

Commission members present:

Dean Falkner (Village of Mukwonago) (Chairman)
Katelyn Bratz (Town of Mukwonago)
Alan Barrows (Waukesha County)
Chad Sampson (Racine County)
Bob Bartholomew (Town of Vernon)
Don Houston (Village of Waterford)
Jeff Lang (Town of Burlington)
Francis Stadler (Village of Big Bend)
Ken Miller (Town of Waukesha)
Jessie Medrow (City of Burlington)
Wayne Jensen (Village of Rochester)
Doug Koehler (City of Waukesha)
Tom Slawski (SEWRPC)
Sara DeBruijn (Wisconsin DNR)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Andy Buehler (Kenosha County)
Andrew Lois (Town of Wheatland)

Also present: Don Barron and Dick Kosut of the WWMD, Dan Treloar of Kenosha County and Mike Schwar of Stony Point Hydrology.

At 1:03 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 July 21, 2017 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 – Jim Pindel reviewed the July 2017 treasurer's reports. We started the month of June with \$100,077.52. We received \$16.99 in interest bringing our Money Market account to a balance of \$100,094.51. The only change to the non-grant funds was the \$16.99 in interest resulting in the net non-grant funds available being \$32,524.83. The major change to the grant funds was the fact that all references to ENUM-19 were eliminated, we have only ENUM-20 to track. It was motioned by Alan Barrows and seconded by Katelyn Bratz 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 sent in a security deposit to the Veterans Terrace in Burlington to lock in the date of 3/23/18 for the next Fox River Summit. Jim Pindel pointed out that in the past Tom had always requested a 50% cash advance to help with deposits and early

- expenses. Tom said that he would probably make such a request in the future and Jim Pindel said that all he has to do is email him with the request and we would vote on it at the next commission meeting.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that the cost of the entire project was just over \$65,000 and the contractor billed us for the installation portion of the project which was \$61,339.05 and the rest of the money about \$4000 was for maintenance of the project site. Jim Pindel pointed out that all the work for the project must be accomplished by 6/30/18 to count against ENUM-20. Alan said this would be no problem since the first year of included maintenance would be finished before the 6/30 deadline and the rest of the work would be completed before 6/30/18. Alan passed around two pictures; one taken on 5/22/17 of the shoreline after the area had been prepared for construction with all the shoreline weeds removed. The second picture was taken this last Monday 8/21/17 and it showed that biologists in place with the natural plants and flowers up and growing.
- c) ESR Project disposal sites environmental impact: Don Baron of the WWMD said that they had a meeting with the WDNR at their Waukesha campus attended by the WDNR the WWMD and Brian Schneider of Graef. The meeting addressed all the current unresolved issues regarding the Low Hazard Exemption (LHE) that the WWMD is applying for so that the Super Mix site can be used as the disposal site instead of trucking the dewatered sediment to landfills. The main point of discussion concerned the ammonia in the sediment and how it would decompose. Samples of the sediment will be collected next week and bench top tests will be run by a professor at UWM hoping to demonstrate that the sediment through aeration and mixing will induce the ammonium in the sediment to decompose and be given off primarily as nitrogen gas. When the results of the bench top tests are completed in about a month a decision will have to be made about how to handle the sediment. Another area of concern or discussion was 5 locations with high levels of arsenic. The sediment at these locations has to be left in place or trucked to a landfill after dewatering. Don pointed out that the groups of people on the WDNR side right now, are very cooperative and helpful trying to get this LHE application processed as fast as possible. Don also said that the WDNR offered to issue a conditional LHE that included a provision that the ammonia limits had to be within the allowable range. This would say that all other aspects of the LHE are acceptable. Don said that the WWMD will have to decide if they want the conditional LHE or not. Jeff Lang said that because he came onto the commission after this project was already in process, he was not sure of what the goal or objective of the ESR project was. Don Baron told Jeff that an explanation was available on the WWMD's website "WaterfordWWMD.com". Don also said that Brian Schneider of Graef said that a drawdown of the Waterford impoundment might be helpful possibly reducing the amount of ammonia in the sediment. Don also said that the pro-drawdown contingent of the WWMD intends to make presentations to the Village and Town of Waterford and the SEWFRC, all of whom have issued resolutions opposing the drawdown. The

- intent is to tell everyone they are wrong and working with bad information.
- d) Schuetze Playground Storm Water Abatement: - Doug Koehler said that he went to the site today just before the meeting. The plants are taking hold and the rain garden looks really good. Now the Parks Department is waiting for the interpretive signage, once this is installed all the work will be completed and they will be able to provide the final documentation to close out the project.
 - e) Mukwonago Park Shoreline Restoration – Alan Barrows said the project has started with site preparation. Alan passed around two pictures for the commission to review. One picture shows the Native Vegetation Mat (NVM) growing at the supplier's location that the second picture showing two men carrying a 100 pound NVM roll during installation of a previous project. The existing vegetation at the site has been killed off and the NVM will be installed in October of this year. Alan pointed out to Katelyn Bratz that if she was looking for a project for some of her students at Nature's Classroom, they could help the first week of October.
 - f) Village of Waterford East Shore river bank Restoration: - Don Houston of the Village of Waterford, who has replaced Jim Schneider on our commission, said that the project is pretty much completed. The grass that was planted in the park is starting to come up and the site looks great. Dean Falkner pointed out that he has monitored the project for some time now and that it really looks good. Dean also pointed out that a tree on a small island just downstream of the Waterford dam, has now become fish habitat. The island that the tree was on has been eroded away by the river current going over the dam.
 - g) SEWRPC Survey for Waterford Dam to the Illinois Border – Tom Slawski said that the good news is that the river level is coming down. SEWRPC wants the river to be at its normal or lower level when the survey is done so that they can see the condition of the shoreline. Tom then passed out a copy of a chart produced by the SEWRPC showing the elevation of the Fox River from its headwaters to the Wisconsin/Illinois border. The water depth along the main channel indicated the depths during a 10 year flood event. Tom said that plots were also available showing normal conditions, 100 year flood and 500 year flood conditions. These charts are part of the preparation work by the SEWRPC for the survey probably to be done this fall. Tom said that the WDNR has done a revised flood risk model. Tom said that the WDNR used the high resolution digital terrain information provided by the counties to generate the new flood risk model. Tom showed the commission on a large aerial map of the Fox River basin where the last survey was done by Graef Eng. and where SEWRPC is going to do the next survey. Graef's survey went from the north end of our jurisdiction to the Waterford dam and SEWRPC's survey will go from the Waterford dam to the Illinois border. Tom went into some detail on the information provided on the chart he passed out. The height of the water level along the river channel is shown as a blue height and tick marks along the river indicate road crossing or bridges. There are also red marks indicating the rivers energy level at each

location along the river. Jeff Lang asked if the chart was based on historical data or was a theoretical model. Alan Barrows followed up asking Tom if the graph utilized the Atlas 14 new water depth model that Waukesha County has started using. Tom said he was not sure if the Atlas 14 model was used and indicated that the chart was produced in 2016. Tom said that the model was generated mostly to predict a 100 year flood event. Tom said that SEWRPC is gearing up for the survey and hopes the water level continues to decline. Dean Falkner said that the vegetation in the river has changed dramatically from last year and wondered if the model addressed this fact. Tom said that the model included variables that would change the drag or friction on the water flow and that could compensate for the changes in vegetation. Dean Falkner asked Tom if he wanted any of the water test data he has been collecting and Tom asked Dean to continue to collect his data. Tom also pointed out an interesting phenomenon, during the flooding that occurred this last spring the dissolved oxygen in the water fell to extremely low levels of about .1 to .2 mg/liter, but he had not heard of any fish kills as a result of the low oxygen levels.

- h) Parking Lot and sidewalk Salting Workshop: Jayne Jenks Jayne was not present to make a report. Alan Barrows said that he had a copy of a draft flyer, which he passed around that had been generated by Jayne Jenks. The flyer advertised the workshop to be held at the Veterans Terrace in Burlington on 10/23/17 running from 9:00 AM to 2:00 PM.

New Business

- a) How do we handle interpretations of Wisconsin State Statutes regarding: Katelyn Bratz said that the state statutes directly contradict itself regarding whether we have to pay for publishing our budget and announcement of our annual public hearing. So the recommendation is to continue paying for the publications just to be safe.
- b) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Dean Falkner said that they have a meeting with the subcommittee on 9/18/17 at the WDNR facility in Waukesha. Dean said that they have compiled information from Mukwonago and from the WWMD's website to present at that meeting. Alan Barrows asked Dean if he could summarize what the 9-Key Element Plan is all about and why we are pursuing it. Essentially Dean said that we are trying to develop a 9-Key Elements Plan so that we can have access to federal 319D grant funds, which are only awarded to organizations which have a 9-Key Elements Plan in effect. These funds can be used in conjunction with our state grant funds to accomplish projects within our area of jurisdiction. Dean pointed out that with the help of Mike Schwar he identified a site at a Waukesha park where it would take about \$250,000 to eliminate the problem and we just don't have that kind of money available through the state grant funds we normally receive. But with 319D funds in addition to our state grants, we would have the ability to do projects of this magnitude. Dean also said that if we fixed two

known erosion sites upstream of where the Mukwonago River joins the Fox River that stretch of the river would likely be in compliance regarding phosphorus. In its simplest description the plan involved identifying all problem areas within a watershed, identifying the person or organization that will be responsible for fixing the problem area with ongoing monitoring of the progress made to fix these problems and maintain them after the work has been completed. The biggest challenge is to get buy in from the persons, organizations, municipalities and counties to be responsible for doing and maintaining the work that needs to be done. These problems most commonly would be erosion control, streambank stabilization, water runoff control, dredging and possibly phosphorus monitoring and reduction. Alan Barrows then asked what is the timeframe for developing the plan. Dean said that there is no time line at this point. In order for them to apply for grant funds for development of the plan they must figure out a budget which they intend to do. Chad Sampson pointed out there is a deadline of December 15 for applying for plan development grants and Dean said he was aware of the deadline but he didn't know when we would be ready. The area that Dean is proposing for the 9-Key Elements Plan would run from Waukesha's Fox River Park to the dam in Waterford. Wayne Jensen pointed out that a description and explanation of the 9-Key Elements Plan is available on the WDNR website.

- c) Consideration of expanding our jurisdiction west to include Mukwonago River Watershed: Jim Pindel stated that he received an email from Tom Day saying that he could not make our meeting today. The email also said that he did the water sampling on 7/31/17, but he does not have the results or the costs yet. Tom said that two of the sites, Beulah Road and CTH I are within our area of jurisdiction and as we indicated at our last meeting he will ask us to cover the costs associated with these 2 locations. This will require a motion and vote by the commission.
- d) Proposed modifications to the Cost Share Agreement and to the Construction and Planting Certification. Jim Pindel stated that he made the changes that we agreed upon at our last meeting and sent an email with the modified documents attached to all the commissioners.
- e) Birch Lane Shoreline Protection Project – Chad Sampson Chad made a Power Point presentation starting with an aerial view showing that the location of this project is near the SHW 164 ravine projects we did last year. Chad said that the property owner Joe Stevens approached him last spring with his concerns. There are 2 toe walls along the shoreline which are failing, one is wooden and the other is cement. The property owner wants to prevent his soil from washing down into Tichigan Lake. Chad showed slides that showed the present condition of the shoreline and said they would like to go with a rock riprap strip about 1 foot above the normal high water mark along the shore with native vegetation planted behind it. Chad said that the property is quite steep presenting a bit of a problem with installation. Chad said that he expected the cost to be around \$10,000, but he received two bids and the cost comes down to \$25,000. Chad said the land owner was willing to share in the cost of about ½ of the \$10,000 estimate but now that

the price more than doubled, he probably couldn't afford the project. Jim Pindel asked Chad exactly how much money he was looking for from the commission saying that there is \$8,000 of grant funds and \$10,000 of Racine County allocation available. Chad said that he intended to use some of the county allocation toward the SEWRPC survey. Jim Pindel responded by saying applying the allocation to the survey would free up some grant money. We ended up by saying that Chad and Jim Pindel need to talk after the meeting to decide how to distribute the allocation and see how much money is available for this project. Jim Pindel pointed out that the commission decided some time ago to hold off on voting on acceptance of a project until the next meeting whenever possible. So it was decided to wait until our September meeting to review that project acceptance criteria and vote on funding the project.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Jeff Lang said clearly Joe Miller is not present today. Jeff said that he has been made aware of the fact that a girl, whom we will call Ms. Foster for now, has made it her project to study water quality in the Fox River chain of lakes in Illinois. Jeff said that she would probably want to attend one of our meetings and possibly make a presentation or at least be introduced to the commission. Jeff felt that this would be an educational and a public relation opportunity for the commission. Jeff said that he would email Jim Pindel with Ms. Foster's name so he could put her on the agenda. Jeff asked Tom Slawski to put her on the mailing list for the next Fox River Summit were she might get more data to help her.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Chad Sampson said that someone from the WDNR called him and asked about water quality training with an eye on checking the water quality of the water being returned back to Lake Michigan. Apparently this person wants to bring back some information for the City of Waukesha. This person is concerned that the discharge water will not meet the limits for phosphorus and so would be looking to Racine County to implement other phosphorus elimination projects to compensate for the phosphorus they might be sending down the Rock River.
- c) Progress toward designation as a "National Water Trail" – Village of Waterford. Don Houston said that Barbara Messick has been contacting municipalities along the river to collect data needed for the project. Jim Pindel pointed out that he forwarded an update on the progress of the Water Trail to all the commissioners from Barbara Messick on 8/3/17.
- d) SEWFRC Website – Al Sikora was not present and no one had any comments.

Correspondence –

- a. 7/24/17 Email from Jim Pindel to mark your calendars for today's meeting.
- b. 7/31/17 Email from Jim Pindel with attachments of revised Cost Share Agreement and Construction and Planting Certificate.
- c. 8/03/17 & 8/08/17 Multiple emails started by Luke Roffler (WDNR) concerning Fox River water temperature data. Comments by Dean Falkner, Tom Slawski and Jayne Jenks.
- d. 8/03/17 Forward of an email from Barbara Messick with an update on the National Water Trail.

Miscellaneous Issues –

Earlier in the meeting Francis Stadler referencing a newspaper article concerning a possible drawdown of Little Muskego Lake over the winter to hopefully freeze out and kill the starry stone wort (SSW) which has infested the lake. Francis expressed some concern with the fact that the SSW could go down into Wind Lake then through the Rochester channel and into the Fox River. None of us being involved hope that the WDNR and the Little Muskego Lake people will take measures to prevent the SSW from escaping out of Little Muskego Lake. Francis also raised concern about the new volume of water being diverted into the Fox River and what the consequences might be downstream.

Chad Sampson asked if anyone had heard anything about funding for the commission in the new state budget. Sara DeBruijn said that the budget had not even gotten to the joint finance committee yet. So it probably will be a while before we know how we stand.

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

Meeting Closed at 2:31 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,
September 22, 2017 at 1:00 PM.** (Meeting Location: Town of
Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend,
WI 53103.)