

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Alan Barrows (Waukesha County)
Dean Falkner (Village of Mukwonago)
Chad Sampson (Racine County)
Doug Koehler (City of Waukesha)
Robert Bartholomew (Town of Vernon)
Barb Holtz (Town of Mukwonago)
Randy Craig (Town of Vernon)
Shelley Tessmer (Town of Waterford)
Don Scott (Town of Vernon) (Vice-Chairman)
Jim Ritchie (Wisconsin DNR)
Tom Slawski (SEWRPC)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Ron Peterson (Village of Big Bend)
Francis Stadler (Village of Big Bend)
Randy Meier (Town of Waterford)
Ken Miller (Town of Waukesha)
Mary Pindel (Town of Waterford – Alternate)

Also present: Paul Kling of the WWMD, , Dan Treloar of Kenosha County, Michael Schwar a resident of the Town of Vernon and Tom Day and John Mann of the Eagle Springs Lake Management District.

At 1:05 PM, Chairman Al Sikora called the SEWFRC meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Minutes The minutes from the February 27, 2015 meeting were reviewed. It was motioned by Bob Bartholomew that the minutes be approved and the motion was seconded by Doug Koehler. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Report for February 2015 was reviewed. In summary we started the month with \$128,164.64 in our money market account. We had a payment of \$4,125 as a cash advance to the SE Fox River Partnership for the Summit and a payment in full of \$4,696 to Waukesha County for the Vernon Farm Field gully repair. We received an interest payment of \$19.11 leaving us with a final balance of \$119,362.75 at the end of the month. The undedicated grant funds left in ENUMs 18 and 19 amounts to \$59,305.40. It was motioned by Shelley Tessmer and seconded by Randy Craig that the treasurer’s report be accepted. The motion carried unanimously.

Old Business

- a) **Fox River Partnership Summit:** Tom Slawski said we had 126 registered attendees and by all accounts it was a success. Tom especially thanked Al Sikora for the help he provided on our webpage with the PayPal ability to register. Tom

said that the Fox River Trail idea is gaining momentum and the Clear Choices Clean Waters initiative is also growing. Tom said that he hoped we could help to support this program financially. Tom also said that it looked like the Summit will come in under budget because of the income from the attendee registration fees. He expects that the \$4,125 cash advance was more than needed, so he will probably be sending us a check for the balance. Many of the Speakers donated their time and presentations, so the expenses were down. Jim Pindel said that he thought that it was the best Summit, because it was more understandable. The previous Summits were more highly technical and so not as understandable to the lay person. Tom said that he has received similar feedback and there was considerable enthusiasm about the Summit. Additional feedback from people who attended before was that they were surprised that it was not a repeat performance and it had a lot of new and interesting information. Alan Barrows made the comment that the presentation by Andy Selle on Geomorphology in Stream Assessment and Restoration was especially good because Andy covered a very theoretical and technical topic in an interesting and understandable way. Tom commented that Andy is a very good speaker with one foot in the biology camp and the other in the engineering camp.

- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that he had a couple communications with WE Energies recently and there are a few details that need to be ironed out regarding their in-kind contributions from the contractor they are providing. Also there are details about the long term maintenance that need to be worked out. The application for the Chapter 30 permit should be sent in soon. So time is on our side because there could be issues with the geese nesting and the number of clams and mussels that exist in this area.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Neither Francis Stadler or Ron Peterson were present. It was assumed by the commission that with the ground still frozen, no work has been done. We will have to wait till things thaw out in spring to get some work done.
- d) Wood Drive Erosion Control Project – Chad Sampson said that he contacted Peter Bauman this last week and will meet with him to flag out an area that he should not plant, so that he can get his work done.
- e) Malchine Farm field Erosion Control – Similarly Chad Sampson contacted Kevin Malchine this last week and will meet with him to flag out an area where he doesn't want Kevin to plant so that he can get the work done.
- f) Highway 164 Ravine repair Project: - Chad Sampson said that he has not received a bid on the project so far. Chad will send out more requests for bid in the next week or so to contractors who do this sort of work. Dean Falkner asked what kind of work needed to be done and then said that he would give Chad the name and contact information of a contractor in Mukwonago who might do the work.

- g) Waterford Impoundment ESR Project Dredging Permit: - WWMD. Paul Kling of the WWMD provided a handout to all the commissioners that was prepared by Don Baron and himself. Paul explained that back in September the WWMD applied for grant funds to cover 90% of the cost of preparing an application for dredging the Waterford impoundment to the WDNR. Since then changes have come about like changing from a general permit to an individual permit and requests from the WDNR for additional information and engineering. The course of events caused the WWMD utilizing Graef Eng. assess several new dewatering and sediment disposition locations which cost time and money. Most recently the WWMD with Graef's assistance has been looking into the possibility of using two gravel pits owned by Super Aggregate as dewatering and disposal sites. This additional work and engineering has been quoted by Graef Eng. to the WWMD as Phase 4 Addendum #1 for \$20,900. Paul asked the commission to consider covering 90% or \$18,810 of this additional expense toward the dredging permit. Shelley asked if after this work is done, would a permit application be submitted and Paul responded that was their intention and expected it to be done by the end of April. Paul further elaborated that once the WWMD made their initial application last September, the WNDNR looked into the application in great detail resulting in requests for further information and engineering detail. Jim Pindel suggested that to hold down our own costs, we apply \$3000 to \$4000 of the Racine County allocation toward this project increase. It was motioned by Shelley Tessmer that we provide grant funds to cover these increases applying \$4000 of Racine County's allocation. The motion was seconded by Chad Sampson and the motion carried unanimously. Chad Sampson pointed out that he has been approached by Graef Eng. a number of times to obtain information regarding the different properties that were being considered for dewatering and/or deposit sites. He agreed that a considerable amount of work has been done by Graef Eng.
- h) Schuetze Playground Storm Water Abatement: - David Burch was not present and had not made an email report. Alan Barrows and Doug Koehler said that they had not heard from David and expected that he was still working on getting financing for the project.

New Business

- a) Potential New Project (within our area of jurisdiction) Tom Day of the Eagle Springs Lake Management District(ESMD). John Mann of the ESMD accompanied Tom. Tom started out by saying he had two small projects to be considered. The first being probably less than \$1500 and the second somewhere in the range of a couple hundred to a few thousand dollars. Back in 2004 the ESMD and the Phantom Lakes Management District received a River Protection grant from the WDNR to sample the Mukwonago River watershed. The grant provided 75% grant funds with the remaining 25% provided by local contributions. The samples were concerned with base flow, chemical and runoff data. Tom then passed out a copy of the report "Mukwonago River – Watershed

Nutrient Study” that was made at the end of the three year sampling program. A single copy of the report was retained by Jim Pindel for our records. Tom provided a handout to the commission which included a map on page 1 which showed 11 sampling site locations where they have been taking water samples since August 2004 through October of 2007. They then took additional samples in April 2012. Two of the eleven sites are within the SEWFRC area of jurisdiction. All of the samples were sent to Steven’s Point, a certified lab, where they were submitted to a River Sampling diagnosis testing which covers about 8 to 10 different parameters covering suspended solids and chemical composition. Turning to the handout again, Tom explained the graphs measuring the chloride and phosphorus content in the water. Three different locations were graphed, the Jericho Creek, the Mukwonago River and the combined Jericho and Mukwonago waters. Page 2 of the handout showed the phosphorus content in the combined rivers and page 3 showed the chloride content of Jericho Creek. The graphs pointed out a decrease on chloride and an increase in phosphorus from 2007 to 2012. Tom did state that all the levels measured were within acceptable limits. Recently the Mukwonago River Initiative decided that another sampling of this system would be appropriate. And so Tom is looking to us for funding, it was explained to Tom that we are restricted to funding projects that lay within our boundaries of jurisdiction. So Tom said he will come back to us at our next meeting with exacts costs, \$85 per sample test plus shipping and other miscellaneous expenses. The sampling would cover the two sites in our jurisdiction as well as additional 2 or 3 sites downstream of the Phantom lakes. It was motioned by Shelley Tessmer and seconded by Alan Barrows that we add this potential project as new business to our next meeting agenda so we consider whatever Tom brings to us for funding. The motion carried unanimously.

The second project Tom wanted us to consider was a means of concentrating all the information of what has been done and is being done in all the different locations (lakes, streams, rivers, creeks) within their watershed. This could likely take the form of an umbrella website linked to all the individual websites and information depositories in their area. Tom said he thought that the cost could be anywhere from a few hundred to a few thousand dollars to implement. Tom passed out a hand out of the summary of projects and studies listed by location that he put together in August 2013. Much of this data pertains to locations outside of our area of jurisdiction but feeds into our jurisdiction. Tom approached a professor at UW- Gateway who lives on Eagle Springs Lake to see what it would take to put together a website or whatever computer system necessary to implement this informational hub. The professor said he would have to start with some software which might cost in the area of about \$500. The Mukwonago River Initiative does not have these funds available. Tom said that he has already talked to Alan Barrows and Al Sikora about this project and received some good input. Tom said that this project amounts to organizing an electronic library of everything that is going on in his watershed or possible in our watershed as well. Alan Barrows said that when he discussed this project with Tom he thought in terms of a website which would have to accommodate multiple counties,

municipalities and organizations which complicates the issue. Alan said he thought that they could consider a nicely put together .pdf document with built in links to all the different projects, events and studies. This .pdf could be sent to all the member organizations and put on all their different websites. Thinking off the top of his head, Alan thought that maybe the best implementation would be a map with built in links from each of the interested locations that would take you to all the pertinent data related to that site. This would be similar to the interactive maps application that the WDNR has in place. Al Sikora said that his discussion with Tom had been mostly on the technical side whether it should be a static website, information that was searchable, database work, and then he advised Tom to discuss it with Alan in case there was already something in place that served his purposes. At the end of the discussion it seemed like Alan Barrows would investigate what options could be provided by Waukesha County and everyone involved needed to think about how to implement this knowledge library.

- b) Review of Preliminary Proposed 2016 budget for Counties: Jim Pindel provided a Word document to all commissioners, which was reviewed in detail. Our joined Revenue in grant and non-grant funds amounts to \$440,803.70. The expenses for Racine County amounted to \$153,467.74 for expenses that we incurred in 2013 and 2014 and projected expenses in 2015 and 2016. The expenses for Waukesha County came to \$192,726.86 from expenses incurred in 2012 through 2014 and projected expenses in 2015 and 2016. Operating expenses such as website hosting and office expenses came to \$876.09. The Future Project Reserve Balance came to \$93,733.01 which includes all the available grant funds plus all the non-grant funds. This gives us a total expense of \$440,803.70 resulting in an overall balanced budget. There are anticipated grant fund projects of \$2,362,000 for Racine County, which include an extraordinary amount of \$2,000,000 for dredging the Waterford impoundment. This unusual project must be highlighted in our request to Racine County and the Wisconsin legislature as an extraordinary project that falls upon our commission because the WDNR has identified us as the means for the WDNR fulfilling their responsibility to manage and maintain the Fox River in accordance to State Statute 30.275. There are anticipated grant fund projects of \$348,000 in Waukesha County aimed at eliminating the five highest priority erosion control sites identified in the GIS mapping project accomplished in 2013. The only change to the budget was that it needs to be modified to include the additional \$18,810 we agreed to cover toward the WWMD's dredging permit application. It was motioned by Chad Sampson and seconded by Shelley Tessmer that the preliminary budget with the additional \$18,810 for the WWMD's dredging permit be approved for publication and approval at our April 24, 2015 meeting. The motion passed unanimously.
- c) Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that the last required MoU from the Village of Silver

Lake was approved unanimously at their March 18th board meeting. Tom said he was not sure how we would proceed from here, but that he agreed with Jim Pindel that a letter to our present legislators Senator Mary Lasik and Representative David Craig advising them of our intentions and asking them to advise Representative Robin Voss who is involved in the expansion territory would be a good starting point. Jim Pindel added that our initial contact letter should ask the legislators how we should proceed to get this done and then follow their lead. Chad Sampson thought that they would be looking for us to show them on maps exactly what we wanted to do as well as provide a written statement of what changes we want to the state statutes. The legislators would then turn this information over to the Legislative Fiscal Bureau who will provide a draft of the new proposed statutes which the legislators and we need to approve.

- d) Consideration of how we operate with a larger membership base: Tom Slawski brought up the point that the Village of Silver Lake asked if they could opt out of the commission at a future date if they decided that they wanted to. As a group we agreed that we didn't want anyone to opt out because that would interrupt our contiguous flow of participants from the top of our boundaries to the Illinois border. Tom did mention to them that from time to time a municipality has opted to not participate in the commission by not having an appointed commissioner. This action essentially puts them out of the commission without breaking our chain of membership.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois –Tom Slawski said that he had nothing new to report and that he hadn't had a chance to meet with Mike Shields of the FWA who was in attendance at last week's Summit.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that the last he had heard is that the WDNR expects to complete the Environmental Impact Statement sometime after March of this year. At that point it will go out for public comment. Jim said he would report to the group when this happens.
- c) Progress toward designation as a "National Water Trail" – Village of Waterford. Rebecca Ewald was not present and Al Sikora said that he had nothing to report.
- d) SEWFRC Website – Al Sikora said he had put everything Tom Slawski gave him concerning the Summit on our website including PayPal which was active and used. This all worked very well. Al brought up the point that Jim Pindel asked about putting our agendas on the website because of a request from the Village of Big Bend and after considerable discussion it was decided that having all our approved meeting minutes on the website was sufficient to let everyone know what we were doing. Al was asked to put the agenda on the website with a note that states that agendas are subject to revision up until the time of the meeting

itself.

Correspondence –

- a. 3/02/15 Email from Jim Pindel to Brian Schneider and Geoff Parish of Graef Eng. thanking them for the presentations they made at our February meeting.
- b. 3/02/15 Email from Jim Pindel to all commissioners and friends of the commission, to mark their calendars for the March 27, 2015 Meeting
- c. 3/04/15 Forward of Emails from Brian Schneider and Geoff Parish with their presentations attached.
- d. 3/09/15 Email from Jim Pindel to all commissioners reminding them to sign up for the Summit, with included link to sign up electronically
- e. 3/11/15 Email from Jim Pindel to all commissioners asking for help with proper wording and terminology for last slide of his presentation for the Summit
- f. 3/16/15 Email from Tom Slawski with his response to questions/concerns emailed to him from the Village of Silver Lake.
- g. 3/18/15 Email request for possible funding sent to Al Sikora from Eagle Springs Lake Management District
- h. 3/19/15 Email from Tom Slawski stating that the Village of Silver Lake signed the MoU wanting to join the commission
- i. 3/23/15 Email response from Lorna George of Racine County acknowledging our Thank You message for the \$10,000 allocation

Miscellaneous Issues –

Shelley Tessmer brought up the fact that there were presentations at the Fox River Summit that covered the USEPA 9-Key Elements Watershed Management Planning program. She wondered if we needed to obtain this certification as a commission and if this would help us and the WWMD to obtain federal funding. Jim Pindel added that it was stated that in order to obtain federal 319 grant funds a watershed would be required to have a 9-Key Element plan in place. Jim passed around a Wisconsin state map from one of the presentations that showed which areas (watersheds) were 9-key elements approved, those that were not and those who were about to expire. Alan Barrows noted for the group that our watershed was listed as going to expire in 2016. Jim also passed around 3 slides from one of the presentations that listed the 9 key elements. Chad Sampson asked if our implementation plan already qualified as a 9-Key Elements Plan and Tom Slawski said that it definitely does not. Tom said it did not do anything to define maximum loads (Total Maximum Daily Loads -TMDL's) for the river or specify exact projects that needed to be done to improve the loading. Jim Pindel pointed out that we have never applied for any federal funding but our motivation for extending our jurisdiction down to the Illinois border was to apply in concert with the Fox Waterway Agency(FWA) of Illinois for federal funding on large scale projects in the future. If we are not eligible then we wasted our time extending south. This also implies that we need the FWA to obtain 9-Key Elements certification. Shelley Tessmer brought up the fact that in Illinois there is a dredging project going on that is being partially funded by the federal government on the Nippersink Creek. They were required to obtain 9-Key

Elements certification to obtain this funding. Jim Pindel added that during the presentations it was mentioned that SEWRPC was working on two 9-Key Elements plans as it turns out they are for the Milwaukee River and the Root River. During considerable discussion it was pointed out that this is no little feat. The Root River project plan is over 1000 pages long and cost more than \$100,000 taking over 4 years to complete. Chad also added that the Root River plan included over 100 environmental projects that had to be identified as to what the problem was, what was the cost, who was responsible for fixing it and when it would be done. Tom Slawski pointed out that it would take about 20 plans within the Wisconsin portion of the Fox River requiring 9-Key Elements certification. The question of whose responsibility it is to obtain the certification and who will do the work came up without resolution. Tom Slawski said that SEWRPC as a regional planner with regional responsibility would have to be a key player in developing the plan. Dan Treloar suggested that we review the Pike River Watershed Plan which is a 9-Key Element plan that has just recently been completed. He said it was a good example of what it must look like. In the end it was decided to let everyone think about this issue and bring it up again at our next meeting.

It was motioned by Chad Sampson and seconded by Bob Bartholomew to close the meeting and the motion passed unanimously.

Meeting Closed at 3:05 PM

**THE NEXT OFFICIAL MEETING (with public hearing)
WILL BE Friday, April 24, 2015 at 1:00 PM. (Meeting
Location: Town of Vernon Fire Station #1, W233 S7475
Woodland Lane, Big Bend, WI 53103.)**