

Commission members present:

Dean Falkner (Village of Mukwonago) (Chairman)
Barb Holtz (Town of Mukwonago)
Alan Barrows (Waukesha County)
Chad Sampson (Racine County)
Bob Bartholomew (Town of Vernon)
Jim Schneider (Village of Waterford)
Jeff Lang (Town of Burlington)
Francis Stadler (Village of Big Bend)
Ken Miller (Town of Waukesha)
Ronald Schildt (Kenosha County)
Andrew Lois (Town of Wheatland)
Jessie Medrow (City of Burlington)
Doug Koehler (City of Waukesha)
Tom Slawski (SEWRPC)
Jim Ritchie and Sara DeBruijn (Wisconsin DNR)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Wayne Jensen (Village of Rochester)

Also present: Tom Day from Eagle Springs Lake Management District, Don Barron and Dave Spurlock of the WWMD and Fred Milles of the Town of Vernon.

At 1:04 PM, Chairman Dean Falkner 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 16, 2017 meeting were reviewed. It was motioned by Jim Schneider that the minutes be approved and the motion was seconded by Bob Bartholomew. The minutes were approved unanimously.

Treasurer Reports – Jim Pindel reviewed the June 2017 treasurer's reports. We started the month of June with \$101,869.02. We made a payment of \$1,000 to the Waukesha County AIS effort, \$241.38 to the Kenosha News, \$458.80 to the Waukesha Freeman and \$142.85 to the Racine Journal Times. We made a deposit of \$35.00 because Jim Pindel took out enough money to reimburse 8 commissioners for attending the Fox River Summit and only 7 wanted to be reimbursed. We received \$16.53 in interest bringing our Money Market account to a balance of \$100,077.52. The only change to the non-grant funds was the \$16.53 in interest resulting in the net non-grant funds available being \$32,507.84. The only change to the grant funds was the fact that we submitted documentation to the WDNR for \$4,635.11 against the Schuetze playground project to close out ENUM-19. It was motioned by Alan Barrows and seconded by Jim Schneider that the treasurer's report be accepted. The motion carried unanimously.

Old Business

- a) Fox River Partnership 2018 Summit: Tom Slawski said that he had not much to report but said that he was concerned that the Veterans Terrace in Burlington was flooded, which could impact the Summit. Jessie Medrow said that the Terrace will be open for a wedding this weekend, so there should be no problem. So Tom said that we are still on schedule for March 23, 2018 and he is still looking for additional speakers for the event. Tom also said that there is a lot of interest with regard to the flooding and asked if anyone had photos of the flooded conditions that they could forward to him.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that the heavy rains and flood conditions provided a good test for the newly completed project. Alan said that there was a watermark about 2' up on the bank showing how high the water had been but there was no damage and the shoreline survived. The vegetation is growing and some of it blooming like the purple clown flower. Alan said he then went over to the opposite shore where we did a project back in 2007 at Indian Head Park and he said everything there looked just fine. Alan asked Jim Pindel if he had received any bills from the contractor and Jim said he had not. Alan said he gave the contractor Applied Ecological the option of sending the invoices to the County, the Village or directly to Jim Pindel.
- c) ESR Project disposal sites environmental impact: Don Baron of the WWMD said that they had a conference call meeting with the WDNR on July 19, 2017; the intent is to have conference calls at least every 2 weeks to keep things moving along. The low hazard material permit is having problems; they need to address the amount of arsenic being put into the disposal sites. Also there is a concern regarding the ammonia level with the WDNR requirement being much more stringent than the state requirements. The WDNR has talked about trucking the dredge material to licenses landfills instead of treating it as non-hazardous material. Don said that regarding the clay liner that the depth of 2' is probably adequate and there might be a restriction that the liner has to be kept wet to avoid cracking before the silted water is pumped into the liner. Don said that there were three different approaches being considered for addressing the ammonia situation. There will be another conference call meeting with the WDNR on Monday 7/31/17 to address these open issues.
- d) Schuetze Playground Storm Water Abatement: - Dean Falkner asked if the project was completed and Doug Koehler said that he thought that they were still doing some plantings. Jim Pindel pointed out that the rest of this project would be funded from ENUM-20, so all the work had to be completed by 6/30/18. However as soon as the work is completed documentation has to be provided to close the project out. Doug said that he has been out of town for the last few weeks and so has not visited the project but knows that it is actively being worked on.
- e) Mukwonago Park Shoreline Restoration – Alan Barrows said that he talked to the landscape architects today and the project leader. They indicated that they held a

planning meeting last week and the project was on track to get done. The prairie sod was ordered in June and it takes about 12 weeks to grow into useable sod. Alan said that besides permitting the next steps would be site preparation. They will have to kill off the grasses and weeds before the prairie sod could be set in place. Alan thought that this work would start in the next 4 weeks. Alan then explained that the project amounted to planting tall native plants along the shoreline to discourage the geese from coming on shore and hopefully leaving the area. In the past the goose manure has caused contamination resulting in the swimming area being closed about 8 times a year for health reasons. So the project will amount to biologists along the shoreline with the prairie sod behind them.

- f) Village of Waterford East Shore river bank Restoration: - Jim Schneider said that the project was just about finished. They are now working on paving which is part of the larger overall project. Jim said that just like Alan Barrows had a test of the project he just finished, the recent heavy rain event tested the effectiveness of the shoreline restoration and the project succeeded with flying colors. Jim also pointed out that with the cooperation of the WDNR the protocol for opening up the Waterford dam in anticipation of a flood event has been changed from the about 5 days it used to take to immediately upon request. The dam was opened in advance of the water surge keeping the Waterford impoundment in reasonable condition. Jim went on to say that he expects the project to be completed in the next 30 days.

A lengthy discussion occurred describing the extent of the flooding of the Fox River. Dean Falkner said that he had been asked by a citizen of Big Bend, why the river has been so high all year long. Others pointed out that there has been consistent rain most of the time. Bob Bartholomew pointed out that there was a 3 week period without rain and the river stayed high, never going back into its banks. Bob asked why the Waterford dam was not opened up at this time to bring the water level down, which might have helped the flooding situation in Burlington. Jim Schneider pointed out that the water level at the Waterford dam has to be kept within the tolerances dictated by the WDNR. This water level has been maintained for many years with this year being no different than past years. Chad Sampson said that the water level is controlled by Racine County operators and that the dam gates were wide open right now.

- g) SEWRPC Survey for Waterford Dam to the Illinois Border – Tom Slawski said that they would like to do the survey during normal flow conditions on the river and so now they will have to wait and see when the river will go back into its normal condition to do the survey. Tom said SEWRPC could not characterize the river when it is in an unusual condition flowing over its banks. Jim Pindel pointed out that we have until 6/30/18 to be completely finished with the survey including the finished report and assessment.
- h) Parking Lot and sidewalk Salting Workshop: Jayne Jenks Jayne was not present to make a report. Alan Barrows said that he had not talked to Jayne and asked the

other county people present if they had any new information, which they did not.

New Business

- a) How do we handle interpretations of Wisconsin State Statutes regarding: Katelyn Bratz was not present and Jim Pindel pointed out that Katelyn had given the information to her sister, who is an attorney who works in statutory law. We will have to wait to hear what she has to say.

- b) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Dean Falkner said that they had their first planning meeting in Waukesha. Dean said that their goal is to get all the facts needed to know where and how to get started. Dean said that they confirmed that the 3 HUC-12 areas they initially thought might be a good starting point would indeed be acceptable. They also confirmed that with a 9-Key elements plan in place they could apply for federal funds to help pay for the dredging of the Waterford impoundment. The group zeroed in on erosion problems and Tom Slawski offered to put together a list of items that the subcommittee should consider in this early planning stage. Dean said that they are still in a data gathering stage and asked anyone interested to join the subcommittee. Jim Pindel asked who attended the meeting and Dean said the attendees were, Tom Slawski, Dave Spurlock, Perry Lindquist, Ben Heussner and himself. Jim Schneider said that he will participate in the future and Chad Sampson said that he did not see the meeting notice until it was too late and will likely start to attend.

- c) Gauges: Why do we want more? What kind of gauges? When do we want them? Who will pay for the hardware, installation and maintenance? Tom Slawski said that he had nothing to report at this time. Jim Pindel asked if we should that this item off of the agenda and Tom said yes, so it will no longer be discussed.

- d) Consideration of expanding our jurisdiction west to include Mukwonago River Watershed: Jim Pindel stated that at our last meeting we decided that when we found out what if any funding we received from the new state budget, Dean Falkner would contact Tom Day to discuss getting MoU's from some of the municipalities we would be considering. Since the state budget still has not been approved this communication did not happen. Jim Pindel asked Tom Day exactly how much money he was looking for and when. Tom Day said that he has obtained a private donation to cover his sampling for this year. The private donation was good for up to \$1,500. Jim Pindel went on to say that for next year or anytime in the future, even if the testing points are outside of our area of jurisdiction, he would make a motion to pay for the testing out of non-grant funds. We have enough non-grant funds to pay for this testing and recording of the condition of the water in the Mukwonago River which provides clean water which mixes into the Fox River. Jim said that he believes that the commission appreciates the work Tom Day is accomplishing on the Mukwonago River, one of the major tributaries of the Fox River. Tom Day pointed out that 2 of the 10

sampling points are already within our jurisdiction in the town of Mukwonago and asked if we would pay for this sampling even this year. Jim Pindel responded that if Tom provides a bill for the work at these 2 locations, we would consider and probably pay for it from our non-grant funds. Dean Falkner pointed out that back when we reviewed the treasurer's report we cover both grant and non-grant fund with about \$30,000 being in non-grant funds. Tom said he has already ordered the sample containers for this year and expects to take his samples in the next 30 days. Tom asked if we wanted him to go to the 3 municipalities involved and ask them to provide a MoU for inclusion in the commission and the consensus was that he should wait for now and see what funding we get from the state.

- e) Proposed modifications to the Cost Share Agreement and to the Construction and Planting Certification. Jim Pindel stated that he for a long time now has tried to keep the Cost Share Agreement to a single page, however that has not worked out. So Jim Pointed out that he wanted to make a form 2 pages long, so we could add another items required by the project sponsor. The item Jim proposed to the commission was a new item #12 stating "For ENUM- ____ All work has to be completed by _____. All documentation received by _____." Jim said that this addition would make the sponsor aware of our deadlines right up front when we make the agreement to fund the project. Jim Pindel motioned that we make the change to the Cost Share Agreement and the motion was seconded by Jeff Lang. Regarding the Construction and Planting Certificate, Jim Pindel asked that we add a line to the document stating that "For the SEWFRC the sponsor acknowledges the complete and satisfactory completion of the project." It was motioned by Jim Pindel to make this addition and the motion was seconded by Jim Schneider. The motion passed unanimously. Jim Pindel asked Alan Barrows to provide a copy of the Construction and Planting Certificate to him as a word document. Francis Stadler asked if the commissioners could get a copy of the revised documents and Jim Pindel said he would email a copy of both revised documents to all the commissioners. Alan Barrows pointed out that he has used the Construction and Planting document to not only provide proof of completion of the construction but also to verify that the usually expensive native plants are actually planted and maintained.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Jeff Lang said that both he and Jim Pindel were aware of the fact that Joe Keller of the FWA said that they would be regularly attending our meetings. The fact that no one is in attendance from the FWA we would expect is due to the flooding conditions we expect that they are experiencing. Jim Pindel pointed out that he had forwarded the email from Joe Keller of the FWA stating their intension to attend our meetings to all the commissioners. Jeff Lang said that they are really not doing much that would affect us but that they were probably more interested in

what we are doing that might affect them.

- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that the City of Waukesha has been granted an extension to 2023 to complete the diversion and reduce the amount of radium in the city's drinking water. The department of Justice negotiated the extension which was approved by the WDNR and the City. The Waukesha County circuit court still has to approve the extension. Jim Ritchie also pointed out that the City of Waukesha has an agreement with the City of Oak Creek to obtain the Lake Michigan water and now the City of Milwaukee is making a proposal to be the Lake Michigan water supplier.
- c) Progress toward designation as a "National Water Trail" – Village of Waterford. Jim Schneider said that they are still in the data gathering mode. He believes that the goal is to have all the data collected by the end of the summer and then move on from there.
- d) SEWFRC Website – Al Sikora was not present and no one had any comments.

Correspondence –

- a. 6/19/17 Email from Jim Pindel advising commissioners to mark their calendars for today's meeting.
- b. 6/30/17 Email forwarded from Laurie Longtine with attached article from the Waukesha Freeman concerning possible adverse effects on the Fox River due to the pending Waukesha diversion.
- c. 6/30/17 Email forwarded from Laurie Longtine with attached article from the Waukesha Freeman concerning possible adverse effects on the Fox River due to the pending Waukesha diversion. This time with more detail and pictures.
- d. 7/10/17 Email forwarded from Joe Keller of the FWA stating that the FWA will make an attempt to have representation at our meetings.

Miscellaneous Issues –

Alan Barrows reminded the commission that we now have SEWFRC signs that can be displayed at project sites. Alan said that we purchased enough signs to put some up at older completed projects. There are two sizes available, 10" x 12" and 10" x 20". Alan said that he provided a box of signs for Chad Sampson and asked if anyone else wanted any signs for projects that we funded.

Chad Sampson said that after the heavy rains we recently had he went out and inspected some of the more recent projects to see how they held up. Two of the project he inspected were the Wood Drive and Malchine Farm field projects that were completed earlier this year. Chad said that the Malchine portion of the overall project held up very well except that he notices rag weed growing with the grass they had planted. Chad said he will notify Kevin Malchine in the future to remove the rag weed as part of his maintenance of the project. Chad said on the Wood Drive portion of the overall project

the culverts that they installed were for smaller more normal rain falls not the heavy rain fall we recently experienced. Chad said that water backed up all along the roadway which was rebuilt and the water overran a section of the road causing gravel to wash out to the side of the access road. Chad said that he has not contacted the landowner yet and in fact because there were little problems throughout the county due to the heavy rain, he intends to wait a few weeks before he starts contacting landowners to see if they can repair the damage. Chad also said that he intends to post our signs at these locations. Chad went on to say that when he was on site he noticed that the water was dark brown, which is what we were trying to eliminate. Chad said that the water flowing into the system from the farm across the street on the east side of STH 164 was the source of the brown water. He expects to contact this farmer and see what can be done to eliminate this problem. Chad said that the probable solution would be to take part of this farm field out of production and turn it into a buffer zone. Chad said that he has plenty of projects that will be completed this year to use up the Racine County \$10,000 allocation.

Jim Ritchie told the commission that he has accepted a promotion and will be moving to Madison. Jim will be working in the Environmental Loans Program. He said that Sara DeBruijn would be taking over to manage our grant funds for the WDNR. Sara already manages the RBA grants for other organizations and so is very familiar with the process. Jim said that he enjoyed the 12 years that he has worked with our commission and we thanked and applauded him for the work and cooperation he provided us over those 12 years. We wished Jim Ritchie the best and he will be missed.

Jim Schneider pointed out that there are some drawdown projects in the works in our area. The one he discussed most was the proposed drawdown of Little Muskego Lake to expose the Starry Stonewort (SSW) to winter cold and freezing to hopefully eliminate this invasive species. The drawdown would affect Wind Lake and the canal running down to Rochester. There will be a meeting at the Norway town hall next Thursday to discuss the ramifications of the proposed drawdown.

Alan Barrows said that Waukesha County is working on an Invasive Species Strategic Plan with the cooperation of Tom Slawski and the SEWRPC and some other stake holders. The plan will include all 43 lakes in Waukesha County some of which are within our boundaries. The plan will dictate how to react when a new invasive species is detected. Alan said that the \$3,000 we provided to the Waukesha County AIS group was in part paying for this work.

Jeff Lang reported that Echo Lake in Burlington will be drawn down to evaluate the dam. Jeff said that he was not sure what they will learn from this exercise, but asked if anyone involved would keep the commission updated to see what we could learn.

Jessie Medrow asked if she could be added to the contact list because she is taking over for Jim Bergles who resigned from the City of Burlington. Jim Pindel asked for her email address and she put it on the attendance sheet.

It was motioned by Jeff Lang to close the meeting and seconded by Jim Schneider to end the meeting and the motion carried unanimously.

Meeting Closed at 1:55 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, August 25, 2017 at 1:00 PM. (Meeting Location: Town of Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI 53103.)