

**Commission members present:**

Al Sikora (Village of Waterford) (Chairman)  
Doug Koehler (City of Waukesha)  
Chad Sampson (Racine County)  
Francis Stadler (Village of Big Bend)  
Alan Barrows (Waukesha County)  
Barb Holtz (Town of Mukwonago)  
Randy Craig (Town of Vernon)  
Randy Meier (Town of Waterford)  
Jeff Thornton (SEWRPC)  
Mary Pindel (Town of Waterford – Alternate)  
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

**Commission members absent:**

Don Scott (Town of Vernon) (Vice-Chairman)  
Robert Bartholomew (Town of Vernon)  
Ron Peterson (Village of Big Bend)  
Dean Falkner (Village of Mukwonago)  
Shelley Tessmer (Town of Waterford)  
Jim D'Antuono (Wisconsin DNR)  
Any representative from the Town of Waukesha

**Also present:** Mike Hahn of the SEWRPC, Tom Slawski of the Southeast Fox River Partnership, Dan Treloar of Kenosha County, Ron Barker of the Fox Waterway Agency of Illinois, Clint Carlson, Carrie Litterio, Kyle Olson and Professor Jason Freund of Carroll University.

At 1:07 PM, 11/30/12, Chairman Al Sikora called the meeting to order.

The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

**Minutes** The minutes from the November 30, 2012 meeting were reviewed. It was motioned by Randy Meier and seconded by Francis Stadler that the minutes be approved. The minutes were approved unanimously.

**Treasurer Reports** – The Treasurer's Report for November & December 2012 was reviewed. In summary we started with \$129,593.99 in our money market account, we made one payment of \$20,000 to Waukesha County and made \$24.07 and \$17.42 in interest resulting in a final amount of \$109,635.48. It was motioned by Randy Meier and seconded by Randy Craig that the Treasurers Reports be approved. The report was approved unanimously.

**Old Business**

- a) Mukwonago River Restoration within Rainbow Springs – Neither Benjamin Heussner nor anyone else from the WDNR was present to make a report. We recollected that Benjamin after his presentation and report at our last meeting said that they had completed the work on culverts #1 and #7 and now will

have to wait until next summer to work on culverts 2 through 6, so there is likely nothing to report at this time. It was also reported that Benjamin was looking for a partial prepayment to cover some or all of the work already accomplished, he will have to make this request and have the commission vote on whether to make this partial payment.

- b) Fox River Partnership Summit – Tom Slawski was present and made a report. Tom provided a handout to all the commissioners which outlined the Summit objectives of
- a. Re-establishing the existence of the Southeast Fox River Partnership and develop a framework to support ongoing efforts within the watershed.
  - b. Begin a dialogue on shared challenges concerning recreation, economics, sustainable flows, surface water-groundwater interactions, sediment, and ecosystem services.
  - c. Develop relationships/build trust among stakeholders (individuals, organizations and states) of the Fox River watershed.
  - d. Identify commonalities, project successes, and future challenges facing communities within the watershed.
  - e. Create a declaration/agreed statement of key issues on important questions and/or Current & Emerging Issues between the states of Wisconsin and Illinois.

Tom expects to charge a \$35.00 advanced registration fee. The location for the event will be Veterans Terrace at Echo Park in Burlington WI. The date for the all-day event is Friday March 22, 2013. Tom has locked in the caterer and is working on the brochure for the event. About half of the speakers are locked in for their presentations. Tom said that as of this morning he had locked in the Keynote Speaker who is Dr. Delli Priscoli who is well known nationally and internationally for his work in river basin organization. Tom provided a synopsis for Dr. Priscoli who is a 30 year veteran of Army Corps of Engineers work. Tom was extremely happy to have secured Dr. Priscoli and hopes to center the summit on his keynote address. Al Sikora asked for pictures and documentation he can put on our website to promote the summit. Alan Barrows said that when the brochure was ready he could add a link from the Waukesha county website to the brochure and Dan Treloar said he could do the same for Kenosha County. Chad Sampson was encouraged to do the same within Racine County.

- c) Ecosystem Restoration Project (Sediment Sampling) –No one from the WWMD was present and so Jim Pindel advised that the WDNR had completed its assessment of the sediment samples and Graef Engineering had provided a report based on the WDNR assessment. Jim said that he didn't want to disclose any of the information in the report because he didn't want to feed the rumor mill and that it was up to the WWMD to release this information as they see appropriate. Jim did say that the next steps look to be

to apply for a dredging permit and finding disposal sites.

### **New Business**

- a) Possible impact of the diversion of City of Waukesha water treatment plant discharge away from the Fox River. – Watershed management Class of Carroll University. After a brief introduction from Professor Jason Freund in which he said that this study was started by a request from the WDNR for them to look into the possible effects on Peeble creek and Mill Creek and they simply extended the study into the Fox River, students Clint Carlson, Kyle Olson and Carrie Litterio in tern made Power Point presentations. As we were aware, Clint pointed out that if the City of Waukesha diverts its discharge away from the Fox River it will have noticeable effects on the Fox because the Fox has become dependent on this flow source. Clint pointed out that only in the case of flood conditions, when the Root River is at or near full capacity will water be diverted into the Fox River to save the Root River. Clint presented a map showing the two creeks flowing into the Fox River and the flow of the Fox all the way down to Illinois. Much of the data presented is based on data taken from the USGS flowmeter located on Prairie Ave. upstream of the water treatment plant with that of the flowmeter located a couple hundred yards downstream of the water treatment plant on Century Drive. All the data taken was in 2012 which was a significant drought year. Data showed that in June the waste water amounted to 27% of the flow in the Fox River whereas in August 33% of the Fox River flow was due to discharge from the water treatment plant. Clint pointed out that during drought conditions like that of last summer the range of 27% to 33% of water flow eliminated from the Fox River would not support the ecosystem of the Fox River below that point. Other points of concern include that at slower water velocities sediment will fall out of suspension sooner as well as a reduction of river bank undercut. Sediment settling on gravel beds could disrupt fish spawning and river bank undercuts are necessary fish habitat locations. Lower water depths will cause the sun to warm the water up more and temperature is very important especially to early stage fish. Since lower flow rates result in clearer water there is a detrimental effect of predators be more able to see their prey thus cutting down of fish populations. The loss of waste water flow added to the Fox River will result in less frequent overflows into wetlands. These overflows have a filtering effect as the water flows back into the river as the level decreases the wetland filters out some of the contaminants. Clint showed a picture of himself sitting in a kayak with the paddle held straight vertical showing that the water depth at that location was about three to four inches. Ron Barker asked what would be the effect of dropping that water level by two inches (the depth that has been indicated as worst case water reduction at one of our previous meetings). The question was answered by the fact that Clint said he had already bottomed out on the kayak as it was. Kyle Olson said that his group was more involved in field measurements in Peeble Brook and Mill Brook and showed a map of the streams and the Fox River pointing out exactly where the measurements were taken. The streams are class 1 or class 2 streams and fairly shallow, with the deepest parts noted at about chest

deep. They placed sensors at the bottom of the streams that measured both depth and temperature. Kyle showed charts depicting the variations in water depth over a period of some months or so. He also had similar charts of time versus temperature in these locations. Both locations are greatly impacted by ground water, the level spikes up quickly with rain and then falls off quickly afterwards. Both streams fluctuated greatly with temperature but Peeble Creek fluctuated the most. Kyle and his group used a meter stick and measured the sediment depth in both streams with Mill Creek showing the most sediment. Kyle showed sediment profiles of both streams. The greater amount of sediment in Mill Creek seemed to be caused by poor culvert design under the bridge on County Highway XX, which restricted the water flow. Carrie Litterio said that she was primarily involved in the recreations aspects regarding the Fox River. Her area of interest was the southeastern portion of Wisconsin and the northern portion of Illinois. She was looking primarily at hiking, biking, fishing and cross country skiing. She was looking for what impact the drawdown would cause which would be experienced by the waste water diversion. She noted that die off of fish that occurred this last summer due to the lack of oxygen in the water and predator prey interaction. She pointed out that canoeing and kayaking would be affected by the lower depths. She also pointed out the reduction in property values that could result from the navigability and fishery. She showed pictures of exposed sediment and debris which could reduce property values of adjacent riparian property owners. She pointed out that she had problems getting data from several agencies in Illinois. She said she was shocked by the fact that the agencies in Illinois were not aware of possible water diversion by the City of Waukesha. Jason Freund concluded that no matter what happens with the Lake Michigan water situation there are going to be changes affecting the Fox River whether it is from further drawing off of the shallow aquifer or whatever. Continuing in this discussion Mike Hahn pointed out that SEWRPC sent a letter to the WDNR Bureau of Drinking Water and Ground Water back in 2011 in which calls for the active management of the return flow from the wastewater treatment plant into the Fox River, especially in low flow situations. A copy of this letter was distributed to all commissioners present. Barb Holtz asked if Waukesha was using 100% deep aquifer water now or were they already mixing it with shallow aquifer water. It appears that Waukesha is already mixing deep and shallow aquifer waters, possible 2/3 deep aquifer and 1/3 shallow aquifer water to get to acceptable water quality levels.

- b) Big Bend boat/canoe launch repair/restoration – Francis Stadler Francis reported that at a previous meeting he was asked why they wanted to replace the rock riprap and now he agrees and has reverted back to the original idea of replacing the wooden retaining wall at the launch. The concern is that the creosoted railroad tie wall is aging and is about due for replacement of failure. Francis said he had obtained a quote for replacement of the wall and that it had been okayed by the Village President. The quote was passed around and it was noted that the total price was about \$9700 instead of the \$9000 we allocated in our budget. Chad Sampson asked for some details or discretion of the Versa Lock material which will be used as the retaining material. Francis said that he would be ready

- to make a presentation at the next commission meeting. Francis needs to outline what work has to be done, why it needs to be done and when it will be done. The commission will then assess based on the ten qualifying criteria for a project and then vote on funding the project. At this point, knowing Big Bends intention to do some project at the launch, we allocated 90% of \$9000 in our 2013 budget for it. After the commission approves the project, a cost share agreement will be given to Big Bend to sign committing them and us to be responsible for our shares in the project costs.
- c) Consideration of expanding the Commission's jurisdiction south to the Illinois border Al Sikora reported that he was finally able to get hold of the people in Burlington. We now have a presentation set up for the City and Town of Burlington on Thursday February 14, 2013 at 6:30 PM at the Burlington town hall. The town hall is located on highway 142. Al said that Jeff Thornton has volunteered to make the presentation as he did for Rochester and that Jim Pindel and himself will attend to provide support and answer any questions. Al also said that his contact at Burlington asked that we provide Memorandums of Understanding (MOUs), so that she could schedule a discussion of accepting or rejecting their participation in our commission as soon as our presentation is completed. It was decided that Jeff Thornton would bring along hard copies to be signed and that Al would email the MOUs to his contact prior to the meeting.
- d) Possible request for grant funds for Mukwonago shoreline restoration: Dean Falkner was not present. Alan Barrows said that he had not received anything new concerning this project and was looking to find out what was being changed from the initial engineering that was done.
- e) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Pindel stated that at our last meeting it was decided that he would fashion an email to send to Eric Ebersberger pointing out that we want to be sure that the Environmental Impact Statement (EIS) not only considers the effect on the environment of the conveyances of the water to and from Lake Michigan but also the effect on the Fox River. It was further decided that this email would be first sent with appropriate explanation to the WWMD and the Fox Waterway Agency of Illinois, imploring them to send similar supporting correspondence to Eric Ebersberger. As suggested by Jim D'Antuono the email asked Eric Ebersberger to have a staff member attend one of our meetings as soon as the EIS process starts to explain the process and hear our concerns. As planned Jim Pindel did email a draft copy of the email to Eric Ebersberger to all commissioners and received some comment/correction from the group and then forwarded the email with an appropriate forward or explanation to Kelly Cornelius of the WWMD and Ron Barker of the FWA and received no response from either party. A few days later Jim sent the email to Eric Ebersberger. A few days later Jim received a response from Eric in which he said they could not attend our 1/11/13 meeting but would contact Jim in mid-January to schedule a meeting at which someone from their staff would attend to explain the process

and hear our concerns. At this point we will wait to hear from Eric Ebersberger.

### **Reports and Updates**

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Ron Barker said that he had extended an invitation to either Tom Slawski or Jeff Thornton to attend one of their board meetings at the end of January (1/25/13) or February (2/28/13) at their headquarters in Fox Lake, Illinois. Ron wants them to make a presentation regarding the Fox River Partnership Summit and added that it is his experience that a presentation shortly before the conference date is most successful in getting people to attend. Presently the FWA has published a public notice that they intent to create a 37 acre island in one of their lakes. Creating an island which provides a local sediment disposal site will save then considerable hauling expenses. It is expected to start construction of the island in the fall of 2013. Ron said that there are six smaller waterway areas that are connected to the Fox River in Illinois. Each one of these waterways has its own concerned commission which dilutes the dollars and makes it more difficult to get things done. Ron said there are too many voices in the choir and so they are trying to get all of the organizations under one umbrella with one voice. Hopefully the main or leading group would be the Friends of the Fox organization.
  
- b) SEWFRC Website – Al Sikora said that he had nothing to report except that the website is pretty much up to date. He asked those present to visit and review the site.

### **Correspondence –**

- a. 12/7/12 Emails between Benjamin Heussner and Jim Pindel confirming that the Kettle Moraine Natural History Association is looking for a partial payment for work accomplished on the Mukwonago River Restoration project within Eagle Springs.
- b. 12/7/12 Email from Jim Pindel to all Commissioners with draft copy of email to be sent to WWMD & FWA and to Eric Ebersberger of the WDNR.
- c. 12/10/12 Email to Kelly Cornelius of WWMD and Ron Barker of FWA regarding looking for support against diversion of City of Waukesha wastewater away from the Fox River
- d. 12/11/12 Email from Jeff Thornton requesting presentation by Carroll University watershed management class regarding impact of the diversion of Waukesha wastewater from the Fox River to be added to our agenda.
- e. 12/14/12 Email from Eric Ebersberger stating that his group would like to attend one of our meetings after 1/11/13 to hear our concerns and provide an update on their progress.
- f. 1/11/13 Jim Pindel emailed the USGS report “Stream flow depletion by Wells” to all commissioners.

**Miscellaneous Issues** –

There were no miscellaneous issues.

Randy Meier motioned to end the meeting and the motion was seconded by Francis Stadler the motion passed unanimously.

**Meeting Closed** at 2:20 PM

**THE NEXT OFFICIAL MEETING AND WILL BE Friday, February 15, 2013 at 1:00 PM.** (Meeting Location: Big Bend-Vernon Fire Station #3, W233 S7475 Woodland Lane, Big Bend, WI 53103.)