



CITY OF
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January 20, 2023

Mr. Chris Straight
WEST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION
800 Wisconsin Street
Building D-2, Room 401
Mail Box 9
Eau Claire, WI 54703

RE: Supplemental Information, Chippewa Falls/Eau Claire Sewer Service Boundary Change

Dear Mr. Straight

The Wisconsin Department of Natural Resources requested additional information from the City of Eau Claire, following their review of the proposed amendment to the boundary of the Chippewa Falls/Eau Claire Sewer Service Area, to allow them to make a final determination on the request. The City of Eau Claire submits this unique de minimis amendment at the request of WDNR. This unique de minimis amendment removes the potential issue of a so-called "void" in the donor area. WCWRPC staff raised this as a possible issue although finding the donor area otherwise consistent with the intent of SSA plan, as well as the Clean Water Act, to protect drinking water quality and public water resources. The DNR requested a donor area that doesn't create a void. The City submits this unique de minimis amendment to meet that request, and the revised donor area complies with policy 1.1.9 of the Chippewa Falls - Eau Claire Urban SSA plan.

The reasonable adjustment in the donor area removes 5 parcels, adds 3 parcels, adds no new property owners, increases area compactness, does not materially change the amendment request, and remains entirely within the Town of Brunswick. The adjustment in the donor area is reasonable as it creates a more compact donor area, allows existing structures near the donor area to remain in the SSA in the event they need to connect to City of Eau Claire sanitary sewer, and does not create a "void" in the overall SSA boundary. The acreages of both areas are calculated in the same manner with equivalent total acreage of donor and recipient areas. The adjustment in the removal boundary is reasonable. The property owners have been notified of this inclusion via certified mail.

This unique de minimis amendment is the type of unique amendment request that the Chippewa Falls – Eau Claire Urban Sewer Service Plan allows for "an administrative review from WDNR, thus skipping Steps 3-6" as stated policy on page 101 of the plan. The legal description and removal boundary maps are attached with this letter.

The City of Eau Claire is providing clarification to address the DNR inquiry of whether proposed donor territory is developable, and therefore comparable for a Type 1 Land Swap. When discussed



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with staff from the WCWRPC, this area was validated as an appropriate area to offer in a “swap” and also had similar attributes of the “add” area. This area was documented as similar in the WCWRPC staff report of the amendment request. The donor lands proposed for removal from the SSA by the City’s Type 1 amendment request are developable. During the most recent SSA boundary revision in 2005, the owner of the land containing the donor area requested the area be included in the SSA boundary at that time. Development would include floodplain mitigation strategies. It is anticipated the housing unit densities of the two referenced planned urban developments would be similar. The proposed donor territory was one of nine areas included into the SSA during the last update to the plan. The Chippewa Falls – Eau Claire Urban Sewer Service Plan is long overdue for an update, resulting in the need for amendments to adjust to changes in development plans and patterns. The donor territory still has the potential for future regional growth; however, it is reasonable and appropriate at this time to remove the donor area from the SSA through this amendment, and amend the SSA boundary in another area with the “add” area which has a more immediate demand for urban sewer service. Utilities are able to be economically and efficiently extended to lands north and south of the donor areas utilizing existing streets and rights of way remaining within the amended SSA boundary.

The entire region is in great need of an updated review and revision of the SSA plan to account for strong regional growth in a manner that is protective of our shared groundwater resources and environmentally sensitive areas. The City’s Type 1 Amendment balances present real growth needs and landowner development rights with water quality protection and should be promptly approved. We look forward to engaging with local, regional, and state partners in a broader and complete Urban Sewer Service Plan review in the coming months.

Thank you for your consideration of this clarifying information. Should you have any further questions or comments please feel free to contact me.

Sincerely,

David A. Solberg, PE
Deputy City Manager
Engineering Director & City Engineer

Attachments:
SSA Boundary Map
Amended SSA Boundary Amendment Legal Description
Notice Letters to Property Owners (4)
Certified Mail Receipts

