

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Barb Holtz (Town of Mukwonago) (Vice-Chairperson)
Robert Bartholomew (Town of Vernon)
Jon Grove standing in for Chad Sampson (Racine County)
John Soneberg (Village of Big Bend)
Shelley Tessmer (Town of Waterford)
Dean Falkner (Village of Mukwonago)
Alan Barrows (Waukesha County)
Francis Stadler (Village of Big Bend)
Doug Koehler (City of Waukesha)
Tom Slawski (SEWRPC)
Michelle Scott (Wisconsin DNR)
Jim Ritchie (Wisconsin DNR)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Ken Miller (Town of Waukesha)
Randy Meier (Town of Waterford)
Mary Pindel (Town of Waterford – Alternate)

Also present: Paul Kling, Don Barron of the WWMD, Michael Schwar of Stoney Point Hydrology, Katelyn Bartz and Geoffrey Bishop of Natures Classroom, Dave Brown of the Village of Mukwonago, Jeff Lang of the Town of Burlington and Dan Treloar of Kenosha County.

At 1:04 PM, 4/29/16, Chairman Al Sikora called the Public Hearing to order.

The only order of business was the review of the Southeastern Wisconsin Fox River Commission Proposed Budget for 2016 - 2017. This is the first budget based on a July 1 to June 30 fiscal year. The proposed budget was read for the record. Chairman Al Sikora then asked the non-commission members present if they had any questions or comments. Al then asked the public a second and third time if anyone wanted to speak in favor or against the proposed budget. There were no comments from the Public concerning the budget. It was then motioned by Dean Falkner and seconded by Shelley Tessmer that the public meeting be closed and so the meeting was closed.

The Public Hearing was closed at 1:19 PM.

At 1:20 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.

Approval of the 2016 – 2017 SEWFRC Proposed Budget. A motion to approve the budget as reviewed was made by Shelley Tessmer and seconded by Bob Bartholomew. The motion passed unanimously.

Minutes The minutes from the April 1, 2016 meeting were reviewed. Jon Grove of Racine County pointed out that on page 2, old business item d, cultural uses form should have stated “cultural resources form”. It was motioned by Bob Bartholomew that the minutes as corrected be approved and the motion was seconded by Dean Falkner. The minutes were approved unanimously.

Treasurer Reports – There was no treasurer report, because the March report was given at the last meeting and the bank statement for April has not been issued.

Old Business

- a) **Fox River Partnership Summit:** Tom Slawski said that he is still waiting for some checks to clear so that he can finish up the paperwork to close out the 2016 Summit project. Tom reminded everyone that the date for the next Summit is 3/10/17 and again at the Veterans Terrace in Burlington.

- b) **Mukwonago River shoreline restoration at WE Energies Site.** Alan Barrows said that he has had some recent communication with WE Energies and things are actually moving forward. Alan said that initially there was a 100 ft. section in the middle of their property close to their power poles that WE Energies insisted that their contractor do all the work in this area. This complicated things because now you have two contractors working on the same property. Now WE Energies has changed their mind and will allow whoever is the low bid contractor to do all the work. This makes things much easier. Alan also said that now that progress is going forward, he intends to contact Alex Seifert the private owner of the adjacent property to see if he can get him on board again. Originally Alex Seifert was a big fan of native vegetation and likes to launch his canoe from this property. Alan said he might offer to install some gravel to launch from and some steps to make the project more attractive to Mr. Seifert. This would allow us to complete the entire shoreline. Alan said that he noted from our last meeting minutes that we want this project completed by 6/30/16, but he was not sure we could get it done by then. With this in mind, Jim Pindel will have to put a spreadsheet together to see if enough projects will be completed by 6/30/16 to close out ENUM-19. Jim Ritchie said that if necessary, as long as the work is in progress, we might be able to make a progress payment out of ENUM-19 to use up all the funds. We will have to see where we stand, to see what we might have to do. Dean Falkner asked Alan if he still wanted to run the payments through the Village of Mukwonago and Alan said it would not be necessary. Alan has set it up that the commission pays the contractor directly.

- c) **Big Bend Boat/canoe launch retaining wall fence & vegetation** – Francis Stadler turned the floor over to John Soneberg, who said he had some questions. John said he has been taking care of the park including the launch for the last four years. He doesn't believe that a fence or vegetation is necessary. There is already a wooden fence along the top of the embankment on the side of the launch. The commission expressed some concern about our liability if a safety fence was not

- installed to prevent someone from falling off the embankment 5 feet down to the launch. John said that kids already climb all over the rock riprap, which he felt was more dangerous and the Village was responsible and liable for anything that happens at this site. John motioned that the project to install a fence and vegetation be cancelled and the motion was seconded by Francis Stadler. Based on the fact that liability falls on the Village of Big Bend, which it always has, the motion carried unanimously.
- d) Wood Drive Erosion Control Project – Chad Sampson was not present and so Jon Grove addressed this project and the Malchine Farm field projects. He said that reviewing our meeting minutes from 4/1/16 we expected the findings from the federal government regarding any archeological sites on the properties to be completed before this time. As it turns out the findings are not due until tomorrow. With that being the case they will not find out until next Monday if the designs must be modified because of any archeological reasons. Jon said that he still expected the work to be started about mid-May and to be completed in about 30 days.
- e) Malchine Farm field Erosion Control – This project report was made in conjunction with the previous report in (d) above.
- f) Waterford Impoundment ESR Project Dredging Permit: - Don Barron reported that they are getting very close to submitting the permit application. There are only two items to be resolved. One is to get the results of soil tests that were submitted some time ago. The second item concerns the fact that one of the properties they had permission to run the pipeline through was sold and so now they have to renegotiate with the new owner. Also Don said that the preferred pipeline route along the north end of the two adjacent farms had to be abandoned. One of the farmers required a \$5000 prepayment so he could pay an attorney to negotiate the deal. The WWMD as a governmental agency cannot make payments to an individual in this way. Therefore they have decided to take the STH 20 route at considerable greater expense and trouble. Don said they expect to submit the permit application to the WDNR by May 1st and then provide the paperwork to us to close out the project. Don pointed out that Shelley Tessmer attended the WWMD's monthly meeting the night before and made a presentation on the 9-Key Elements Plan. The WWMD is interested in doing a 9-Key Elements Plan and has designated Shelley as chairperson of the committee to establish the Plan. Don said that after the WDNR reviews the permit application they will have a public hearing. The WWMD will have three public education meetings regarding the dredging, one in early June a second meeting in July and the third meeting with a straw vote to confirm support for the dredging sometime in August.
- g) Schuetze Playground Storm Water Abatement: - Alan Barrows said that the civil engineer from his office made a site visit and was in the process of making some minor design revisions based on what he saw. Alan said that Dave Burch told

him they are trying to finish the construction by July 4th because the park is heavily used at that time.

- h) Graefenauer Shoreline Restoration: Alan Barrows said that phase 1 is completed and that he gave the documentation to Jim Pindel just before the meeting which included a signed Construction and Planting Certificate as well as an invoice from EC3 for all the work that has been completed. Alan said that he held back \$1000 because there are three pine trees that were not removed. Once the trees are removed he will release the final \$1000. Phase 2 will kick off on May 11th and must be completed by May 20th in order to protect the cricket frogs which are an endangered species. The biologists the seeding, planting and all will be finished by then. Jim Pindel added that the invoice from EC3 amounted to about ½ of the project cost and so he will treat it as a cash advance against the project, so no motion or vote is required to make the payment. Alan said that the landowner is making his payment to EC3 directly and Jim Pindel reminded Alan that we will need proof of the owners cost share payments in order to close out the project.

New Business

- a) Nature's Classroom Institute of Wisconsin & Montessori School Presentation for a new project: Katelyn Bartz of Nature's Classroom emailed a copy of their revised proposal to Al Sikora on Wednesday and Jim Pindel forwarded it to all the commissioners yesterday. Katelyn reminded the commission that at our last meeting they were told to come back with facts that showed that this project was within keeping of our Implementation Plan. Apparently they did their homework. The new proposal points out that our Implementation Plan recommends the protection and preservation of ground water recharge areas. According to the Mukwonago River Watershed Protection Plan (MRWPP) the Nature's Classroom property is estimated to have a high level of groundwater recharge potential. The shallow aquifer on the property is 25 ft. down underground. Also according to the MRWPP their property is a primary environmental corridor between the properties just to the north and south of their land. One portion of the property has a slope of greater than 20% and so is susceptible to erosion. The bottom of this slope comes close to a wetland on the property, which needs to be protected. After some discussion about the fact that this was an unusual project because all our previous projects dealt with work right along the Fox River of one of its tributaries, but yes groundwater recharge areas are part of our responsibility. After some discussion about whether the runoff from the esker on the property went to Jericho creek, it was a consensus that the project agreed with the intentions of our Implementation Plan and was fundable. Alan Barrows pointed out that he had visited the property and that the runoff from the esker went into a navigable stream, which through a wetland lead to Jericho creek. Barb Holtz asked if Nature's Classroom intended to install a culvert under the road they were putting in to maintain this waterway. Geoffrey Bishop said that they would provide a culvert and it was required by the WDNR and the USCOE. Barb Holtz pointed out that we could not fund the purchase of equipment like the rototiller or

- the seed slinger worth \$945; according to the spreadsheet provided by Nature's Classroom. It was motioned by Doug Koehler and seconded by Alan Barrows that we accept the project on a 90% cost share basis, excluding the rototiller and seed slinger and also contingent on the Nature's Classroom providing proof (a survey) that shows the entire project is indeed on their property. The motion carried unanimously.
- b) Consideration of expanding the Commission's jurisdiction south to the Illinois border Jim Pindel said that he needs to put together an agenda for the July meeting which will be the first one with the new commissioners. The agenda will include an item to address where the meetings will be held, so that the travel times will be more equal for everyone and will definitely include the election of officers. The intension is that when the agenda is sent around, members will suggest other possible discussion points.
- c) Review of SEWFRC Implementation Plan Figure B-3: Jim Pindel pointed out that Alan Barrows emailed to him a revised copy of our Cost Share Agreement which included new requirements of a detailed site map and a signed copy of the new Construction and Planting Certification form. When Jim Pindel forwarded this email to the rest of the commissioners, he didn't notice that the attachment didn't stay attached. So no one had seen the revised document. Jim Pindel passed around a paper copy of the revised Cost Share Agreement in which Alan yellow highlighted all the changes. After the document went around the table it was motioned by Shelley Tessmer and seconded by Dean Falkner that the form be modified as suggested. The motion passed unanimously. Alan Barrows said that he would rework the Cost Share Agreement to require parcel lines on the site map and move the Construction and Planting Certification to the bottom of the list.
- d) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan—Shelley Tessmer said that the WWMD had approved a research committee to look into developing a 9-Key Elements Plan for them. As stated earlier by Don Baron, Shelley will chair this new committee. Shelley said she forgot to bring along her copy of the plan application and she intended to discuss the page concerning grants available to pay for this development with Chad Sampson and Alan Barrows. Shelley said that she found that there was already a 9-Key elements plan in place for our area, but that it expired in 2015. She called Andrew Craig of the WDNR to ask if it could be reinstated and what area of the Fox River basin was included and exactly what could be done. She is waiting for a call back from Andrew. Their next 9-Key committee meeting will be on May 3rd at Docs on the Fox. Shelley asked Dean Falkner and Tom Slawski to attend if possible because they would both have a lot of input for the committee. Dave Spurlock a WWMD board member is on the committee and Shelley will invite the entire Illinois Fox River Group to attend to see if they would want to do this 9-Key element plan with us. Shelley is hoping to get a quote finished by June 1st to show exactly how much this plan will cost and what all is involved. Dean Falkner pointed out that the survey Graef Engineering did for us on the upper half of our

territory and we have budgeted for the lower half of our new territory provides much of the data required to make up the plan.

At this point Tom Slawski brought up the idea of installing new gauges or updating gauges along the Fox River. Tom said it would cost about \$12,000 to establish a new gauge. USGS has different levels of gauges, there are stage gauges which only measure the water level or there are continuous monitoring gauges which do detail discharge measurements. The continuous monitoring gauges require a velocity transducer. Tom said that USGS provided a couple recommended locations for new gauges. Tom said that the City of Burlington operates a stage gauge with the National Weather Service and it might be possible that the USGS would upgrade this gauge to a continuous monitoring gauge and help pay for the maintenance going forward. Tom asked Jim Ritchie if gauging would be fundable. Jim said he would have to go back and review what he researched in the past, but did say that likely we could fund the hardware and installation but not the maintenance. Francis Stadler asked if the gauges were for monitoring before or after a flood. Tom said that it was for continuous monitoring on a daily basis. Jim Pindel pointed out that if we ever get around to automating the Waterford dam, which is an item in our Implementation Plan, gauging all the way up the Fox River would provide the data needed to control the dam. Dean Falkner pointed out that the formulation of a 9-Key elements plan would require or at least be assisted by gauging along the river to help assess the effectiveness of the plan. Dean said that he would forward Tom's email concerning the gauging to Rachel Sabre to see if she thought it would help in monitoring the water quality of the Fox River. Dean also said that there is more monitoring going on by the wastewater treatment plants all along the river. Bob Bartholomew asked if there was once a gauge at the Lions Club in Big Bend and Francis Stadler said there had been one but now it doesn't exist. He said it didn't work out because it relied on a person looking at the gauge to record its water level. Jim Pindel pointed out that he had schematics that showed the gauge at one point was wired to telephone lines for automatic reporting. Francis also said that the gauge was struck by lightning a couple of times. It was pointed out that the new gauge in Rochester provides instantaneous data as far as water level and rain gauge data. Dan Treloar said that it was predictive and looked to see what rain was coming and could calculate what to expect. It also stores all the data for the last week. Dan said that they monitor the gauge at the Munster dam to predict flooding. Tom Slawski asked Jim Ritchie if we could fund the sampling and testing of for example phosphorus levels in the river. Jim said he was not sure and would have to research it. Don Barron added that if the Waukesha diversion happens it would be reasonable for the City of Waukesha to pay for monitoring of the river before and after the diversion to measure its effects. It was decided to add gauging to next month's agenda as an agenda item and discuss it then.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Tom Slawski said that he had nothing new. Jim Pindel said that he is copying Joe Miller of FWA with the meeting announcements and had invited him to attend one of our meetings. Jim said that he will individually address an invite to Joe Miller for our next meeting.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that there was a meeting of the eight Great Lakes states and the two provinces of Canada a couple weeks ago in Chicago and the outcome was the fact that the compact changed the area to be serviced by Lake Michigan water. The 10.1 M gallons per day were reduced to 8.7 gallons per day. Other points that were brought up include that the new service area conflicts with state law requiring those areas to be consistent with the sewer service area. The Great Lakes officials have a conference call scheduled for May 2nd, a meeting in Chicago on May 11th and 12th to try to find consensus and a final determination by June 13th. One nasty outcome of the meetings is the fact that the City of Waukesha is presently drawing 6.1 M gallons per day from groundwater wells and 30% of that is supplied by ground water in the Lake Michigan basin. This means that even now the City must return 1.83 M gallons per day to Lake Michigan, even without a diversion. Dan Treloar made the clarification that that ground water shed is not necessarily the same as the watershed. So even though Waukesha is located in the Mississippi watershed its groundwater could be from the Lake Michigan ground watershed.
- c) Progress toward designation as a “National Water Trail” – Village of Waterford. Barbara Messick of the Village was not present. Al Sikora said he didn’t have anything to report.
- d) SEWFRC Website – Al Sikora said that the website is fine and up to date at this point.

Correspondence –

- a. 04/04/16 Email from Jim Pindel advising everyone to mark their calendars for today’s meeting
- b. 04/04/16 Email from Jim Pindel with attached revised budget spreadsheet and final version of proposed 2016-2017 SEWFRC budget
- c. 04/11/16 Email from Dean Falkner to Shelley Tessmer explaining HTML’s and items regarding 9-Key Elements Plans.
- d. 04/16/16 Email forwarded from Laurie Longtine stating that of the more than 11,200 comments made to the Great Lakes Regional Body and Compact Council over 99% opposed the diversion.

- e. 4/21/16 Forward of email from Tom Slawski with map attachment and comment showing the location of Aquatic Invasive Species in Waukesha County, including the location of public entry points (where humans spread the invasive species)
- f. 4/26/16 Email with attachment from Alan Barrows suggesting modifying the Cost Share Agreement to include requirement for a site map with details and inclusion of the Construction and Planting Certification form.
- g. 4/26/16 Email with attachment from Tom Slawski regarding possible locations and cost of adding and/or updating monitoring stations on the Fox River.
- h. 4/28/16 Email revised proposal for the Nature's Classroom Project.
4/28/16 Forward of email from Barb Holtz concerning \$1. M wetland protection grant for SE Wisconsin. Mostly for waterfowl benefit.

Miscellaneous Issues –

Alan Barrows said that he has another project coming up in Waukesha County at Mukwonago Park which is adjacent to the Graefenauer property where we are currently doing a project. There is a very old beach house and swimming pond. The beach house is scheduled for replacement with a new shower house and improved facilities. The swimming beach has had some major problems with water quality. In 2014 the beach was closed 9 times between mid-June and August due to coli which is mostly due to geese. Right now they mow all the way up to the shoreline, which makes it convenient for the geese. So they want to naturalize the shoreline and Alan expects to have a proposal ready for our next meeting to address this situation. Alan said that there is a product they have used successfully called native vegetative sod which he expects to use. It amounts to native grasses and flower grown on a mat that is rolled up like sod and is laid out on the ground and you have instant natural landscape. This will provide a tall buffer at the shoreline to keep the geese away. Alan said he has a short Power Point presentation showing these mats and will email it to all the commissioners.

What is happening with the SEWFRC signs?

Alan Barrows said that the quote Al Sikora got from his supplier was lower than what he was able to obtain. The quote was for 25 small and 25 large sign. The quote Alan got was about \$900 and the one Al Sikora got was about \$700. We asked Jim Ritchie if the signs would be grand fundable and Jim said they would be fundable because the WDNR wants awareness of our funding. It was motioned by Shelley Tessmer and seconded by Bob Bartholomew that we purchase the signs. The motion passed unanimously.

Francis Stadler motioned that the meeting be closed and Bob Bartholomew seconded the motion that passed unanimously.

Meeting Closed at 2:39 PM

THE NEXT OFFICIAL MEETING WILL BE Friday,

June 3, 2016 at 1:00 PM. (Meeting Location: Town of Vernon
Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI
53103.)