

Commission members present:

Katelyn Bratz (Town of Mukwonago) (Vice-Chairperson)
Ken Miller (Town of Waukesha)
Doug Koehler (City of Waukesha)
Alan Barrows (Waukesha County)
Jon Grove (Racine County)
Jeff Lang (Town of Burlington)
Bill Hopkins (Village of Salem Lakes)
Bob Bartholomew (Town of Vernon)
Michelle Clark (Village of Big Bend)
Rachel Sabre (Wisconsin DNR)
Tom Slawski (SEWRPC)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Dean Falkner (Village of Mukwonago) (Chairman)
Fred Koeller (Village of Waterford)
Donny Hefty (City of Burlington)
Andy Buehler (Kenosha County)
Andrew Lois (Town of Wheatland)
Wayne Jensen (Village of Rochester)

Also present: Dan Treloar of Kenosha County, Rob Bowman and Randy Sweet of the Fox Waterway Agency of Illinois, Representative Chuck Wichgers of the 83rd Assembly District and Cheryl White of the Waukesha County Land Conservancy.

1. At 1:05 PM, Vice-Chairperson Katelyn Bratz called the SEWFRC meeting to order.
2. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.
3. **Minutes** The minutes from the December 10, 2018 meeting were reviewed. It was motioned by Jeff Lang that the minutes be approved and the motion was seconded by Bill Hopkins. The minutes were approved unanimously.
4. **Treasurer Reports** – Jim Pindel reviewed the December 2018 treasurer's reports. He started by stating that he received the \$100,000 cash advance for ENUM-21 on last Saturday (1/19/19) and deposited it on Tuesday (1/22/19) into our money market account. We started the month of December with \$31,828.60 in our Money Market Account. We made one payment of \$2,854.50 to Applied Ecosystems as the final payment for the WE Energies project. We received \$10.16 in interest bringing our Money Market account to a balance of \$28,984.26. The change to the non-grant funds was the \$10.16 in interest resulting in the net non-grant funds available being \$40,865.54. Regarding the grant funds, there

were no changes because none of the active projects have been closed out. Jim ended the report by asking the commissioners to identify any new projects so he can include them in the 2019-2020 budget, which we will have to start working on soon. It was motioned by Jeff Lang and seconded by Bob Bartholomew that the treasurer's report be approved and the motion carried unanimously.

Old Business

- a) Fox River Partnership 2019 Summit: Tom Slawski asked all the commissions who have not registered to register as soon as possible. Tom pointed out that he and Chad Sampson have secured a presentation by Cody Nelsen of Soil Rx Inc. who will talk on soil health and how to get started. His presentation will include a panel of farmers and they have provided most of the funding for his presentation. Jim Pindel said that we had agreed to reimburse our commissioners, members of the FWA and any state legislators or governors or their staff and asked how we will manage these payments. After some discussion it was decided that Randy Sweet of the FWA would email a list of their members who will attend to Jim Pindel at least 1 week before the Summit and Jim will register them. Also any other attendees that we need to reimburse will have to be done on an individual basis.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that he sent the after pictures to Al Sikora for our website. Alan also said that if we hadn't visited the website recently we should because Al Sikora has refreshed it and it really looks better. Alan said that he sent additional information on 3 other projects to Al Sikora. Alan also said that WE Energies requested a report on the project and that he has turned it into a presentation which will amount to a poster with before and after pictures, some narrative and gives credit to all 5 agency contributors including the SEWFRC and the Village of Mukwonago. Jim Pindel stated that he will leave this project on the agenda until he hears from Sara DeBruijn that she has accepted it as complete.
- c) ESR Project disposal sites environmental impact: No one from the WWMD was present. Jim Pindel reported that they had a conference call between the ESR committee and Graef Eng. yesterday. The call reviewed the pilot study dredging project. The first stage of Design and Contraction will run from February to June of this year with an important milestone of getting funding and a vote of approval from the riparian owners before it can be completed. Originally the project was to remove and process 20,000 cubic yards of sediment costing about \$2,000,000 but the loss of available land to spread the dewatered sediment on has decreased to 9,500 cubic yards with the cost being reduced proportionately. The second stage of the project is the dredging and dewatering stage. This stage will go from spring of 2019 to late summer 2019 or spring of 2020. The last stage of this project which is the land spreading will run from the fall of 2019 to the fall of 2020. It is also expected that the

final bids for the complete dredging project will come in in spring of 2021.

- d) Schuetze Playground Storm Water Abatement: - Jim Pindel said that just this morning he received an email from Melissa Lipska of the City of Waukesha with the last piece of documentation that Sara DeBruijn said she needed to complete this project. Jim said he forwarded the email to Sara.
- e) SEWRPC Survey for Waterford Dam to the Illinois Border – Tom Slawski
Tom Slawski said that he has been spending most of his time recently on the Healthy Watershed grant. Tom did say that Dale Buser of the SEWRPC will make a presentation at the 2019 Summit on the survey.
- f) Birch Lane Shoreline Protection Project: Jim Pindel said that everyone has been paid for this project and that he will keep it on the agenda until he hears from Sara DeBruijn that she accepts the documentation and the project can be closed.
- g) VoW Jefferson St. Park & Launch – Fred Koeller. Fred was not present and no report was made.
- h) Oakwood Shores Park Streambank Stabilization Project – Dan Treloar or Andy Buehler. Dan Treloar said that he spoke with Ryan Glassmaker the engineer on the project. He said that Ryan had visited the site and has completed a preliminary design. Dan said that Ryan should have a final design completed in 2 or 3 weeks so they can put it out for bid.

New Business

- a) Waukesha County Land Conservancy (WCLC) request for a letter of support from the SEWFRC. After the long time it took to cover the Healthy Watershed item under Reports and Updates, it was decided to move this item up in the agenda, so that Cheryl White of the WCLC didn't have to sit through the rest of our regular SEWFRC meeting. Sheryl White the Executive Director of the WCLC said she was here today to request a letter of support from the SEWFRC to help them get a grant from the National Fish and Wildlife Foundation (NFWF). Sheryl provided handouts for all the commissioners that included a map of the middle Fox River Watershed. They are partnering with Waukesha County and their objective is to restore about 1,460 acres of the watershed concentrating on 150 acres at this time. Cheryl called our attention to the first page of the narrative that listed their overall objectives. Cheryl then had us go to page 4 of the narrative which pointed out some of the details of what they will be doing like planting 200 trees and shrubs on two properties near the Fox River, clearing 150 acres of invasive species and doing some stormwater runoff control. It also outlined some of the volunteer and full time participation they require to get their objective met. Ken Miller asked if it was easier to get philanthropic funding that governmental funding. Cheryl answered by saying there is government funding

available and about 40% of their funding is philanthropic. Alan Barrows asked if the Town of Eagle was included in their area of concern and Cheryl said that it was not and they had decided to go with the middle Fox River watershed exclusively. Alan said that a considerable amount of water flows from the Town of Eagle into our watershed and Cheryl said that the NFWF grants focus on individual watersheds. Cheryl said this is a single grant application asking for \$50,000 which they have to match. Jim Pindel stated that he had read through all the documentation Cheryl emailed to Dean Falkner and himself and that their goals were right in line with our implantation plan. It was motioned by Alan Barrows and seconded by Jeff Lang that we provide the letter of support for the WCLC. The motion passed unanimously.

- b) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Dean Falkner Dean was not present and so no report was made.
- c) Ranke Road Stormwater Control Project – Chad Sampson: Jon Grove stood in for Chad. Jon made a Power Point presentation. Jon said that the project location is northwest of Waterford. There is a high hill near the farm house. Sheet water flows down the hill during rainy conditions running through the barn yard picking up sediment and manure then runs across Ranke Road and down to an abandoned quarry. The water and pollutants eventually leach down into the ground water. Sometimes the quarry overflow and the polluted water runs down into the Tichigan Marsh and whatever is not filtered out by the marsh goes into the Fox River in Conservancy Bay. Jon then showed his plan overview and said that the design is complete. The design provides 3 water control basins that collect the water and releases it slowly over the next 24 to 36 hours. The design also includes a small diversion which channels the water into the control basins. The presentation included a picture of the barn yard and another picture showed water running out of the barn yard downhill. Jon said if we went there today there would be water standing in the barn yard in the mud and manure. Jon then showed a slide with a cost estimate, with a total project cost estimated at \$30,000 with a request for a 90% cost share from our commission of \$27,000. Jon said that the land owner applied for some federal funding but wasn't sure he would get it. Jon then showed us pictures of a water catch basin from a different project to let us see what it would look like right after construction and 6 months later when the grass grew in. Jim Pindel asked Jon to send him a copy of the presentation and Jon said he would convert it into a .pdf file and send it to him. Jim said he would forward it to all the commissioners. Katlyn Bratz then stated that we will vote on accepting the project at our next meeting. Alan Barrows asked if the land owner would be paying the 10% or if he was doing in kind work for the 10%. Jon said the land owner will be paying the money. Ken Miller asked what happens to the manure and Jon answered that they will divert the water before it gets to the barn yard and so nothing is being done to the manure. Dan Treloar asked how many cows he is milking and Jon said probably about 30 or 40.

Reports and Updates

- a) Report on the activities of SEWFRC and FWA to obtain EPA Healthy Watershed grant funds. This agenda item was moved up to right after roll call and confirmation that we had quorum. Jim Pindel started out by telling the commission that an ‘in district’ meeting was held in Kenosha attended by Rep. Chuck Wichgers, Rep. Peter Barca, Dean Falkner, Tom Slawski, Andy Buehler and Jim Pindel on December 21, 2018. The meeting started with Jim Pindel briefly explaining to Rep. Barca who the SEWFRC is and what we do. The impetus for this meeting was a desire to get attendance at the 2019 Summit by the Governors (and/or their staff) of Wisconsin and Illinois to get them to assist us in applying for EPA Healthy Watershed grant funds. It was explained that the SEWFRC would reimburse the attendance fee for them or any state legislators who might attend. Andy Buehler described the Oakwood Shores Park Streambank Stabilization Project to Peter Barca as the first SEWFRC project in Kenosha County within Peter Barca’s district. Both Jim Pindel and Rep. Wichgers reported that our plan was well received by Peter Barca. Rep. Wichgers added that Peter Barca is well connected with the Wisconsin and Illinois Governors as well as both legislatures. Jim Pindel stated that the \$100,000 per year funding we have is not adequate to do the millions of dollars’ worth of projects we have to get done to accomplish our goals. Regarding which grants we believe we should pursue, it was stated that we should apply for whatever grants are available. Jim Pindel pointed out that the Healthy Watershed grant is also known as the Targeted Runoff Management Grant. With the fact that runoff control is one of our directives it appears that this could be a good fit for us. Also a new grant program under development called the National Water Quality Improvement Program could also be a good fit for us. Tom Slawski pointed out the Urban non-point source planning grant, which could apply to us. Then Tom went on to list several other grant programs for streambank, wetland and forest restoration that might work for us. Tom said that in the past when our funding came through the Recreational Boating Facility (RBF) there were certain restrictions on where we could use our grant funds. Now that our present funding comes through a different channel from the state we really don’t know what we can and cannot do. Jim Pindel pointed out that when our funding came through the RBF we were restricted to doing projects on public waters and were for the benefit of motor boats. Right now our only directive is to spend our grant funds on projects that help fulfill our implementation plan. It was pointed out that when Jim Ritchie was the WDNR appointed commissioner to the SEWFRC he told us if a project was grantable or not. Rachel Sabre said that she could contact Jim Ritchie and find out from him who we could consult to make sure a project was grantable for us. Jim Pindel pointed out that during the time we were working to get our present funding the legislators went to someone named Luke at the WDNR who would answer these sort of questions. Rachel said she thought she could find this person and hopefully get back to us at our next meeting with whom we should consult on these matters. Tom Slawski said that Rep. Wichgers asked him to look into what it would take for us to make an application for the Healthy Watershed grant funds. Tom said that applications are due a week from Monday, which gives us very little time. Tom said that the Healthy Watershed

grant program is focused on supporting programs rather than individual projects like we do. For example the grant funds from Healthy Watershed program that Wisconsin and Minnesota received is for a program to secure or enhance watershed capacity in the St. Croix River watershed to protect some 300,000 acres of forest lands. Tom went on to say that the watershed capacity program addresses things like growing organizational capacity for large scale long term healthy watershed protection. This long term watershed protection must also include a means of securing funding and/or a strategy to secure accelerated long term protection of the watershed. In trying to structure our application for the Healthy Watershed grant, Tom looked at what plans or directives are already in place. One being our implementation plan and another is the Comprehensive Watershed Plan for the Fox River Watershed developed in 1969 which is still relevant, both of which have aspects that have not been accomplished. Tom said that the Healthy Watershed grant is focused on large scale, 10,000 to 40,000 acres of forest land or watershed operations and is more of a programmatic and mechanistic strategy orientation. Tom displayed a map of our watershed depicting the pound per year per acre loading of non-point source pollution. All the HUC-12 areas were color coded with the worst areas colored in red the medium polluting areas shown in orange and the normal areas colored in yellow. Tom then displayed a map that differentiated our watershed by urban, agricultural, watershed and forest lands. Tom showed these maps to show the extent of our area and its diversity. Tom asked how many of our commissioners had ever applied for a grant and several, especially the county representatives, indicated that they had. Tom then said that they probably had some idea of the rules and details that vary from grant to grant with each one having its own learning curve. To give the commission an idea of our scale of responsibility Tom said our watershed includes about 630 square miles of watershed. The Healthy Watershed program requires an area of at least one HUC-8 and we have 40 HUC-12 areas, much larger than needed. We have 78,474 acres of wetland, we have 58,474 acres of forest and not all of that land is protected. Tom then displayed another map depicting what areas of our watershed are publicly owned by the WDNR, towns, villages, counties, the state, federal government and conservancies, with the rest of our watershed unprotected. Tom then displayed a map of all the municipalities in our watershed and he pointed out that we have 13 municipalities represented on the commission with an additional 53 municipalities in our watershed that are not represented on the commission. This points out the extent of the additional involvement and challenges that might be required to address our entire watershed. Tom said that he had a copy of the draft proposal from the Huron River Watershed from when they applied for the Healthy Watershed grant in 2017. Their proposal would be a good template for us and included such things as master planning and zoning for water resource protection. Tom then passed around copies of a table of open space and forest retention tools from the Huron River proposal for Pennsylvania and Virginia. The table listed 43 different tasks that needed to be addressed. This table highlighted the extent to which and degree of detail needed to apply for the Healthy Watershed program. Tom went through each of the points in the list to emphasize the amount of items

we would have to address and how many of them do not presently exist. Tom spent considerable time listing all the possible items we could address and a number of ways we might consider to fund these new objectives. Tom mentioned that the Healthy Watershed grants usually include money to pay for some full time staff to administer the grant. Alan Barrows then asked that since this grant program was essentially administrative is there a cost share match required from someone else. Tom said that a 25% cost share is required. Rep. Wichgers asked Tom is he could contact someone at the Healthy Watershed program to see if we could get an extension or if we applied with what we know now if they could help us finish the application. Rep. Wichgers said he could have his staff help us at this time. He went on to say that we need to make a checklist of what has to be done and who is responsible for each checklist item and when it has to be accomplished by. Rep. Wichgers said that he felt that it would be a waste of time and effort for us to pursue state grant funds. He said their used to be a fund in the WDNR to help with projects and now that fund has been used up. Rep. Wichgers pointed out the irony of the fact that the state owns the water and organizations like us are responsible to maintain and protect that water but the state is not providing the money to let us do our work. So we are saddled with an unfunded mandate. Rachel Sabre pointed out that there are still some funded grants that can be applied for but the way our commission was funded in the past through the RBF, our commission could not apply for those grants because it would amount to double dipping on state funds. Rachel said that she is not sure if we can now apply for these grant funds since our funding comes through a different channel, however there is very little money available in these other state grants. After considerable discussion on whether we should apply for the Healthy Watershed grant in this grant cycle and if we should and can hire a contractor to apply for this or other grant funds, it was the consensus of the commission that we should wait until the next grant cycle and give ourselves time to organize a proper grant application. Jim Pindel said that he thought that this was too big of a topic to be discussed and decided upon by the whole commission and he suggested that we form a subcommittee to work out the details just like we did for the 9-Key Elements Plan. Alan Barrows offered to take this topic up, as well as any other grant application, at the next 9-Key Elements subcommittee meeting and eventually come back to the full commission with a recommendation. Alan Barrows made a motion that was seconded by Jeff Lang that this topic be taken up by the 9-Key Elements subcommittee. The motion passed unanimously. We will have to wait to see if the subcommittee is willing to take on this added responsibility. Rep. Wichgers brought up the point that this whole funding idea came up at the 'in district' meeting with Rep. Peter Barca. With the contacts Peter Barca has with the Governors of Wisconsin and Illinois there is still the possibility that an agreement between the two states might result in their obtaining some federal funding for us. Jim Pindel motioned that Rep. Wichgers and Tom Slawski work together to try to get their attendance at the 2019 Summit and get them to work together to support our funding needs. The motion was seconded by Bill Hopkins. The motion carried unanimously. Rep. Wichgers asked that Jim Pindel email him a record of this discussion especially so he knows what he needs

- to do. Jim said he would email a copy of the unapproved minutes to Rep. Wichgers. This discussion point took 1 hour and 12 minutes of commission time.
- b) Report on activities of Fox Waterway Agency (FWA) of Illinois – Randy Sweet the chairman of the Advisory committee of the FWA was present and said that they are still working on their watershed plan. Randy said that he and Rob were interested in the discussion regarding the Healthy Watershed Program because they were in the midst of trying to establish their own goals and objectives and what projects they need to accomplish to meet those goals and objectives. Randy said he appreciated our discussion on getting grants and they are eager to get whatever grant funding they can and will be watching what we accomplish. Randy said they do not have a grant application writer and intend to involve other stake holder in the watershed hoping that some of them can provide some assistance in this regard. Tom Slawski asked if the FWA had taxing authority and Rob said that they do not they are user fee funded. Every boat that goes on the waterway has to pay a user fee, usually on an annual basis. Fees apply to Illinois residents and nonresidents. Rob said that they do get some state grants but about 85% of their budget is from user fees. Their annual budget runs about \$2,300,000. Randy added that they are considering impact fees. These would be fees to for example manufacturers who presently point discharge water into the Fox River for free. Randy said that it seems to be fair that if they are putting pollutants into the water they should help to pay for cleaning it up.
- c) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: No one had any new information to share. Then Ken Miller asked what this item was about, was Waukesha seeking a permit to put water into the Fox River or to not put water into the Fox River. This is an old topic and Ken was concerned about the impact on the Fox River. Jim Pindel told Ken we fought against this diversion and lost. Then Ken said how they will make up the 10% expected loss due to usage and evaporation. The consensus was that the City will have to make it up from shallow wells.
- d) Progress toward designation as a “National Water Trail” – Village of Waterford. Fred Koeller was not present so no report was made. Alan Barrow pointed out that the new brochure the group developed looks really great. Tom Slawski passed around preliminary copies of the brochure at our last meeting.
- e) SEWFRC Website – Alan Barrows said that there are some project that are not represented on the website and asked people to go to the website and see if there is anything that they need to forward to Al Sikora to bring things up to date.

Correspondence –

- a) 12/12/18 Email from Jim Pindel asking commissioners to mark their calendars for today’s meeting.
- b) 12/20/18 Email from Tom Slawski with Final Report for 2018-2020 Triennial Standards Review

- c) 12/13/18 Email response from Elizabeth Larsen of SEWRPC stating that Mike Hahn has retired and the new Executive Director is Kevin Muhs
- d) 1/15/19 Email invitation from Chad Sampson to a Watershed Protection Committee of Racine County is having a Winter Workshop on February 5th
- e) 1/21/19 Forward of emails between Dean Falkner and Chad Sampson regrading Healthy Watershed Grant Program.
- f) 1/22/19 Forward of an email from Cheryl White asking for a letter of support from the SEWFRC. The email had 2 attachments, one being a draft of a letter of support and the second being the goals and objectives of the Five Star & Urban Waters Restoration Program.
- g) 1/24/19 Forward of link to registration for 2019 Fox River Summit and outline/agenda for the Summit.

Miscellaneous Issues –

There were no miscellaneous issues except that Jim Pindel asked Rachel Sabre to make a report at our next meeting on how successful the drawdown was on Little Muskego Lake, did it kill any of the starry storm wort and any other plant species.

It was motioned by Bill Hopkins that the meeting be closed and the motion was seconded by Jeff Lang. The motion passed unanimously.

Meeting Closed at 3:14 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday
March 1, 2019 at 1:00 PM.** (Meeting Location: Burlington
Department of Public Works 2200 S. Pine Street, Burlington, WI.