

**Commission members present:**

Al Sikora (Village of Waterford) (Chairman)  
Chad Sampson (Racine County)  
Francis Stadler (Village of Big Bend)  
Alan Barrows (Waukesha County)  
Randy Craig (Town of Vernon)  
Randy Meier (Town of Waterford)  
Barb Holtz (Town of Mukwonago)  
Dean Falkner (Village of Mukwonago)  
Robert Bartholomew (Town of Vernon)  
Jeff Thornton (SEWRPC)  
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)  
Ron Peterson (Village of Big Bend)  
Shelley Tessmer (Town of Waterford)  
Any representative from the Town of Waukesha

**Also present:** Dick Kosut, John Bostrom and Don Baron of the WWMD, Mark Mittag of CH2MHill Water Business Group representing the City of Waukesha, Ron Barker of the Illinois Fox Waterway Agency, Dan Treloar of Kenosha County and Michael Schwar a resident of the Town of Vernon.

At 1:03 PM, 8/17/12, Chairman Al Sikora called the meeting to order.  
The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

**Minutes** The minutes from the July 27, 2012 meeting were reviewed. It was motioned by Francis Stadler and seconded by Randy Meier that the minutes be approved. The minutes were approved unanimously.

**Treasurer Reports** – The Treasurer's Report for July 2012 was reviewed. In summary we started with \$29,500.66 in our money market account and made \$9.70 in interest resulting in a final amount of \$29,510.36. A second sheet was added to the report to track the income and outflow of funds in the new ENUM – 18. Francis Stadler asked if we didn't always get \$250,000 per grant and it was affirmed that was the norm but in the last budget cycle, just getting back into the State budget we only received \$200,000. It was motioned by Randy Meier and seconded by Francis Stadler that the Treasurers Reports be approved. The report was approved unanimously.

**Old Business**

- a) Mill Creek gully erosion repair project (active) – Alan Barrows said that he has been visiting the site frequently and the grass is starting to grow very well now that we have had some rain. Jim Pindel asked if we would be receiving a bill from the County and Alan responded that we should see a bill probably before our next commission meeting.
  
- b) Mukwonago River Restoration within Rainbow Springs – Benjamin Heussner sent an email to Jim Pindel which included a progress report and an attachment of the Project stabilization and sequencing plan. This email was forwarded by Jim Pindel to all commissioners since the 27 page plan attachment had many pictures and data, so it was up to each commissioner to review the plan electronically by themselves. Benjamin's report stated that the ACOE has completed our permit and it was in the mail. The WDNR chapter 30 general permit will be finished next Tuesday and he hopes to obtain the remaining permits in the next week or so. Ben is looking into the possibility of using the WDNR fisheries management group to implement this project. The Fisheries Management staff has the heavy equipment and labor force to complete the job. The project will be executed in four stages. Referring to the Project stabilization and sequencing plan, Jim Pindel pointed out that it included Site Stabilization notes including all best management practices employed, silt fences, stone tracking pads, heavy construction traffic limited to a single route, no earthen material left staged beyond a single working day, all in-stream work accomplished "in the dry", disturbed bank areas to be immediately seeded with an annual cover crop, disturbed banks will be uniformly graded to match upstream and downstream banks and that disturbed areas within the soil disposal area will be seeded within 7 working days. Jim Pindel also pointed out that the total area to be disturbed amounted to 86,398 square feet.
  
- c) Fox River Partnership Summit – Jeff Thornton said they had nothing new to report at this time.
  
- d) Ecosystem Restoration Project (Sediment Sampling) – WWMD John Bostrom of the WWMD reported that the sediment sampling had been completed last week. There were a total of 41 samples in phase 2 of the project. The samples have been sent off to the test lab and they are now waiting for the lab results, which should be available in a week or so. Graef the engineering firm hired by the WWMD to take the samples and have them analyzed will be communicating with the WDNR to analyze and interpret results.

### **New Business**

- a) Consideration of expanding the Commission's jurisdiction south to the Illinois border Chad Sampson said that he had talked to Jon Schattner from Rochester this morning and that he stated that the Village of Rochester has interest in our commission and that they would like to have someone from our commission come

to their next Board Meeting on 9/10/2012 at 7:00 PM to make a presentation. We would be the first ones on the agenda. Jeff Thornton volunteered to make the presentation, or part of it, that he prepared for the Winnebago municipalities concerning our commission. Al Sikora and Jim Pindel volunteered to attend with Jeff Thornton. Jim Pindel pointed out that he had copied Jon Schattner with the meeting invitation including the attachments in case Jon wanted to attend today's meeting. Apparently Jon was not available, so called Chad instead. Chad said he would email Jon to advise him that we would make the presentation.

- b) Possible request for grant funds for Mukwonago shoreline restoration: Dean Falkner said that he and Jim D'Antuono both contacted WE Energies resulting in a meeting with them this morning. Dean said they were interested in seeing what we have to say and that Jim D'Antuono had contacted one of their biologists. The area that we are involved with is next to the dam and is in many respects protected from wind and waves and motorboat wakes. Although there are places that need some help, much of the shoreline is protected and it looks like a less extensive restoration is required. During the course of discussions it appeared that less costly alternatives exist that would equally protect the river. Dean thought that a cooperative effort among some of the organization in the area could come up with a project that would benefit all at a lower cost. Jim D'Antuono added that he had met with the woman who manages the property and had reviewed the plan Ruekert/Mielke designed for the restoration. Her assessment was that the plan could use another look and that something less aggressive could do the job. Some of the invasive species could be a source of the problem instead of solving the problem. They went on to discuss less intrusive work possibly involving volunteer help, like from the Friends of the Mukwonago River. WE Energies did not rule out paying for some of the work that needs to be done. One of the major problems with the site is the fact that there is cabling and underground utilities that cannot be interfered with, so changing the slope of the property is not a viable option. She said that she has to go back and talk to her people and Jim suggested that the Village of Mukwonago needs to touch base with their Village engineer and dust off the plan and come up with something that is viable of a lesser scale. Jim also pointed out that geese are a problem at the site, there is goose manure everywhere and washing into the river, a very significant source of nutrients. Jim went on to say that the dam is going to be fixed. He reminded us that there was a threat of the dam failing during the 2008 flood. There is a design that has been approved to provide more capacity through the dam and increase the berm of the earthen portion of the dam. Possibly we could do some of this dam work in association with the shoreline restoration. Dean Falkner mentioned that there is a potential project near River Park where the storm sewer water hits very hard. Dean would be looking for some of the savings from this project being used here. Jim Pindel pointed out that he had received a notice from Violet Razo of Ruekert/Mielke stating that they would need \$92,250 for the project and that we have already spent \$19,560 in 2010 for the engineering the existing plan. Jim expressed concern that we are now going to be asked to pay more money to change a design that has already been approved. Dean pointed out that if the

project can be accomplished at a fraction of the \$92,250 we would still be far ahead. Alan Barrows asked if Dean could find out from the Village and/or Ruekert/Mielke if the AutoCAD drawings from the original design were available. If so, Waukesha County could modify these drawing to the new less invasive design. As a result of this discussion it was decided to remove the \$92,250 from the expected allocation of grant funds from our new ENUM.

- c) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Pindel started out by stating that at the last meeting Jim D'Antuono was asked to find out the status of the environmental assessment that was in the process of being developed. It turns out that it is really the Environmental Impact Statement (EIS) that we are waiting for. Jim D'Antuono said that he had talked to the office director in Madison, who is managing the WDNR's role in this issue his name is Eric Ebersberger. Eric reported that there is outstanding information still required from the City of Waukesha. They are continuing to review their options as to where the water will come from and how they will return it. So until this is settled and they get the required information from the City of Waukesha they cannot complete the EIS. There will be a two months review of the technical information in the EIS once they have all the information. Eric said that there will be no hearing or public input until this process is completed and Jim D'Antuono estimated this wouldn't be until November or December of this year. There is a 45 day comment period after the EIS is published, that would be the appropriate time if the commission wants to make comment. Mark Mittag responded that there are some issues that need to be sorted out but they expect to get the required information to the WDNR for the EIS during September of this year. Barb Holtz asked if the EIS would address the effects on the Vernon Marsh and Fox River. Mark responded that the EIS is a comprehensive evaluation of all the different water supply alternatives that the City of Waukesha has evaluated including shallow aquifer wells near the Fox River in the Vernon Marsh area as well as some other wells further west of the City as well as Lake Michigan water supply alternatives. The EIS does include potential impacts on the Vernon Marsh and the Fox River. Mike Hahn of SEWRPC stated that their involvement was to create a water supply service area plan for the City of Waukesha. Mike provided a handout and map of the service area for the group to help clarify some things for people. Jim Pindel asked for clarification on exactly what the City proposed to the Great Lakes Commission, was it to return the exact same amount of water that was taken or was it to return 110% of the water taken from Lake Michigan and is it true that no water will be discharged into the Fox River except in flood conditions when the discharge would be detrimental to the Fox River. Mike said he was not familiar with the 110% requirement but that Mark would have to address this issue. Mike pointed out that as reflected in our resolution; SEWRPC's recommendation was active water management during high and low water conditions. Mark clarified that the agreement was to return 110% of the water taken from Lake Michigan and that this was in review with the WDNR and there will be minor modification as to how the return flow will be handled. Flow would be diverted to the Fox River if

there are concerns for flooding in Underwood Creek or the Menomonie River. Mark stated that the WDNR requested continuous flow to Lake Michigan so that is why the discharge to the Fox River would be discontinued. There is an issue with 'out of basin' water flow into the Great Lakes Basin, so the city is working on eliminating leakage into the sewer system from the Fox River Basin to keep our water out of their basin. Jim Pindel pointed out that at our last meeting it was reported that the discharge from the City water treatment plant was 10,000,000 gallons per day and that under the present dry (drought) conditions this represented a very substantial portion of the Fox River's flow. Mark said that they had prepared an environmental impact statement which looked at the effects of reducing or eliminating the discharge from their plant and that the maximum effect even during low flow situations was two inches of water depth. This data was based on several years of historical data. Mark indicated that he felt that this was not a significant reduction over the width of the river. Barb Holtz asked if there was an energy cost comparison between pumping water from the deep aquifer as done presently and the energy required to pump water to and from Lake Michigan. Mark stated that it was cheaper to pump water back and forth to Milwaukee than pumping from the deep aquifer. He also said he didn't have the figures for pumping back and forth to Oak Creek or Racine. There are three shallow aquifer wells north of Vernon Marsh which would be maintained as emergency backup water sources in case the Lake Michigan supply was unexpectedly interrupted. Barb Holtz asked how far will this water supply area extend. Mike Hahn explained that as an area wide water quality management planning agency are required by state law to delineate a water supply service area plan under certain conditions, such as when a municipality like the City of Waukesha requests a new or increase withdrawal of water from any source. That is why a water supply service area plan was developed for the city of Waukesha. The water supply service area has to be consistent with the sanitary service area, which dictated much of the expanse of the city's water service area. There are some minor differences between the two service areas. At the end of the day it was decided that we would wait for the EIS to be issued to see what action if any we needed to take. Refer to Ron Barker's comments below in "Reports and Updates" section to see the Fox Waterway Agency of Illinois take on this topic.

- d) Report on the Meeting with Racine County Executive: Jim Pindel reported that Al Sikora and he met with Jim Ladwig and Geoffrey Greiveldinger his Chief of Staff on 8/15/2012. The following points were discussed: Review of SEWFRC 2013 proposed budget. Jim Pindel reported the split between projects (money) between Racine & Waukesha Counties. Racine County – 12 Projects, \$536,179 (56.29%), Waukesha County – 11 Projects, \$416,300 (43.71%). 6 project locations are unknown. Jim Ladwig requested an explanation of the four projects listed under Racine County as unfunded projects. We advised Racine County attendees of \$59,040 grant approved for WWMD ESR sediment sampling. We advised Racine County attendees that we intend to extend our jurisdiction to Illinois border. Presently the Village & Town of Waterford are the only Racine County municipalities. Jim Ladwig asked would it be better to allocate funds to

SEWFRC or to WWMD. Jim Ladwig pointed out that presently the County Budget amounts to a \$2.4M deficit; however he said that they would consider us for funding, but not to be too hopeful. Al Sikora added that Jim Ladwig consulted with Geoffrey Greiveldinger to see if our funding could be included in bonding.

### **Reports and Updates**

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Ron Barker of the Fox Waterway Agency of Illinois stated that he and the Agency were very concerned with the diversion of City of Waukesha water treatment plant discharge from the Fox River to Lake Michigan. Ron pointed out that the two inches of depth loss estimated by Mark Mittag was not a negligible amount it is a huge amount and would have detrimental effects on the Fox Waterway in Illinois. The FWA is currently having their engineers study the effects that this decrease in flow will have on the waterway down to and through the Illinois River. The two inches of water loss is a lot of recreational use loss and financial loss along the river. Businesses go downhill quick when water recreation goes down. The FWA is looking forward to a reasonable winter not a warm one like last year where the wetlands didn't freeze up and vegetation go dormant, so they could do their work. A major project that they have started working on is the re-meandering of the Fox River from the state line to grass lake. This will be about a \$30,000,000 project. Jeff Thornton asked about the status of the Stratton Dam project. Ron replied that the project has been approved and that they are going to replace the gates on the dam and modernize the lock from the upper to the lower river. The bonds for the project are being sold right now; construction is expected to start in fall of 2013 with the work being completed by January 2015.
- b) SEWFRC Website – Al Sikora said that he had no updates on the website at this time, except he asked Alan Barrows about the information and PowerPoint presentation on the Mill Creek project that he was supposed to send to him. Alan said that when Leif Hauge the project manager found out that this was being sent to be included on our website he wanted to add some additional slides and pictures. As soon as Leif finishes the updates it will be sent to Al Sikora.

### **Correspondence –**

- a. 7/30/12 Email from Barb Holtz with Town of Mukwonago Town Board Meeting Minutes of 4/18/2012 attached. Shows that Barb was appointed to the SEWFRC for one year term.
- b. 7/31/12 Email from Chad Sampson providing contact information for Village of Rochester.
- c. 8/15/12 Email from Benjamin Heussner regarding the Mukwonago River restoration in Rainbow Springs project. This email with plan attachment was forwarded to all commissioners and discussed during the meeting.

- d. 8/17/12 A letter of appointment from the Village of Mukwonago was handed over to us for Dean Falkner

**Miscellaneous Issues –**

Jim D'Antuono pointed out that he had been given two assignments at our last meeting. The first being to find out about the presentation made by the WDNR Water Guard at the WWMD meeting held on 7/26/12 regarding invasive species. This presentation came about because of an invitation to Karen Stoll of the Water Guard from the WWMD. The second item concerned a new gauging station installed at the Rochester dam. Jim D'Antuono explained that there are a number of gauging stations on the Fox River below the Waterford dam and several of them are quite new. The next gauge downstream from Waterford is at Rochester and was installed in April 2011. This gauge is being co-funded by the USGS (60%) and the Norway drainage district (40%). The maintenance cost is about \$3,000 per year and the equipment and installation cost is somewhere between \$6000 and \$7000. There are two gauges on the Wind Lake system, one upstream and one downstream of the dam, one of those was also newly installed in February 2011. There is another gauge at the Muskego dam and that one has operated since the mid 1980's and their cost share is on the order of \$4100 per year. Jim D'Antuono pointed out that the costs above give us just an approximate idea of what gauges might cost us. These gauges have been installed primarily to minimize the impact on farmers in the drainage district when there is a heavy or excessive rainfall. With this data for dam operators can anticipate the inflow of water and make the appropriate adjustments. Jim D'Antuono passed some information on the gauges to Jim Pindel and clarified that the gauges are both level and flow gauges. The information available from these gauges is available in real time on the USGS website. Jim Pindel pointed out that we have a capital budget but no operating budget, so we could pay for the equipment and its installation but we have no way of covering the ongoing maintenance costs. Consensus was that the maintenance costs would have to be paid by municipalities or organizations that benefit from the data being gathered. Ron Barker pointed out that the FWA uses the data from the New Munster gauge to predict very accurately when flood levels will crest during flood conditions. Jim D'Antuono asked if we thought it would be beneficial to have someone from the USGS make a presentation to the commission on the equipment and its costs. It was not decided if the presentation should be made to the commission alone or possibly at the upcoming Fox River Partnership Summit.

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

**Meeting Closed** at 2:31 PM

**THE NEXT OFFICIAL MEETING AND WILL BE Friday, October 12, 2012 at 1:00 PM. (Meeting Location: Big Bend-Vernon Fire Station #3, W233 S7475 Woodland Lane, Big Bend, WI 53103.)**