

Commission members present:

Greg Kessler (Town of Waterford) (Chairman)
Howard Garvens (Town of Waukesha) (Vice-Chairman)
Ron Peterson (Village of Big Bend)
Chad Sampson (Racine County)
Don Scott (Town of Vernon)
Jim Ritchie (Wisconsin DNR)
Barb Holtz (Town of Mukwonago)
Al Sikora (Village of Waterford)
Alan Barrows (Waukesha County)
Jeff Thornton (Southeastern Wisconsin Regional Planning Commission)
Jim Pindel (Town of Waterford) (Co-Secretary/Treasurer)
Mary Pindel (Town of Waterford) (Co-Secretary/Treasurer)

Commission members absent:

Randy Craig (Town of Vernon)
David Kopp (City of Waukesha)
Jamie Soneberg (Village of Big Bend)
Dale Fennel (Village of Mukwonago)
Shelley Tessmer (Town of Waterford)

Also present: Dick Kosut WWMD and Ron Barker of the Fox Waterway Agency of Illinois

At 1:03 PM, 4/23/10, Chairman Greg Kessler called the Commission Meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Minutes from the March 12, 2009 meeting were reviewed. It was motioned by Howard Garvens and seconded by Barb Holtz that the minutes be approved as submitted. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Report for March 2010 was reviewed. The only real change from the February statement was the interest made on our money market account. Jim Pindel suggested that for future Treasurer’s Reports the details of the Schmidt & Canton Island project be dropped from the report and a new summary section be added that lists all the projects that are practically completed and just waiting for some final action or for the paperwork to be completed. Alan Barrows motioned to accept the Treasurers Report and Howard Garvens seconded the motion. The treasurer’s report was approved.

Old Business

- a) Schmidt & Canton’s Island Demonstration Erosion Control Project. (active)
Shelley Tessmer was not present. Jim Pindel reported that he had emailed Shelley on 4/7/10 asking if anything had happened on the project and if she had any idea of when the property owners might pay their 10% cost share. Once we receive this cost share we can submit the paperwork to the DNR for reimbursement.

- Chad Sampson said that he had talked to Shelley and that Racine County would visit the site every year for a while take photos and evaluate the effectiveness of the different shoreline stabilization / erosion control method employed. He further said that they would take notes and Greg Kessler said that it would be best to document these findings.
- b) Boat/Canoe Launch in Big Bend (active) – Ron Peterson said that they are just waiting for bids to come in and the project will be started. Ron said that the Village had received permission (permit) from the DNR to go ahead with the project, so everything is well on its way.
 - c) Grand Drive/ Buena Park Project (active) – WWMD Dick Kosut stated that he was out of commission for a few weeks and will be meeting with the engineers within the next two weeks and will be prepared to make a report at our next meeting.
 - d) Idlewood Drive Project (active) – WWMD Dick Kosut said that the contractor had until May 15, 2010 to correct the problem at the project site. The WWMD has gone back and forth with the contractor who contends that the work done was proper and that the design was flawed. The WWMD when out and hired another testing company to get a third opinion. This testing company made four borings and this company concurs with engineers report that there is too much topsoil over the filtration bed. When the contractor was made aware of these findings he said that it will work just as well as it is. Therefore the WWMD contacted their attorneys today and asked them to proceed with the bonding issue on this project. The contractor (Augie's Excavating, Burlington, WI) will not concede that he did anything wrong even though the work done is not to specification. Alan Barrows asked what kind of testing was done on the soil, pointing out that the texture of the soil or inclusion of too much silt or clay could be detrimental to the operation of the filtration system. Alan suggested that the soil be tested by a certified soil testing facility and Dick Kosut said the third party tester was certified. The soil was a sandy loam with some clay content. Chad Sampson asked that since we have a financial stake in this project, do we need to take a stance or take some sort of action. After some discussion it was decided to let the WWMD, the project managers, pursue the bonding issue through their attorneys. Alan Barrows said that if a letter concerning this issue was sent to the contractor a copy of that letter should be sent to the bank that is holding the bond. The bank would probably bring some pressure to bear on the contractor because they don't like to see these bonds pulled.
 - e) Phantom Woods Road Channel Enhancement (active) – Barb Holtz Barb Holtz reported that the project is progressing well. They have their permit applications in to the DNR. Once the permits are approved they will then apply to the County. She passed out pictures which showed first the original condition of the site; then the buffer zone of about 40 feet that will allow the runoff to be filtered and slowed down before it reached the lake. A revised plan view of the project which showed

the new buffer zone. The project is coming along well and she expects to be spending most of May preparing the site and doing the planting in June. Greg Kessler asked that digital copies of these pictures be given to Al Sikora for our website.

- f) Mukwonago Shoreline Stabilization Project (active) Dale Fennel Jim Pindel said he could address the status report for this project. He referred to two emails from Steve Brunner of Ruekert * Mielke. In the first email dated February 19, 2010 Steve stated "We recently finished our preliminary design for the project and forwarded it on to We Energies for their approval, since they are the owner of the majority of the project site. I expect comments back from their Ecological Department staff in the next week or two. We coordinated our design with Andy Hudak from the DNR, so once We Energies signs off on the project, I anticipate a smooth process to obtain the biological shoreline restoration permit. The design will attempt to mimic the work that was done on the opposite bank, with the main difference being a much steeper bank due to more intense erosion. We plan to accomplish the stabilization with multiple layers of envirolok soil bags stacked on top of a single layer of coconut fiber rolls. Native plant plugs would be installed into the fiber rolls, and into the void spaces between the soil bags. The upland area above the bank would be seeded with a wooded wetland native seed mix and intermittently planted with groupings of native trees and shrubs. Due to the extensive underground and overhead wires running through the property, we have carefully selected the type and location of the plantings so as not to interfere with any of the site operations.

I understand that Dale is soon moving out of state, and the Village will be appointing someone to take his place on the Commission." In a second email dated April 7, 2010 Steve stated "I don't believe that the Village has appointed anyone yet to replace Dale on the Commission. I will contact Paul Moderacki, Village Administrator, to remind him of this issue. As for the Mukwonago River project, we met recently with We Energies and they requested some revisions to our design based on maintenance considerations. We are now in the process of making those revisions and will be meeting with them one more time in the next couple of weeks. Overall, the design concept is still the same as what I described in my last email, so I don't know if you would need anyone at the meeting to discuss this. It would probably make more sense for me to attend the meeting next month instead, after we have design approval from We Energies." Greg Kessler said we should follow up on these reports and said that he will shoot an email to Steve about a possible report at our next meeting.

- g) Vernon Wildlife Area Stream bank Stabilization Project (pending) – Jim Ritchie standing in for Jim D'Antuono said that at the last meeting it was reported that all the buckthorn and vegetation had been removed during frozen conditions in wintertime and that had gone very well. Brian Glenzinski is now going through the final design with the DNR's engineering staff; he must go through the same permitting requirements as we do for our projects. He is still on schedule for summer construction probably in July.

- h) Vernon Wildlife Area Flowage Restoration Project (tabled until August) – Jim Ritchie reported that the status had not changed since last month. The large grant had been applied for on time and now they are waiting for a decision which is forthcoming this summer. Greg Kessler said that if anyone was interested in seeing the letter of support we provided for Brian for this grant application, they should notify him or Jim Pindel and a copy would be provided.
- i) Kossik Stream Restoration Project (active) – Jim Ritchie said that he talked to Jim D’Antuono this morning concerning this project and that Mary Kossik had indeed submitted a preliminary plan and permit application to the DNR. They are still working with her to get some information that was lacking that needs to be finalized. Chad Sampson asked what the extent of the project was and Jim Ritchie said Mary was diverting the stream around the dammed up pond. Alan Barrows said that he met with Mary recently concerning the county permitting and that Mary was now considering dredging the pond. This blossoms into considerations of spoil spreading in the area as well as dam reconstruction.
- j) Possible boat/canoe launch on Highway ES (pending) – Alan Barrows said that there was nothing new to report at this time. The bridge is scheduled for redecking in 2012. Alan also said that he recently drove by the site and observed three cars parked there, so the site is being used and enjoyed by people.

New Business

- a) Water level gauge for Village of Big Bend – Jamie Soneberg was not present. Jeff Thornton said that he had received a response for the USGS staff on the cost of a stream flow gauge. The cost of the system initially would be \$12,500 with an annual operations and maintenance cost of \$11,500. This would include publication of this data in their water resources publication. The data would include daily water flow values in cubic feet per second. Jeff said his commission was to get this cost data for the Village and now it was up to them to decide what to do. Jeff said historically there was a gauge at highway ES up until 1996 and now there is no data being taken even though it would seem to be helpful. When Greg Kessler asked Ron Peterson if this was something the Village of Big Bend would be pushing for, Ron indicated this was quite expensive. Ron then asked what happened to the consideration of a simple visual height gauge and Jeff pointed out that this could be implemented at a much lower cost. It was left that this information should be forwarded to Jamie Soneberg to see how he wanted to proceed. Jeff asked Jim Ritchie if this flow gauge would be eligible for a river protection grant and Jim Ritchie said he would ask that question of the DNR. Jeff went on to say that this gauge might be something that we might be able to endorse in the SEWFRC implementation plan under rework right now.
- b) Disposition of SEWFRC Digital Camera - Jim Pindel displayed the camera that the commission had purchased back in 2002 and that Francis Stadler had updated a few years ago when he was the commission chairman. We have never used the

camera and he wondered if we shouldn't sell it for whatever money we can get to add to our non-reimb funds, since we are short on cash. When asked it was pointed out that it was a 5 mega pixel camera. Jim Ritchie pointed out that if grant funding was used to purchase the camera the money from the sale would have to be applied to grantable projects not to non-reimbursable funds. In any case selling the camera if it were purchased with grant money would be a problem. It seemed like the only acceptable conclusion would be to donate the camera to some charity like a school. Remembering that Jamie Soneberg was somewhat interested in the camera at the last meeting, it was decided to bring it back next time to see if he had any interest.

Reports and Updates

- a) Update of SEWFRC Implementation Plan –Jeff Thornton said that he had nothing special to report at this time.
- b) 2011 SEWFRC Budget or alternate means of funding for the Commission – Greg Kessler. Greg said that he has approach both Racine and Waukesha counties. The sense is that both counties are having budgetary problems trying to reduce their budgets and this is bad timing to try to add our commission in as an additional expense. Greg Kessler asked both of the county representatives to do whatever they can and asked if there is anything he can do to please contact him. Jeff Thornton reviewed for our visitor Ron Barker from the IL Fox River Agency that our commission was formed by the state legislature and the funding mechanism they envisioned was that we would obtain our funding from through the county budgets. As it turned out we were funded by the state of Wisconsin through grants that came through the WDNR. Due to the political climate and situation in the state budget we were not funded in the present state budget. Therefore we are looking for alternate means of funding for our projects. Some alternate cost share options like lake protection grants were mentioned. So there are some grants available but we have to find a way to come up with matching funds.
- c) Waterford Dam Restoration – Chad Sampson Chad Sampson said that there was nothing significant to report. There is a planned draw down of the impoundment in late summer or early fall. The draw down would be in the area of about one foot to do the landscape work around the abutments or edges of the dam. There are some support issues that will be addressed with rock or grading in those areas.
- d) Mukwonago River Basin Protection Plan – SEWRPC Jeff Thornton reported that the plan is moving forward and they had a good meeting on April 8, 2010 with about 35 people in attendance representing the county and local municipalities. There was a brief update on progress to date but the purpose of the meeting was to translate the science of the data collected into recommendations. They concentrated on the stretch of the river from Eagle Springs Lake to Lower Phantom Lake. There were six areas that were identified for special protection

- through ordinance means and/or public acquisition as a priority. For the most part Jeff felt that in general the audience was in agreement with the recommendations. The project is still on schedule to be completed by the end of June. A draft copy of the plan will be available next month for review by the commission. One thing that came out as a surprise was the recognition of the value of Jericho Creek which has trout in it and is already being protected by property owners.
- e) Frame Park Creek Watershed – Jim Ritchie reported that Maureen McBroom indicates that the project is under internal review by DNR staff that is knowledgeable about the stream and the Frame Park Watershed. The final draft will be available in early May at which time it will be sent to all the municipalities in the watershed and other interested parties such as our commission for review and comment.
- f) Report on activities of Fox Waterway Agency (FWA) of Illinois – Ron Barker of the FWA addressed the current activities of the agency. Ron reported that last year they removed 100,000 cubic yards of silt from their waterways. They have found a market for the dried soil selling it to farmers, municipalities and recently it has been cleared for use in the city of Chicago. The sale of topsoil is one of the ways the FWA supports itself and its dredging work. They are now waiting for a permit to build a 50 acre island in the largest lake in their system. This island will consume 321,000 cubic yards of dredge material. The perimeter of the island will be lined with pascal baskets, rock rip wrap and other containment material before the inside is filled by hydraulic dredging. This project will replace an island that used to be in this location and has eroded away. The FWA replaced a 27 acre island ten years ago and this island is doing very well. This island is used as a nesting area for some turns that were an endangered species. The area near the island has to be declared off limits during the turns nesting season because the turns are very territorial and defend their young from boaters. Ron said that he noticed that some of us were concerned about the ‘big head’ carp coming up the river into our system. He said that the carp can not get over the dam at Ottawa. This dam is 70 feet tall. If the carp make it over the Ottawa dam they will be stopped by the Algonquin dam which is 28 feet tall and after that is the Stratton dam which is 52 feet tall. These three dams should protect our waterway from the Asian carp in the Illinois River. These dams will stay in the system because they are economic generators. The water quality of the Fox Waterways has improved due to the sediment that has been removed which can not go back into suspension. The FWA has its own equipment for dredging and handling the dredged material. The equipment includes two amphibious kick backhoes, three hydraulic dredges, two long stick excavators, two 100 acre farms where they can dry the material, a dewatering site which is capable of drying 42,000 cubic yards of material per season plus a crew of eight people. Dick Kosut of the WWMD asked Ron what is the drying time for the material once it is put on land. Ron said it varies from four days to three weeks depending on the water content of the material. At that point the FWA pulverizes the material and sells it as topsoil. In twenty-five years of testing the dredged material they have yet to find a contaminated sample. They

test for everything including heavy metals, leads, oils and everything listed by the Illinois EPA. Chad Sampson asked Ron what is the cost of dredging the material and Ron said it costs them \$8.00 per cubic yard and they sell it for \$12.00 per cubic yard. Jeff Thornton said the nominally the cost for dredging up here in Wisconsin is \$50. to \$150. per cubic yard due to the fact that we do not have the dedicated facilities and local drying sites that the FWA has.

- g) SEWFRC Website – Al Sikora reminded us that he needs the project leaders to provide narratives and photos (preferably electronically) for their projects so he can keep the website current. Al went on to say that if anyone had questions or issues with preparing the photos or information they could contact him. Barb Holtz asked if there was a link from our website to the Friends of the Mukwonago River website and Al said he didn't think so. Al said if Barb would provide the link information, a short description of who they are and what they do and a logo, he would add it to our website.

Correspondence –

- a) 4/06/2010 Email from Barb Holtz regarding the Mukwonago River Riparian Corridor and the Managing the Water's Edge documents asking that it be forwarded to all commissioners. These files along with comments from Jeff Thornton regarding the second document were forwarded to all commissioners and friends of the commission on 4/7/10.

Miscellaneous Issues –

Jim Ritchie pointed out that the current ENUM-16 is due to expire at the end of June and so he requires a letter requesting an extension for an additional year from us. Greg Kessler said he would provide the letter needed.

A motion to adjourn the meeting was made by Ron Peterson and seconded by Al Sikora, the motion carried.

Meeting Closed at 2:09 PM

NEXT OFFICIAL MEETING WILL BE Friday, May 21, 2010 at 1:00 PM. (Meeting Location: Big Bend-Vernon Fire Station #3, W233 S7475 Woodland Lane, Big Bend, WI 53103.)

Respectfully submitted by Jim & Mary Pindel