENTIFICATION ACTIVITIES

List agencies, citizen groups and individuals contacted regarding the project (include DNR personnel and title) and summarize public contacts, completed or proposed.

Date	Individual	Action
10/01	Lisa Helmuth	Received plan for review
03/02	Terry Lohr	Received revised plan for review

On-site inspection or past experience with site by evaluator.

Project Name:

County:

DECISION (This decision is not final until certified by the appropriate authority)

In accordance with s. 1.11, Stats., and Ch. NR 150, Adm. Code, the Department is authorized and required to determine whether it has complied with s. 1.11, Stats., and Ch. NR 150, Wis. Adm. Code.

Complete either A or B below:

A. EIS Process Not Required

The attached analysis of the expected impacts of this proposal is of sufficient scope and detail to conclude that this is not a major action which would significantly affect the quality of the human environment. In my opinion, therefore, an environmental impact statement is not required prior to final action by the Department on this project.

B. Major Action Requiring the Full EIS Process

The proposal is of such magnitude and complexity with such considerable and important impacts on the quality of the human environment that it constitutes a major action significantly affecting the quality of the human environment.

Number of responses to news release or other notice:	Signature of Staff Specialist or Bureau Director	Date Signed
	Signature of Director or Compliance Officer	Date Signed

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed.

For judicial review of a decision pursuant to sections 227.52 and 227.53, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30-day period for filing a petition for judicial review.

Note: Not all Department decisions respecting environmental impact, such as those involving solid waste or hazardous waste facilities under sections 144.43 to 144.47 and 144.60 to 144.74, Stats., are subject to the contested case hearing provisions of section 227.42, Stats.

This notice is provided pursuant to section 227.48(2), Stats.

Project Name: City of Hartford and Environs Sewer Service Area Amendment County: Waukesha

DECISION (This decision is not final until certified by the appropriate authority)

In accordance with s. 1.11, Stats., and Ch. NR 150, Adm. Code, the Department is authorized and required to determine whether it has complied with s.1.11, Stats., and Ch. NR 150, Wis. Adm. Code.

Complete either A or B below:

A. EIS Process Not Required

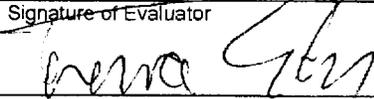


The attached analysis of the expected impacts of this proposal is of sufficient scope and detail to conclude that this is not a major action which would significantly affect the quality of the human environment. In my opinion, therefore, an environmental impact statement is not required prior to final action by the Department.

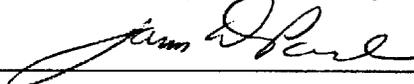
B. Major Action Requiring the Full EIS Process



The proposal is of such magnitude and complexity with such considerable and important impacts on the quality of the human environment that it constitutes a major action significantly affecting the quality of the human environment.

Signature of Evaluator 	Date Signed 5/7/02
---	-----------------------

Number of responses to news release or other notice:

Certified to be in compliance with WEPA	
Environmental Analysis and Liaison Program Staff 	Date Signed 5/6/02

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed.

For judicial review of a decision pursuant to sections 227.52 and 227.53, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30-day period for filing a petition for judicial review.

Note: Not all Department decisions respecting environmental impact, such as those involving solid waste or hazardous waste facilities under sections 144.43 to 144.47 and 144.60 to 144.74, Stats., are subject to the contested case hearing provisions of section 227.42, Stats.

This notice is provided pursuant to section 227.48(2), Stats.



NEWS RELEASE

**Wisconsin Department of Natural Resources
101 S. Webster, Madison, WI 53702
Phone: 608-266-0426
E-mail: pardej@dnr.state.wi.us**

FOR RELEASE: April 16, 2002

**CONTACT: Terry Lohr, Planning and Policy Analyst, 608-267-2375,
lohrt@dnr.state.wi.us**

SUBJECT: Sewer Service Area Amendment, City of Hartford and Environs

Madison, Wis. – The Wisconsin Department of Natural Resources has prepared an environmental assessment for the proposed sanitary sewer service area amendment for the City of Hartford and surrounding areas in Waukesha and Dodge counties.

The study area consists of the entire City of Hartford, all of the Town of Hartford, and portions of the Towns of Polk and Rubicon (Dodge County) and the Village of Slinger. The total study area is 54.9 square miles: 5.8 in the City of Hartford, 31.2 in the Town of Hartford, 3.9 in the Town of Polk, 11.9 in the Town of Rubicon, and 2.1 in the Village of Slinger. The plan is based on population projections for the area between 14,200 to 22,700 people in the year 2020.

The amendment was proposed by the City of Hartford to update the area's sewer service area plan to reflect regional recommendations found in the South East Wisconsin Regional Planning Commission's 2020 Land Use Plan. The revised plan includes delineation and preservation of environmentally sensitive lands. Environmentally sensitive lands are areas where sewered development should not occur.

The department's environmental assessment focuses on the potential impacts of providing sanitary sewer service within the proposed revised sewer service area boundary. The goal of the department's plan approval is to protect water resources in the area by directing development away from environmentally sensitive areas and to control water pollution through planned sewered development.

The proposed Department action is not anticipated to result in significant adverse environmental effects. The Department has made a preliminary determination that an environmental impact statement will not be required for this action. Copies of the environmental assessment that led to the DNR's preliminary determination can be obtained from Mr. Terry Lohr, Planning and Policy Analyst, Wisconsin Department of Natural Resources, 101 S. Webster Street, Madison, WI 53702, 608-267-2375, lohrt@dnr.state.wi.us.

Public comments, either written or oral, on the environmental assessment are welcome and must be submitted to Mr. Lohr no later than 4:30 p.m. May 3, 2002.