

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Dean Falkner (Village of Mukwonago)
Doug Koehler (City of Waukesha)
Robert Bartholomew (Town of Vernon)
Barb Holtz (Town of Mukwonago)
Alan Barrows (Waukesha County)
Randy Craig (Town of Vernon)
Francis Stadler (Village of Big Bend)
Ken Miller (Town of Waukesha)
Michelle Scott (Wisconsin DNR)
Jim Ritchie (Wisconsin DNR)
Tom Slawski (SEWRPC)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Chad Sampson (Racine County)
Shelley Tessmer (Town of Waterford)
Randy Meier (Town of Waterford)
Ron Peterson (Village of Big Bend)

Also present: Don Baron and Dick Kosut of the WWMD, Michael Schwar and Kermit Bohning residents of the Town of Vernon, Barb Messick of the Village of Waterford and Laurie Longtine of the Waukesha County Environmental Action League.

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 June 5, 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 Reports for June 2015 was reviewed. In summary we started June with \$128,462.87 in our money market account. We had a payment of \$30,000 to the WWMD as a cash advance toward the Dredging Permit Application. We made a deposit of \$311.89 from the overpayment in the cash advance given to the Fox River Partnership for the 2015 Summit. We received an interest payment of \$20.97 leaving us with a final balance of \$98,795.73 at the end of June. The undedicated grant funds left in ENUM-19 amounts to \$46,182.29. It was motioned by Dean Falkner that the treasurer’s reports be accepted and it was seconded by Francis Stadler. The motion carried unanimously.

Old Business

- a) Fox River Partnership Summit: Tom Slawski said that now that we are completely finished with the payments and paperwork for the 2015 Summit, it is now time to start working on the 2016 Summit. Tom said that the date for the 2016 Summit will be March 18, 2016 and will be held at the same location, the Veterans Terrace in Burlington. Tom said that he is looking for speakers and topics and is looking for suggestions from the Commission. Tom said that there was some concern that the past Summits were a little bit light of Lake specific topics and so he will be looking to address this issue. Tom has one speaker under consideration from the Army Corps of Engineers who will address the Asian Carp problem. Tom said that his colleague at the UW extension, Andy Yencha has moved onto another job somewhere else. This is a problem because Andy supported Tom by maintaining the Fox Partnership website and posted all the information and sent out the email flyers for the Summits. Tom said he hoped to find a new extension partner and if not, he has been receiving support from Al Sikora. Al said that if the extension is not willing to support him, he should ask if they were willing to let this webpage go. Then we could place it under our domain and Al would be supporting it. Tom thanked Al for his suggested solution.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that he had nothing to report since the last meeting and Dean Falkner said that he had not had any contact with anyone concerning this project either. Dean said that now that he is retired he will have more time to chase down the people involved to get things moving again. Dean asked Alan to send him all the contact information, which he now doesn't have access to.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler said that the contractor promised to complete the project the next week after our last meeting, but didn't do it. He wondered if the addition of thorn bushes between the split rail fence and the edge of the drop off would be a practical solution. After a short discussion, Alan Barrows agreed to meet with Francis at the site and work out what would be a recommendation for a solution.
- d) Wood Drive Erosion Control Project – Chad Sampson was unable to make the meeting, but sent an email report to Jim Pindel. Jim reported that concerning this project and the Malchine Farm field erosion control project in item (e) below Chad stated that the projects are out for bid with no estimates received as of now. The Farmer left an area not planted to allow for construction. There have been some concerns about the property lines for the M. Fowlers Bay out lot and the Malchine property. This may need a certified survey to verify the project does not encroach on the out lot. This will not alter the scope of the project.
- e) Malchine Farm field Erosion Control – This project report was made in conjunction with the previous report in (d) above.

- f) Highway 164 Ravine repair Project: - Chad Sampson's report stated that the contractor CHILS (Rodney Zuerner) has been contacted and awarded the job. Permits are needed from the WDNR. The permits have no cost and their office is currently working with the WDNR to assist the landowners in completing the permit applications.

- a) Waterford Impoundment ESR Project Dredging Permit: - Don Baron said that the WWMD is working on their budget for the next year and will finish the process at a meeting next Saturday morning. Don said that the Town and Village of Waterford and Racine County have been contacted and now individual land owners along the path from the impoundment to Super Mix have to be contacted to get easements for the pipeline to cross their properties. A letter has been drafted for contacting the landowners. Super Mix has agreed to take all of the sediment, but they need to get this agreement in writing. There will be a lot of meetings concerning this project and they are hoping to go out for bidding by the end of this year. Don said that they are looking for funding from the state, the village, the town and the county as well as any other sources they can find. The WWMD has found a volunteer who used to work for the Milwaukee harbor commission who will look into grants for them. He also said that Graef Eng. has a person on staff that will look into grants for them. Jim Pindel asked when they will finish with their phase 4 and submit the paperwork to close out the project and Don said he expected that it would be done by our next meeting. By our next meeting the WWMD will have its budget finalized and will come to us for additional funding.

- g) Schuetze Playground Storm Water Abatement: - David Burch was not present and Doug Koehler said that he had talked to their Parks Department and they have scheduled this work to be done in August along with other work that needs to be accomplished at this site. It is expected that all the work will be done by early fall.

New Business

- a) Election of a New Vice-Chairperson: Prior to the start of the meeting Don Scott our present Vice-Chairman advised us that he has sold his house and submitted his letter of resignation to us. Jim Pindel pointed out that Randy Craig would be a good candidate because he has been with the commission for a long time. He also suggested that Barb Holtz would be a good candidate because she attends most meetings and is very knowledgeable in environmental and conservation matters. At this point Barb Holtz said that she would be willing to take the position. Bob Bartholomew nominated Barb Holtz for the position of Vice Chairperson and Francis Stadler seconded the nomination. Barb Holtz was elected unanimously. Everyone congratulated and thanked Barb Holtz for volunteering.

- b) Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that he had nothing new to report at this time, but noted that Jim Pindel had made an addition to the letter to Senator Lazich (item g) that requested that we would have the ability to add additional counties or municipalities without making an additional change to the state statutes. Jim read the new paragraph to the commission and all agreed to it. Doug Koehler motioned that we accept the revised letter and the motion was seconded by Francis Stadler. The motion carried unanimously.
- c) Consideration of how we operate with a larger membership base: This item was covered in item (b) above. The letter will be sent to Senator Lazich as soon as the state budget is signed by Scott Walker.
- d) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Jim Pindel pointed out that he forwarded a presentation from Andrew Craig of the WDNR. This is the same presentation we saw at the 2015 Fox River Summit. The presentation appears to expect the plans to be set up on a county basis. This seems a little unusual since watersheds usually cross over county lines. The explanation of what is required and its intent are there but it is a little difficult to understand the acronyms and jargon that the experts in the field use. After some discussion, Michelle Scott said that Andrew Craig would be willing to make a presentation to our group, during which we could ask questions and clarify how it applies to us. Either Michelle or Jim needs to advise Andrew when our next meeting is and ask that he makes the presentation. Tom Slawski provided a map of our entire watershed, divided up into all the different Huc-12's
- e) There were a total of about 40 twelve digit hucs in our watershed which each varied from 10 to 50 square miles each. The average huc is about 25 square miles. The map emphasizes the extent of trying to do a 9-Key elements plan for our watershed and points out that much of it is outside of our area of jurisdiction. Tom also pointed out that 6 of the hucs cross over the state line into Illinois. After viewing the map, Francis Stadler asked if the map could be modified to show exactly where the mainstem of the Fox River was and Tom said that that could be done. Don Barron asked if a modified copy of the map could be sent to the WWMD, so they could see the total extent of the watershed.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois –Tom Slawski said that he had nothing new to report.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Laurie Longtine came to the meeting to advise the commission of what has been happening to try to stop the diversion. Laurie stated that as we have probably heard, the WDNR gave tentative approval to the city of Waukesha's request for Lake Michigan water. Now we are going into a period of

public comment, which will end on August 28, 2015. The WDNR will accept written comment or verbal comment under advisement at three meetings to be held on August 17 & 18. On August 18 there will be one meeting in Milwaukee in the afternoon and a second meeting in Racine in the evening. The August 17 meeting will be in Waukesha. The meeting agenda is one hour of presentation and one hour of public comment. After considering the public comment the WDNR has indicated that it expects to make its final determination in November or December of this year. At the beginning of next year the determination and Environmental Impact Statement (EIS) will be sent to the Regional Body (who developed the Great Lakes Compact) and then will be sent to the Compact member states for approval. It is possible that there will be further negotiations at this stage. Laurie said that she is part of the Waukesha County Environmental Action League (WEAL) and WEAL is part of a larger coalition of environmental and conservation organizations which is called the Compact Implementation Coalition (CIC). The CIC has been working on Compact issues ever since the Compact was being developed. The goal of the CIC was to get strong protections for the Great Lakes. The CIC lobbied to get the Compact through the Wisconsin legislature with Wisconsin being the first state to ratify the Compact. Since then the rest of the states ratified the Compact and President George W Bush signed the Compact into Law. After the Compact went into law the CIC reorganized to make sure that an appropriate precedent was set with the first application for diversion of Great Lakes water by the city of Waukesha. Laurie's group has been working behind the scenes to develop a plan for the city of Waukesha that doesn't require a diversion. Yesterday there was a web news conference held that announced an alternative plan that meets all of the needs of the city of Waukesha without a diversion. It is an engineer stamped approved plan by a very reputable firm. The plan is based on all of the data and assumptions made by the city in its application and came up with an exactly opposite conclusion that diversion is not necessary. Laurie said that she knew that we opposed the diversion because it would divert the outflow of the waste water treatment plant away from the Fox River to some other alternate as a negative effect on the Fox. The non-diversion plan leaves the treatment plant outflow going into the Fox River. The plan does not require any new wells to be added, therefore no adverse environmental impact. The plan is \$150,000,000 less in cost than the city's diversion plan. The plan meets the radium level standards set by the EPA, which was the initial cause of the city's diversion plan. The non-diversion plan meets the residential and industrial growth estimated by the city. The plan meets the needs of the city through 2050, just as the diversion plan does. Laurie said that by adding the expanded service area the city's application does not meet two of the requirements of the Great Lakes Compact. One of the requirements is that a community applying for Great Lakes water must not have an adequate supply of potable water, which does not apply to several of the expansion communities which have adequate individual shallow well water supplies and individual septic systems. Except for a small portion of the Village of Pewaukee none of the communities are on a municipal service. The other issue the CIC group is raising is that the Compact requires conservation measures must be in place before the

application for diversion is made. Since these expansion communities have no lack of potable water and are mainly on individual well and septic systems, no conservation measures are needed and have not been implemented. Due to the lack of infrastructure in the expansion communities they have no way of measuring water usage or any means to measuring the effect of a conservation plan. Laurie said that these issues do not apply to their non-diversion plan since it does not include the expansion communities. Laurie had some printed materials, which she simply showed from her position at the table that showed the following. One chart showed that in 2011 the average annual water bill in the city was \$261 and using the city's projections by 2024 the same water bill for an individual residence would rise to about \$900. This is showing a rather significant financial impact for the tax payers. The city has been saying that the deep water aquifer is dropping, but Laurie showed a chart that shows that the water level in the deep aquifer is actually rising. Laurie then showed a chart that depicted the water sales since 1970 when there was much more industry using water, the graph goes out to 2014 showing a dramatic decline in water usage. A Power Point presentation of the plan announcement, an executive summary and the plan itself and much more additional data is available at the CIC's website www.protectourgreatlakes.org. Another chart put up by Laurie showed the terms of the Compact in the left column and how the city is complying with these terms in the right column. The way in which the non-diversion plan meets the radium level requirements of the EPA is by adding filtration (reverse osmosis) to two of the existing wells which now have no filtration. The third deep aquifer well already has radium filtration. Laurie finished up by encouraging the group to comment to the WDNR opposing the diversion and supporting the non-diversion plan preferably at the Waukesha hearing. There was considerable discussion and concern expressed by Ken Miller and other commissioners as to the importance of not allowing the diversion.

- c) Progress toward designation as a "National Water Trail" – Village of Waterford. Barbara Messick of the Village was present and started by saying that they have proceeded with work to install two new kayak launches on the Fox in partnership with Racine County. The launches are above and below the Waterford and Rochester dams. They are presently waiting on permits from the WDNR and have received a stewardship grant from the WDNR and a \$40,000 grant from the Racine Community Foundation. Construction is planned for this year with a community paddle scheduled for next spring. There was a meeting on July 7, attended by Barb and Rebecca Ewald of the Village, Angie Tornes of the National Park Service, Tom Slawski of SEWRPC, Karen Miller of Kane County Illinois and Greg Farnham of the Rock River Trail Initiative. This was a formidable group of concerned citizens and experts to work on the plan to establish the Fox River Water Trail. Barb passed out a sheet summarizing who was there and what needs to be done. Barb then asked for a letter of support from the SEWFRC which they can include with their application for technical assist. Barb presented some sample letters to Jim Pindel our secretary/treasurer to assist him in producing the letter of support. The letter of support is due August 1. Barb said

the Village was very excited about the Water Trail and asked Tom Slawski if he had anything to add. Tom said the idea of the Fox River Water Trail has been simmering ever since the first Summit and now has reached critical mass and seems to be moving toward completion. Francis Stadler asked if they were requesting any financial assistance from the towns and villages along the way. And it was explained that the support they were looking for right now was just letter of support for the project. Tom Slawski then added that eventually some funds would be needed for signage and mapping, but that is far out in the future. Mapping and advertising will be necessary to let people know about the Water Trail and how to access it. Alan Barrows motioned that the secretary put together a letter of support for the Water Trail and the motion was seconded by Ken Miller. The motion passed unanimously.

- d) SEWFRC Website – Al Sikora said that he would provide links to the CIC’s website and post the .pdf file concerning the non-diversion plan for the city of Waukesha.

Correspondence –

- a. 6/8/15 Notice of the 7/10/15 SEWFRC meeting sent to all commissioners and friends of the commission.
- b. 6/10/15 Email from Michelle Scott concerning 9 key elements plan.
- c. 6/13/15 Email from Dean Falkner with attached presentation concerning Green Infrastructure.
- d. 6/23/15 Email from Dean Falkner with much more detailed presentation on Green Infrastructure.
- e. 6/30/15 Email from Jim Ritchie confirming that ENUM-18 has been used up and competed and that ENUM-19 has been extended to 6/30/16.
- f. 6/29/15 Email from Jim Pindel to Michelle Scott requesting a presentation from the WDNR on 9 key elements watershed plan.
- g. 7/10/15 Email from Don Scott resigning from the Commission and Jim Pindel said that he responded by thanking Don for his service to the commission.

Miscellaneous Issues –

Under New Business where it was not an agenda item, Don Barron of the WWMD asked the WDNR personnel present what the WDNR is doing about the Starry Stonewort (SSW) aquatic invasive species that has infested Little Muskego Lake and is now reported to have shown up in Big Muskego Lake. Jim Pindel pointed out that he forwarded the letter that was sent to Al Sikora concerning the SSW and Wind Lake’s lake management associations request to have Little Muskego closed to the public to prevent spread of the invasive species. Jim Ritchie said that neither he nor Michelle Scott were directly involved, but it is getting a lot of attention at the WDNR. Jim said their biologist Bob Wakeman has been out on Little Muskego and is working with them and the city of Muskego for a couple of months now. They have some emergency funding to work with their treatment efforts. This is a new aquatic invasive species that has not been found in Wisconsin before. Jim said there are surveys going on and some hand pulling of the plants by divers and some vacuum suction effort being tried. Other treatment options are

being evaluated. Jim questioned whether the WDNR had the authority to shut down Little Muskego because the public access is owned by the city. Don Barron said that he observed them harvesting the SSW and thought that it might be causing the spread of the SSW. Jim Ritchie said he didn't know if it was SSW that they were harvesting or the other weeds in the lake. Michelle Scott offered Bob Wakeman's phone number so that Don or anyone else could contact the person heading up the eradication effort against SSW. His phone number is (262) 574 2149.

Alan Barrows said that he had two topics. The first topic being that he had a discussion with the WDNR concerning a wetland mitigation program. It appears that the WDNR has funds available for wetland restoration projects in the Fox River watershed. This provides an opportunity for our commission to partner with counties, municipality and even individuals to do wetland restoration projects. There is no cost sharing requirement. Secondly Alan introduced Kermit Bohning one of three landowners in the Town of Vernon where he is proposing a 1000' long grass waterway through the three properties. Alan passed out a handout which showed an aerial view of the project site, a close up of the area where the failed tiles existed and pictures from 2013 of the field and from 2015 showing the new erosion path. The erosion path drains to Krueger Brook which in turn flows into the Fox River. Alan said that the drain tiles failed in the last few years causing the erosion problem. Alan and Kermit went out to the site and made a survey getting elevations and now they are working on a preliminary design. Alan said he is not prepared to make a presentation for this project now because he does not know the cost. Alan expects to come to the commission for a grant request within the next couple of our meetings.

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

Meeting Closed at 2:25 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, August 14, 2015 at 1:00 PM. (Meeting Location: Town of Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI 53103.)