

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Chad Sampson (Racine County)
Alan Barrows (Waukesha County)
Barb Holtz (Town of Mukwonago)
Randy Meier (Town of Waterford)
Francis Stadler (Village of Big Bend)
Ron Peterson (Village of Big Bend)
Jeff Thornton (SEWRPC)
Jim Ritchie standing in for Jim D'Antuono (Wisconsin DNR)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Don Scott (Town of Vernon) (Vice-Chairman)
Doug Koehler (City of Waukesha)
Randy Craig (Town of Vernon)
Robert Bartholomew (Town of Vernon)
Dean Falkner (Village of Mukwonago)
Shelley Tessmer (Town of Waterford)
Any representative from the Town of Waukesha

Also present: John Bostrom, Dick Kosut, Don Baron and Paul Kling of the WWMD, Tom Slawski of the Fox River Partnership, Brian Schneider, Ron Londre of Graef Engineering, Daniel Feinstein of the USGS and Michael Schwar s resident of the Town of Vernon.

At 1:14 PM, 5/17/13, 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 2014. The proposed budget was read for the record. Al Sikora asked the non-commission attendees (the public) if they had and questions or comments concerning the proposed budget. Al Sikora then asked the attendees a second and third time if there was anyone who wanted to speak in favor of or against the proposed budget.

There were no comments from the Public concerning the budget.

The Public Hearing was closed at 1:19 PM.

At 1:20 PM, 5/17/2013, Chairman Al Sikora called the regular SEWFRC meeting to order.

The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Proposed Budget for 2014 - The first order of business was to approve the Southeastern Wisconsin Fox River Commission Proposed Budget for 2014. It was motioned by Randy

Meier and seconded by Francis Stadler that the proposed budget be approved and the budget was approved unanimously.

Minutes The minutes from the April 15, 2013 meeting were reviewed. It was motioned by Alan Barrows and seconded by Chad Sampson that the minutes be approved. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Report for April 2013 was reviewed. In summary we started with \$105,938.20 in our money market account. We made payments of \$17,933.80 as a cash advance for the Mukwonago River restoration in Rainbow Springs and paid \$210 in reimbursements at \$35 each to the six commissioners who attended the Fox River Summit and made \$15.24 in interest resulting in a final amount of \$87,809.64. It was motioned by Randy Meier and seconded by Francis Stadler that the Treasurers Reports be approved. The report was approved unanimously.

At this point Don Barron of the WWMD stated that he had conversation with Representative David Craig concerning funding for our commission and said that he encouraged him to support us with even higher funds than last time. Jim Pindel reported that he had been contacted by Senator Mary Lazich last Monday and she had advised him to contact Rep David Craig and Rep Robin Voss to get support from the Assembly side for our bid for funding. Jim said that he talked to Rep David Craig about supporting our funding and he said he would do what he could but that he was not on the finance committee. He also said that he had authored a bill to allow riparian owners on the Waterford impoundment to remove up to 10 cubic yards of sediment in front of their property per year instead of the present 2 cubic feet. The jest of the discussion was that there is activity to try to get funding for our commission in the upcoming State Budget. Jim Pindel then asked Jim Ritchie to explain to the commission exactly how our funding comes to us through the state budgeting process. Jim Ritchie explained that the commission has received 5 or 6 grants through the Recreational Boating Facility (RBF) program which has been around since the early 1980’s. The RBF grants have always been funded through the gasoline tax collected for motor boats use. There is a formula based on the number of boat registrations and the tax amount is calculated annually. This money is put into the RBF grant fund and this is how the program has operated since it was started. In the current state budget that funding source changed for the RBF grants instead of coming from the fuel tax which they refer to as the Water Resources Account that grant program was moved into a subset of the Stewardship Grant Program which is funded through bonding (borrowed money essentially). Talking to their accounting department it turns out that our ENUM-18 is from segregated funds, which is the Water Resources Account, which comes from the motor boat fuel taxes. In the future it is uncertain which program our funding if any will come from. In either case the funding would come from the RBF grant funds and difference would be transparent to us. On this topic, Jim Pindel reported that just before the meeting Jim Ritchie provided a letter to Jim Pindel stating that we need to apply for an extension to ENUM-18 and that Jim Pindel already had a formal request for extension with him that he presented to Jim Ritchie. Jim Ritchie said that they would process the extension in the near future.

Old Business

- a) Mukwonago River Restoration within Rainbow Springs – Benjamin Heussner was not present and Jim Ritchie said that Benjamin’s plan this whole spring is to get started again hopefully in June.
- b) Fox River Partnership Summit – Tom Slawski said that he had nothing new to report at this time and that he was in the process of putting a planning team together for the 2014 Summit.
- c) Ecosystem Restoration Project (ESR) -Sediment Sampling: –WWMD John Bostrom reported that they had received a draft copy of the Sediment Sampling Analysis from Graef Engineering and were in the process of reviewing the report. John didn’t see anything that should hold up the process since the report looked to be proper and complete. It is expected that the review process will be completed by the end of the month. Jim Pindel asked if the report had been given to the WDNR, and John responded that it will be once the review process is completed. John then thanked the commission for the \$5,000 grant to help with their community outreach program scheduled for June 15th.
- d) Shoreline erosion mapping and stabilization planning with invasive species mapping – Graef Engineering. Jim Pindel started by saying that after our last meeting, we requested Graef to propose the additions of invasive species mapping to the original erosion mapping proposal. In response Geof Parish of Graef sent an email offering two different options, the first being mapping of all new infestations and the second an all-inclusive species identification and mapping. This email was forwarded to all commissioners. Jim said that at a meeting with Graef on a different topic he advised Geof to go with the first option. Jim also said that by the next meeting we would expect to have a new proposal from Graef as well as an approximate start and end date for the project. Brian Schneider of Graef added that he would recommend the first option since the second was very comprehensive including all invasive species, some of which you cannot do anything about. Ron Londre added that there are three newer invasive species that would be targeted. At a relatively low cost these species can be eradicated before they gain a major foothold. Francis Stadler asked how do you control or eradicate these invasives. Ron responded that the only way was to use herbicides. At this point Francis asked how they controlled the herbicides so that they did not impact the fish populations. Ron explained that the herbicides used have a surfactant additive that helps them to penetrate the targeted vegetation which they use on dry land. Because surfactant is a dispersant it is not used over water or on shorelines so there is no run off into the waterway.

Waterford Impoundment Public Outreach and Education Project – WWMD Don Barron stated that by accident our commission was omitted as a participant in the Outreach. Don went on to say that they have Evergreen School set up for June 15th from 10:00 AM to 1:00 PM for the program. Don said that they are looking

for a big turnout since the proposed dredging project will be beneficial to all of the community. Don enumerated a number of participating organizations including the WWMD, Fox River CAUSE, SEWRPC, SEWFRC and the Chamber of Commerce. There will be a pontoon tour of the impoundment in August for the Chamber of Commerce to show them the needs and potential of the dredging project. Jim Pindel reported that when he found out that we were a participant in the Outreach and it was on a date that he would not be available, he asked Al Sikora to man our booth/table and Al accepted the challenge. Jim also contacted Alan Barrows to see if we could make use of the three panel display/backdrop that Alan provided for the Fox River Summit so it could be used at the Outreach. Alan said he would provide the display and needs to meet with the others involved for any additions or changes to the display and to pass it on to Al Sikora before the Outreach. Chad Sampson was asked if he could assist Al at the Outreach and Chad said that he had other commitments.

e) Big Bend boat/canoe launch retaining wall – Francis Stadler Before Francis started his report Jim Pindel presented him with a signed copy of the Cost Share Agreement so that Francis could get it signed by someone authorized by the Village to commit to their share of the costs involved. Francis reported that they had awarded the contract to the bidder whose proposal he provided to us at the last meeting. So now the contractor is waiting for the water to recede to the point he can get started on the project.

New Business

- a) Consideration of expanding the Commission's jurisdiction south to the Illinois border Jeff Thornton said that we had asked the City of Burlington's Public Works Director to arrange a meeting for us with the City and nothing has happened. Al Sikora said that he would follow up with the City Public Works Director as well as with the Town of Burlington since they said that they would think about signing a MoU with us to join the commission.
- b) Possible request for grant funds for Mukwonago shoreline restoration: Dean Falkner was not present. Alan Barrows said that there was an email exchange between Jim D'Antuono and Mike Grisar of WE Energies. Mike Grisar is the one who communicated the changes that We Energies wanted to the original design so that they could sign off on the project. Mike clearly has a background in this kind of restoration work. Alan said he was pleased to see Mike involved because he would be capable of taking the lead on this project. It appears that we still are at the impasse of finding a sponsor (Project Manager) for this project. Jim Pindel reported that just after the last commission meeting he had received an email from Paul Kling regarding this project. Paul who was present said that the one thing that stands out to him is that on WE Energies website they have several pages boasting about how environmentally sensitive they are and

how much they do for the environment and yet they will not address this situation where they are allowing erosion and environmental damage to the ecology. Maybe our best chance is to shame them into some action. Paul didn't see why we should pay for something that is justly their responsibility.

- c) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: There was no new news on this issue and so it was passed over.

- d) A non-agenda item Presentation by the USGS on gauging we might consider along the Fox River: At our last meeting, we asked Jim D'Antuono or Jeff Thornton to approach their contacts at USGS to make a presentation about what gauging was available and what were the costs involved. Daniel Feinstein of the USGS made a PowerPoint presentation with handouts for all in attendance. Daniel started out by saying that he was not sure what kind of project we had in mind so he could not tailor his presentation to our needs, so his presentation was somewhat generic. Daniel's first slide showed the location of all of the ground water monitoring gauges and wells within the Fox River watershed. Randy Meier asked why all the gauges were located in northern Illinois and there were none in Wisconsin. Daniel said most likely there had been a specific project in this area that required the special monitoring. Most of these wells are shallow wells and they look for trends by monitoring these wells. Daniel's second slide homed in on the data collected by one particular well. It showed that the location of the well was near Big Bend and a table of the data collected with an associated graph showing the trends in the depth of the water at this location. This well is continuously monitored and can be looked up on the USGS website. All work done by the USGS is public knowledge and they are not allowed to compete with private enterprises. The next slide dealt with water quality monitoring sites. Daniel said that the USGS monitoring is somewhat generic like looking for nitrates or pesticides for background information, but not as specific as to be looking for pharmaceuticals or specific chemicals. If someone has a project concerned with a particular contaminant they would be better served by working with a private consultant. As an example of some non-USGS work, Daniel then showed a slide of the UWM water quality monitoring network showing their test sites in the Menominee, Fox and Root River watersheds. Barb Holtz asked why Mukwonago and the Mukwonago River were excluded from the Fox River watershed. Daniel replied that this slide was prepared by UWM not the USGS so it was probably an oversight. To introduce us to the amount of data available, Daniel's next slide showed the location of all the streamflow gauging stations within the Fox River watershed and adjacent areas. Daniel zeroed in on the gauging station at the exit of the Mukwonago River into the Fox River. Some of these gauges come and go due to cost and budgeting

restraints, for example the streamflow gauge at Brookfield has been discontinued. Daniel said they had a pretty good handle on the flow of water in the Fox River and he could show us some of this data. It was noted that it would be very interesting to compare the USGS data to the flows that are indicated in our implementation plan to corroborate our data. The next slide not only showed the location of all the streamflow gauges but also their individual names. This slide was followed by a slide that also tabulated the history and cost of each of the gauges by named location. Daniel's next slide homed in on the approximate operating costs for different types of gauges. For example, a stage only (water height) gauge has an annual operating cost of \$4750 whereas a discharge (flow rate) gauge has an annual operating cost of about \$11,600. Velocity site gauges cost more to install about \$22,000 and more to operate about \$14,400 annually. Some additional costs provided indicated that converting a well from an existing data logger to a real-time system would cost about \$10,200 with an annual real-time operating cost of \$5,600 annually. When Daniel said that he would need to know what kind of project we were looking at to decide what kind of monitoring we needed, Jim Pindel said that our most likely needs would be to monitor upstream flows to operate the Waterford Dam as a flood abatement control and to monitor the effects on the river if the City of Waukesha diverts its wastewater discharge away from the Fox River. When asked if the USGS was asked for data regarding the effects of Waukesha's proposed wastewater diversion, Daniel said that most of the work the USGS has done is with regard to finding alternate water sources. One of the alternatives explored was to draw water from shallow wells along the Fox River and return the wastewater discharge back into the Fox. This approach would provide a sort of closed loop water cycle system. Daniel said that he had a presentation specifically regarding this topic, but we do not have the time right now to go through it. Daniel said that Waukesha's usage is down somewhat right now to about 6,000,000 gallons per day but they are looking to expand their domain. Daniel also said that there are some water quality issues with this plan seeing the wastewater treatment plant does not remove all the contaminants like chlorides and pharmaceuticals. To incorporate all the different stresses that a watershed must endure a comprehensive groundwater flow model would have to be created. This type of model would allow for quantitative and reliable cause and effect information. Models similar to what we might need would be the one provided to SEWRPC for regional flow, shallow-deep, historical, no transport at a cost of about \$350,000 or for Dane County at about \$300,000. Some thought was then given to an all-inclusive Fox River model which would cover the Fox River watershed from top in Wisconsin to bottom in Illinois. This type of model would be very expensive and take two to three years to develop. Barb Holtz asked about the possibility of River Bank Inducement and Daniel said that it was being done throughout the US in areas that were favorable for it. Unfortunately

our Fox River location is not geologically favorable. When asked if River Bank Inducement would cause the deep aquifer to rise or recharge, Daniel said that surprisingly the deep aquifer has already started to recover due to less industry and conservation measures. With regard to where to place additional gauges if we wanted to optimize the operation of the Waterford dam for flood abatement it seemed like gauges would be required at the Barstow impoundment, the Mukwonago River and in Big Bend.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Ron Barker was not present and Jeff Thornton said that the agency has been very busy contending with the flood conditions they are experiencing. According to a report Jeff saw earlier this week the flood waters are receding and the agency should be able to attend our meetings again soon.
- b) SEWFRC Website – Al Sikora said he had no updates on the website.
- c) Highway 164 Construction update: - WWMD Don Baron said that he received email pictures of sediment coming into Tichigan Lake from runoff from the construction. This erosion was coming down where the WWMD did their 164 stormwater abatement project some years ago. Don forwarded this information to the construction project manager and he responded to Don with pictures of what buffers and filters they had put in to address this situation. He also explained to Don that the topsoil has been removed so there is nowhere for the water to sink into the ground. They also found out that a culvert had some holes in it and so it was being replaced. Don noted that he has noticed some additional runoff coming into the lake south of the area mentioned above. He said that he and Paul Kling will address what needs to be done to stop this sediment flow. Don also said the contactors are starting their landscaping work which should also help the runoff problem. The construction is still on schedule for completion November 1, 2013.

Correspondence –

- a. 4/23/13 Email from Paul Kling of WWMD regarding WE Energies property on Mukwonago River offering assistance and suggestions, forwarded to Alan Barrows and Dean Falkner
- b. 4/25/13 Final Fox River Summit Declaration forwarded to all commissioners
- c. 4/25/13 Contact information from Jim D’Antuono to try to get aerial photos of Fox River during flood conditions
- d. 4/26/13 Final correspondence with Racine Legals to publish Public Hearing Notice and Proposed 2014 Budget
- e. 4/24/13 Final correspondence with Freeman Legals to publish Public Hearing Notice and Proposed 2014 Budget
- f. 4/26/13 Email from Jim Pindel to all commissioners explaining why we could not get aerial photos during flood conditions

- g. 5/3/13 Email from Graef Engineering forwarded to all commissioners regarding two options for invasive species mapping
- h. 5/1/13 Email from Jim D'Antuono to Mike Grisar explaining who we are since we were attempting to get aerial photos of Fox in Flood
- i. 5/6/13 Email from Alan Barrows with contact information of private companies who could do aerial photos
- j. 5/3/13 Email discussion between Jeff Thornton and Dean Falkner regarding the merits of GIS mapping of invasive species
- k. 5/9/13 Correspondence showing that USGS would make a presentation
- l. 5/14/13 Email from Jeff Thornton to USGS telling them what we are interested in
- m. Email from Jim Pindel to all commissioner concerned that we might not have quorum for this meeting.

Miscellaneous Issues –

Jim Pindel pointed out that at the last meeting Jeff Thornton provided printouts of Subchapter VI of the Wisconsin statutes which define our commission and its regulations. So copies were distributed to all commissioners present.

Also Jim Pindel pointed out that our last version of the implementation plan listed the normal height of the Waterford dam as 773.4 feet above sea level and the minimum height as 772.6 feet above sea level but he could not find what the maximum level is supposed to be. Jim asked if Jeff Thornton or anyone else could advise where to find this information.

At this point Alan Barrows provided a completed and signed Satisfaction of Cost Share Agreement to Jim Pindel for our records for the Hintz Wetland Restoration project.

Randy Meier motioned to end the meeting and the motion was seconded by Francis Stadler the motion passed unanimously.

Meeting Closed at 2:51 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, June 21, 2013 at 1:00 PM. (Meeting Location: Big Bend-Vernon Fire Station #3, W233 S7475 Woodland Lane, Big Bend, WI 53103.)