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Southeastern Wisconsin Fox River Commission Meeting Minutes

Friday, January 20, 2023- 1:00 PM

Town of Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI 53103

Commissioners and (alternates)		
Representing	Name	Attended (yes/no, by phone)
Kenosha County	Andy Buehler Mark Jenks (non-voting)	X
Racine County	Chad Sampson (Jon Grove)	X
Waukesha County	Alan Barrows (Leif Hauge)	X
City of Waukesha	Robins Grams (Doug Koehler)	X
Town of Mukwonago	Katelyn Bratz (Barb Holtz)	X
Town of Vernon	Lee Manthey	X
Town of Waterford	Jim Pindel (Shelley Tessmer)	X
Town of Waukesha	Ken Miller	
Village of Big Bend	Kayla Rush	X
Village of Mukwonago	Wayne Castle	X
Village of Waterford	Fred Koeller (Al Sikora)	
Village of Rochester	Wayne Jensen	X
Town of Burlington	Russ Egan	X
City of Burlington	Donny Hefty	X
Town of Wheatland		
Village of Salem Lakes	Bill Hopkins	
SEWRPC	Tom Slawski (non-voting)	X
WDNR	Sara DeBruijn (non-voting)	
WDNR	Rachel Sabre (non-voting)	X

Guests	
Representing	Name
Greg Horeth	WWMD

Ry Thompson	RES
Dave Arnolt	Ruekert & Mielke
Ian M Yarmin	Ruekert & Mielke
Mark Jenks	Kenosha County
Tom Ludwig	FOTH
Ben Haas	Racine County
Roley Behm	Racine County

Southeastern Wisconsin Fox River Commission Meeting

1. Katelyn Bratz called the meeting to order at 1 pm.
2. Pledge of allegiance
3. Roll call and verify quorum
4. Confirm the audio recorder is running
5. Approval of minutes from the previous meetings held October 28, and December 9, 2022.
 - a. The October 28th meeting minutes were approved with a motion from Russ Egan.
 - b. The motion was seconded by Donny Hefty.
 - c. Motion Passes.
 - d. The December 9th meeting minutes were approved with a motion from Russ Egan and seconded by Chad Sampson.
 - e. Motion Passes.
6. Review the Treasurer's Report.
 - a. Russ Egan made a motion to accept the Treasurer's Report.
 - b. Jim Pindel seconded the motion.
 - c. Motion passed

Old Business

7. Fox River 2023 Summit – Tom Slawski
 - a. Program is coming together. They will be focusing on soil health.
 - b. We are coordinating with our friends in Illinois.
 - c. Rachel Sabre or a colleague will be talking about the TMDL.
 - d. Tom Slawski will be sending a link with more information.

- e. Tom Slawski requests a motion to approve funding for the upcoming Summit.
 - i. Jim Pindel made a motion, to fund the upcoming Fox River Summit, funds not to exceed \$5500.
 - ii. Russ Egan seconded the motion.
 - iii. Motion passed.
- f. The event will be March 16th, in Burlington at Veteran's Terrace.
 - i. It will be an all-day event.
 - ii. Contact Tom Slawski if you would like to be on the information list.
- 8. Report on Fox River Park Project – Alan Barrows
 - a. First phase is the riverbank restoration. Phase one was completed before the end of the year. They were able to soften the slope to more than 3 to 1.
 - b. They will be submitting to the commission for funding. Alan Barrows will be submitting the paper work soon.
- 9. WWMD Project-Greg Horeth
 - a. Continue to work on the off loading location. Looks very positive at this time.
- 10. Solberg Slope Stabilization- Chad Sampson
 - a. Approved for funding, construction for summer 2023.
- 11. Ogden Slope and Shoreline Stabilization- Chad Sampson
 - a. Approved for funding, construction for summer 2023.

New Business

- 12. Report on activities of the work being done by Foth and RES
 - a. RCPP Grant
 - i. Ry Thompson and Erin Delawalla are looking into a second RCPP grant. Provided recommendations to go with the more traditional RCPP program in the future. The NRCS does more of the work that that applicant would need to do.
 - ii. Meet with the county reps for feedback.
 - 1. Ongoing conversation, where does the match come from? Where does the funding come from?
 - 2. Could provide double the money from the RCPP
 - a. Perhaps some of the current DNR funds could meet as the match. If any of it could be allocated to the farmland research and such.
 - 3. Andy Buehler stated the match is the key component.

Without the match nothing can move ahead.

4. How much do we need for the match asked Jim Pindel.
 - a. Ry Thompson replied the match is 1 to 1.
5. Our funds could be used since they were state vs. federal funds.
6. Jim Pindel shared that municipalities have never been forthcoming with funding. The law was set up that they were supposed to fund us.
7. With the new biennial budget, we could request another appropriation from the state. We can talk with Chuck Wichgers for support. Tom Ludwig of FOTH, suggested.
8. Ry Thompson- Previously they opened the RCPP grant up in November. It was due November 4 of last year. There is not a dedicated next window. You can apply at any time, and they will consider your application in the next window. Need a different entity for application, SEWFRC was not considered an appropriate structure, as we are unable to supervise or manage a project without staffing.
9. Minimize down to the jurisdictional boundaries.
10. After SEWFRC comes to more of a consensus, they can move forward with NRCS.
11. Alan Barrows- intensive grant program. Limits our fund to projects that are only RCPP eligible. Projects on the main stem would not be eligible.
12. Could county funds be considered a match. How could we connect closer with the counties?
13. Tom Slawski- how long is the grant period? Ry Thompson replied- 5 year grant. Possibly 50K each year put forth as a match.
 - a. Tom Slawski asked, can a land trust be the applicant. Ry Thompson replied- I believe so.
 - b. Ry Thompson asked, can we get a list of land trust contacts to pursue as an applicant?
14. Andy Buehler- We really need to focus on the funding.
 - a. The municipalities would be paying in, but they might not have any projects. Need an entity with a larger scope. Either we put in a portion for the match or do another request of funds.
15. Chad Sampson- Counties can perhaps help meet the match requirements. Racine County Protection Agency, they could be a match. Water surface grants could be a match.
 - a. We don't have a hired person to administer the grant.
16. Tom Slawski- the Wind Lake drainage canal could be a potential small project match.

17. Andy Buehler made a motion that we reach out using FOTH to pursue funding for a match for RCPP by reaching out to representatives
 18. Jim Pindel seconded the motion
 - a. Motion passes
 19. Tom Slawksi- other bodies could be included and we enter in the joint projects. They are not voting members, but we with can partner
 20. Alan Barrows- in our appendix c- there is an example a partner agreement between SEWFRC and Waukesha County as a model of a partnership.
- b. NAWCA grant
 - i. Will invite to next meeting for discussion of partnership
 - ii. Ry Thompson- phase 3 of a 5 phase program
 1. Active in Mukwonago and Vernon
 - c. DNR Waterfowl Stamp Grant is open. Potential project in Fox Bend.
 - i. Visited the site, proposed as a grant, habitat enhancement. Due on February 10th.
 - ii. Enhancement in the floodplain of the Fox. Two fields no longer leashed by Waukesha county. They flood each spring, adjacent to the Fox.
 - iii. No match required, but recommended.
 - iv. Waukesha county has an in-kind match that they could provide.
 - v. Alan Barrows would encourage it.
 - vi. Andy Buehler made a motion to pursue a DNR Waterfowl Stamp grant for habitat enhancement.
 1. Alan Barrows seconded the motion.
 2. Motion was approved.
 - vii. Would be advantageous for the county to be the applicant as SEWFRC could not manage a project and you have to be an eligible applicant per Rachel Sabre.
 - viii. Tom Slawski will write a letter of support from the FRC for the application.
 - d. Federal Highway Administration (FHA) Protect Program Grant
 - i. Should be a DOT state road involved. Hwy 50 has chronic flooding. It could be a good candidate for the grant. Perhaps a more ecological solution could be supported. Could Fund 35 % (Local)
 - e. US ARMY Corp 206-519 grants.
 - i. Ecosystem restoration program. Written into law for the Illinois basin. There have not been any projects in the headwaters, here. Will be following up on what this could look like. 519 is specific to Illinois but 206 is federal. It is a cost share program. The 5 mile stretch on 50 could be a good applicant here as well. Could fund 65 % (federal). Army Corps is interested and have provided a fact sheet. There will be an onsite field trip in Feb. They

- would start with a feasibility study. Would require congressional appropriation.
 - ii. Would allow for many significant restorations on the river system.
 - iii. A sponsor would be needed.
 - iv. Kenosha is very interested in the project. There is millions of dollars of work that need to take place there. Foth and Res need to know if the commission is going to have any involvement.
 - v. We would prepare as part of the SEWFRC project and prepare the fact sheet for WISDot. Which would then go to the deputy secretary of transportation for the funds.
 - vi. Is the commission allowing the fact sheet to be put together?
 - vii. Jim Pindel asked would there be a charge?
 - 1. Tom Ludwig answered, It would fall under scope of the current project.
 - viii. Tom Slawski- remind that when we last sat with Wichgers was to lever the \$200,000 to bring more money into the watershed. It fits to bring restoration into the watershed. Maybe even change the course of the river to allow it to perform better. Opportunity to fix and impact 100's of residents in Wisconsin alone.
 - ix. Wayne Jensen- We have 7.5 million projects in the Kenosha region.
 - x. Motion to pursue both simultaneously.
 - 1. Jim Pindel made a motion for FOTH to generate a fact sheet for the 519 grant.
 - 2. Russ Egan seconded the motion.
 - 3. Motion approved.
 - xi. Tom Ludwig will circulate an outline on what they are trying to do, for us to circulate to representatives.
 - xii. Ry Thompson mentioned it is worth remembering that federal would be critical if we get to appropriation.
- f. Story Map Outline
- i. Ry Thompson- Presented in December
 - ii. Met with the geospatial group at SEWPRC. It is unlikely that they will host our story map. There is not internal access. We would like it to be hosted by someone who can and will host it for the long time. We could get a license. RES will develop and host to start. There will need to be a transition eventually. When you move it, it does break a lot of links.
 - iii. Any photos footage, videos, drone footage. They have a start. Could there be a subcommittee that would work on that moving forward.
 - iv. Tom Slawski- could a county host our map?
 - 1. Alan Barrows- the licensing is challenging when outside gov't entities. It is possibly favorable for SEWFRC to

purchase the license. The story map shows a great representation of the last 30 years of projects.

- v. Up to us on how specific or broad we would like it to be.
 - 1. Alan Barrows made a motion for RES to purchase a license on our behalf and set up the story board.
 - 2. Andy Buehler seconded the motion.
 - 3. Motion Passes
- g. Long Term Finance Framework outline
 - i. Ry Thompson presented at the December meeting. Was sent out to the commission.
 - ii. That is their draft, would like any input from commission.
 - iii. Alan Barrows- Page 4
 - 1. To achieve SEWFRC's vision, large-scale restoration efforts are needed across the watershed, both within and beyond SEWFRC's Service Area. This includes the implementation of conservation practices on agricultural lands, restoration and stabilization of streambanks, restoration of wetlands, infrastructure protection, and habitat restoration.
 - 2. Include stormwater management into the overall list. Can build that out more.
 - 3. The DNR run off management is listed as one of the grant categories.
 - 4. Alan Barrows can do a markup and send it to RES.
 - 5. Ry Thompson any other projects that we can use to build up.
 - 6. Section 2- bulleted points
 - a. The points matched up.
 - b. The second to last bullet point, where does that match up?
 - c. Need more information on administration.
 - 7. Page 17- table with prioritized grants, SWRM- also used in the county, can we spell that out, since there is another grant of the same name.
 - 8. Add a column to the table, is administration an option to the grant.
 - 9. Other grants that are discussed in the framework are not in the table. Would like to see every grant listed into the table. Would like the table to be comprehensive and prioritize.
 - 10. Page 5 purpose and scope, tracking system for funding windows, what is the timeline in applying for a particular grant. Clarification on what the tracking system would look like.
 - 11. Additional comments if needed within the next few

weeks.

13. 2021 – 2030 SEWFRC Implementation Plan – Tom Slawski & Alan Barrows
 - a. No Update
14. Review and discussion of all projects on the Enum- 24 Waitlist
 - a. Wayne Jensen met with Sara DeBruijin of the WDNR
 - b. Enum-20 is completed
 - c. Enum-21
 - i. \$100,000 advance has been spent and approved.
 - ii. 64,000 of reserve has been spent
 - iii. 164,657.35 paid out.
 - iv. 4,692.29- balance remaining
 - d. Enum 22-
 - i. Can divide a project between 21 and 22
 - ii. Approved 181,200.36
 - e. Enum 24
 - i. 77,060.36 transferred from Enum 22.
 - ii. Enum 24 balance 117,439.64
 - f. Enum 23- Foth and RES allocation.
 - i. Paid 160,000
 - ii. 40,000 still in reserve
 - g. Andy Buehler is the carryover Enum 22?
 - i. Part of the Waukesha HOA will go to Enum 21per Wayne Jensen
 - h. Jim Pindel- he always had to put in a request for extensions.
 - i. Current extension is to June 30th.
15. North River Bay Road Shoreline Restoration- Chad Sampson
 - a. 392 feet of shoreline erosion, sloped, rip rap and native plantings.
 - b. 4 property owners
 - c. No protection
 - d. Lawn grasses around piers and entrances
 - e. Cost share of 9,000 per owner. Total cost share would be 36,000.
 - f. Alan Barrows- is there current?
 - i. This is a canal to allow the residents to have access to the water.
 - g. 70% above the rock will need to be maintained as native grasses.
16. Willow Court Shoreline Repair- Chad Sampson
 - a. 2 landowners
 - b. Run off overland and runoff
 - c. 203 feet of shoreline place riprap
 - d. 9,000 and 5,400
17. John Margis Jr. Wildlife Area Restoration- Chad Sampson
 - a. Want to control the erosion as well as make more attractive for use.
 - b. Goal is to reduce erosion on the county property.
 - c. 115 feet with rock rip rap and shoreline enhancements
 - d. First area that people will see
 - e. Native plants on most of the shore

- f. \$25,000 request
 - g. Enhance trail, shore of the bank, make the path wide enough for vehicle access.
 - h. Can we quantify the level of phosphorous loading. It is a part of the Burlington region.
18. Village of Mukwonago's Adaptive Management Program- Wayne Castle
- a. Village is taking adaptive management as their route for discharge limits.
 - b. Ruekert and Mielke
 - i. Point of compliance 1000 feet downstream from Hwy ES
 - ii. Stabilization of the drainage ditch just north of the wastewater plant.
 - iii. Exposed banks can see high flow during storms. Deposited directly into the Mukwonago River.
 - iv. Invasive buckthorn species has removed all small vegetation.
 - v. Goal is to reinforce 800 linear feet of the bank and clear the buckthorn.
 - vi. Reduce 40 lbs of phosphorous.
 - vii. This is a project that Dean Faulkner identified many years ago.
 - 1. It is a complex project.
 - c. Adaptive Management plan has been approved by the DNR
 - d. They are looking to grow and complete projects. Challenging to find projects that support the plan.
19. Waukesha Diversion Project- Greg Horeth
- a. Essential that we keep this topic on the forefront of activity for reasons of planning and preparation.
 - b. Many people opposed the project, we are concerned with the amount of water. No one can tell us what is going to happen with the diversion.
 - c. We have to try to prepare for what happens if we lose several inches of the watershed.
 - d. In September of this year, they are scheduled to start pumping water from Milwaukee. It might be summer of 24 before we see changes.
 - e. If any dam instructions need to be changed it could take 2 years to get approval for those changes.

Reports and Updates

20. SEWRPC Survey from Waterford Dam to Illinois border-Tom Slawski
- a. No Update---
21. Report on activities of Fox Waterway Agency of Illinois – FWA or Tom Slawski
- a. They are speaking at the Fox River Summit.
22. Report on future of the Echo Lake Dam in Burlington-Donny Hefty
- a. The referendum was an advisory referendum.

- i. They voted to modify the dam
 - ii. It was approved by the common council
 - iii. In the design phase.
 - iv. The Burlington website has a virtual look of it.
 - b. Russ Egan-
 - i. The public was very divided.
 - c. Dredging project will be occurring with the decision.
- 23. Report on Fox River Watershed TMDL progress – Rachel Sabre
 - a. Kick off meeting Feb 15th, 1 pm. Virtual event.
 - b. If anyone has data on the Fox River they would love if you could share it.
 - c. How long to approve the TMDL- Usually it is 2 + year process
 - d. Once they determine what the waterway can handle, they then decide how much each area is able to contribute to the waterway.
 - e. They have a large list of partners, if you have anyone that they may have missed, let Rachel Sabre know.
- 24. Report on the Fox Watershed Mitigation Plan- Tom Slawski
 - a. No Update- summarizing all the information.
- 25. Watershed Protection Committee of Racine County- Chad Sampson
 - a. Winter Workshop
 - i. February 10, 2023
 - ii. 9:00 am-3:00 pm
 - iii. At the Cotton Exchange in Waterford.
 - iv. Guest Speaker David Brandt
 - 1. Cover Crops for Soil Health & reducing Inputs to Increase Profitability
- 26. SEWFRC Website – Al Sikora or Alan Barrows
 - a. No Update

Correspondence

1. 1/11/2023, Tom Slawski, email-FW: RES/ - Draft Long-term Capital and Financial plan framework document
2. 1/4/2023, Wayne Castle, email-request to add Village of Mukwonago's adaptive management program update to next meeting agenda
3. 12/29/2022, Chad Sampson, email-request to add North River Bay Road Shoreline Restoration project to next meeting agenda
4. 12/28/2022, Chad Sampson, email-request to add Willow Court Shoreline Repair project to next meeting agenda
5. 12/9/2022, Tom Slawski, email- FW: SEWFRC Meeting Confirmation and Long-Term Finance Framework, with attached DRAFT report.

6. 12/7/2022, Greg Horeth, email-request to add Waukesha Diversion Project to next meeting agenda

Miscellaneous Issues

7. Next Meeting and Location

- a. Next meeting was scheduled for March 10th , 1 pm, DPW Community room located at 2200 S. Pine St, Burlington, WI 53105
- b. Wayne Jensen made a motioned to adjourn the meeting.
- c. Andy Buehler seconded the motion.
- d. Motion was approved.

8. Close Meeting

* If you have any question about the Agenda, please call Secretary Tom Slawski at tslawski@sewrpc.org or (262) 953-3263.