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Southeastern Wisconsin Fox River Commission Meeting Minutes

Friday, December, 9 2022- 1:00 PM

Town of Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI 53103

Commissioners and (alternates)		
Representing	Name	Attended (yes/no, by phone)
Kenosha County	Andy Buehler Mark Jenks (non-voting)	Yes
Racine County	Chad Sampson (Jon Grove)	Yes
Waukesha County	Alan Barrows (Leif Hauge)	Yes
City of Waukesha	Robins Grams (Doug Koehler)	
Town of Mukwonago	Katelyn Bratz (Barb Holtz)	
Town of Vernon	Lee Manthey	Yes
Town of Waterford	Jim Pindel (Shelley Tessmer)	Yes
Town of Waukesha	Ken Miller	
Village of Big Bend	Kayla Rush	
Village of Mukwonago	Wayne Castle	
Village of Waterford	Fred Koeller (Al Sikora)	
Village of Rochester	Wayne Jensen	Yes
Town of Burlington	Russ Egan	Yes
City of Burlington	Donny Hefty	
Town of Wheatland		
Village of Salem Lakes	Bill Hopkins	
SEWRPC	Tom Slawski (non-voting)	Yes
WDNR	Sara DeBruijn (non-voting)	
WDNR	Rachel Sabre (non-voting)	

Guests	
Representing	Name
WWMD	Grant Horn
WWMD	Greg Horeth

FOTH	Tom Ludwig
SEWRPC	Laura Herrick
RES	Ry Thompson
RES	Erin Delowalla
RES	Tyler Schwartz

Southeastern Wisconsin Fox River Commission Meeting

1. Alan Barrows called the meeting to order at 1:05 pm.
2. Pledge of allegiance
3. Roll call and verify quorum-We did not meet quorum
4. Confirm the audio recorder is running
5. Approval of minutes from the previous meeting held September 23, 2022.
 - a. Since we did not meet quorum, it was decided to defer approval of minutes from the previous meetings held October 28, and December 9, 2022, at the next regularly scheduled meeting.
6. Review the Treasurer's Report.
 - a. Since we did not meet quorum, it was decided to defer approval of the Treasurers Report from the previous meetings held October 28, and December 9, 2022, at the next regularly scheduled meeting.

Old Business

7. Fox River 2023 Summit – Tom Slawski
 - a. Tom submitted paperwork to Wayne on Form #8700_002 for final reimbursement of \$4,200.36 for the 2022 Fox River Summit. Tom then made a request for the SEWFRC to fund the 2023 Fox River Summit up to \$5,500 which was the same amount as last year. However, the Commission deferred to vote on this request until the next meeting when we had quorum.
8. Report on Fox River Park Project – Alan Barrows
 - a. The contractor mobilized about two weeks ago and the project is under construction right now.
 - b. Some funding expires by the end of the year, so it's a push to get it done, and that is expected to be accomplished in time.
 - c. There was a 3-4 week delay in working out some cultural resources issues on this site that were resolved working with at State Archeologist to get those cleared off the site.
9. WWMD Project-Grant Horn
 - a. Submitted documents for reimbursement.
10. Solberg Slope Stabilization- Chad Sampson
 - a. Planned for summer 2023 construction.
 - b. Plan use of native plantings and envirolock management practices in

this design.

11. Ogden Slope and Shoreline Stabilization- Chad Sampson
 - a. Shoreline and grade stabilization structure.
 - b. Planned for summer 2023 construction.

New Business

12. Report on activities of the work being done by Foth and RES
 - a. RCPP Grant
 - i. RES had good meeting with NRCS and in-depth feedback from NRCS on the grant application that was rejected last summer 2022.
 - ii. Highlighted concerns mostly related to capacity and ability to manage the program. Primarily the ability to manage contracts and full design phase for proposed projects. Who would pull the easements and matching fund requirements were not adequately addressed in the application.
 - iii. How can we improve application going forward?
 1. Selecting a more refined (smaller) area of the watershed or more targeted focus area.
 2. Focus on fewer conservation practices on willing private farmers lands, because they were concerned about having too many types of best management practices in the application.
 3. Funding match-we used large public works projects (e.g., dredging, dam removal) as our match in the grant, and NRCS felt like those projects would be happening anyway. So, these were not considered good matching dollars. They want to see more cash match than project match.
 - iv. SEWFRC does not have a lot of dollars in the bank to use as cash match. So, going forward, should we re-apply for a more refined RCPP grant in 2023 or wait another year until we can determine a better or more appropriate cash match that NRCS is looking for? SEWFRC as the sponsor of the RCPP grant does not currently have the capacity to implement such a grant.
 - v. Perhaps one or more counties should be the sponsor for such an RCPP grant? Would they be willing? Is there enough staff to implement that? They have the experience.
 - vi. What is next step? Want to lay foundation to submit second round RCPP grant. Identify key partners to help with fundraising, (i.e., non-profit conservation fund, land trust, TNC, and others) or look to municipalities to put up capital as match in this grant, need to put this together in time for the next grant application.
 - vii. Easements-who holds easement? long-term maintenance-classic path NRCS hold easements or sponsor holds easements. RES

thought that they could hold the easements originally, on behalf of SEWFRC, but due to the way NRCS funds are reimbursed this is not possible. If NRCS holds the easements that does not provide funding for long-term maintenance. There are a lot of benefits going the alternative route (i.e., going outside the classic NRCS path) private entity-puts more challenge on the sponsor, but those need a pot of funding match to support the easement purchase and long-term management.

- viii. No RCPP funds can be used on the mainstem of the Fox River, but tributaries are eligible. So, we need new priority areas amongst the tributaries in the next application.
- ix. April 2023 might be the next RCPP grant due date.
- x. Stream bank versus on-field practices, need projects identified. And riparian owners need to be identified.
- xi. We know the worst loading subwatershed areas in the Fox River watershed such as the Wind Lake Drainage Canal, which would require a combination of on-field and in-stream restoration practices (e.g., need to reconstruct stream/flooding bench, remeandering, riparian buffers, wetland restoration, etc.)
- xii. NRCS wants a clear concise targeted project and one that can show change or improvement upon implementation of proposed practices. We need a project with a strong narrative and the Wind Lake Drainage Canal project may be a good candidate project. However, some of these areas are outside of SEWRPC jurisdictional boundary, but SEWRPC can expand its boundaries to include this area or establish partnerships with entities outside. RES was going to contact the Norway/Dover Drainage District to discuss potential for collaboration on a Wind Lake Drainage Canal project.
 - 1. POINT OF CLARIFICATION-Formation of SEWFRC is based on Section 33.57(5) of the Wisconsin State Statutes was based on general purpose units of government forming the Commission. That said, there is nothing in the law that would prohibit entering into Section 66.0301 formal or other informal cooperative agreements with general or special purpose units of government such as the WWMD, Wind Lake District or any of the Ch 88 drainage districts. They would not have representation on the SEWFRC Commission but as interested parties they could attend meetings and comment either during public comments or on specific agenda items. And SEWFRC could enter into joint projects, etc., as these districts are within their overall boundary.
- xiii. We also need to address match and who holds the contracts in the next application.
- xiv. Instead of expanding boundaries it may be better to submit a

multiple partnered application inclusive of areas inside and outside SEWFRC boundaries. Or there are perhaps better grants to accomplish this than RCPP?

- xv. The current agreement/contact between SEWFRC and RES/FOTH includes completing and submitting 4-6 grant applications and so far RES/FOTH have submitted only 1 grant application to date. They are committed to fulfilling the remaining grant applications over the next year to fulfill this and the other portions of the agreement.
- b. NAWCA grant
 - i. Unfortunately, Brian Glenzinski, Wisconsin Biologist-Ducks Unlimited, was not able to attend the meeting and we will try to reschedule to a future meeting.
 - ii. RES did not submit a NAWCA grant on SEWFRC's behalf in 2022, because DU already had a grant that covered Racine and Kenosha County areas within the Fox River watershed.
 - iii. Chad noted that Racine County has collaborated with DU on many projects and is a good potential to collaborate with and they are very knowledgeable.
 - iv. Once we learn more about DU's current NAWCA grant will determine how to proceed in future, however this focuses on wetland restoration and SEWFRC would have to determine if that was a primary focus versus other BMPs.
- c. Federal Highway Administration (FHA) Protect Program Grant
 - i. Laura Herrick, Chief Engineer-SEWRPC, presented on the Flooding Summary of the entire watershed conducted as part of the Fox River Watershed Hazard Mitigation Plan Update. Laura's presentation is attached hereto.
 - ii. Tom Ludwig summarized the PROTECT grant and discussed SEWRPC's potential more comprehensive Infrastructure Project ideas on the Fox River-projects for funding in an email to the Commission on 11/28/2022, (see correspondence below). This project proposes to improve flood resiliency and water quality within the mainstem of the Fox River from Hwy 83/50 to CTH-W in Kenosha County.
 - iii. Andy Buehler confirmed that the County and other public entities own nearly all land landowners
 - iv. Tom Ludwig thinks that this proposed project would be an excellent candidate for the PROTECT funds, particularly after seeing Laura's presentation that identified flooding issues on the Fox River at Hwy 83/50.
 - v. This FHA funding is a 5-year program, so it is unclear how it would be implemented in steps through construction.
 - vi. Andy agrees that this proposal is consistent with what Kenosha County have been trying to do for years, including the buyout program, reduced flooding, and infrastructure protection. They are very interested in helping to pursue one or more of the

- elements identified in SEWRPC's proposal.
- vii. The Kenosha County Executive is also interested in pursuing one or more of the elements identified in this proposed project.
 - viii. Kenosha County has removed about 120 structures out of the floodway since 1995. The Village of Salem Lakes and Town of Wheatland own about 10% of lands in the floodway and Kenosha County owns the other 90 % within the proposed project area. The Village and Town are willing partners, and this proposed project would be the ultimate restoration and turning areas into park and plan use as well.
 - ix. WDNR has discussed cutting the stream through the peninsula adjacent to state owned lands in years past and are open to helping fixing flooding and erosion problems in this section of the River.
 - x. Key parcels could be purchased to get more flood storage in this project area.
 - xi. Andy said that there are still 70 structures left in the floodplain that get flooded periodically within this area.
 - xii. Tom has contacts and wanted to know if they should begin/proceed lobbying efforts—need more details with Commission's permission to pursue this. Especially given Laura's presentation and some preliminary modeling.
 - xiii. It was decided that FOTH was going to do some preliminary modelling and make some enquiries and try to figure out a better sense of project success and report back at the next SEWFRC meeting in January.
- d. Story Map Outline
- i. RES is supporting the mapping and GIS elements regarding project locations and priority projects.
 - ii. The outline is still work in progress and is an online interactive mapping tool designed to tell a story about what SEWFRC is trying to do and to facilitate outreach and encourage new partners to join our efforts.
 - iii. RES is working with SEWRPC to determine if they can host the arcgis online story map on their website on behalf of SEWFRC, including licensing issues.
 - iv. Who will update/edit the story map in the future after this is established by RES?
 - v. RES requests photos and video from all Commissioners to help build the narrative and graphics.
- e. Long Term Finance Framework outline
- i. This is a draft and roadmap moving forward including various strategies and a long list of grants opportunities.
 - ii. Goal is to build momentum to build strong partnerships and match funding to implement projects in the future.
 - iii. Looking for comments and feedback on the draft document
 - iv. Requested that SEWFRC help with section 6.1 and conduct a

survey on where each of the communities stand concerning phosphorus compliance. RES requested putting together a short survey to determine how much money is going into water quality projects to help with cost-share match on future water quality trading grants.

13. 2021 – 2030 SEWFRC Implementation Plan – Tom Slawski & Alan Barrows
 - a. No Update
14. Review and discussion of all projects on the Enum- 24 Waitlist
 - a. No discussion

Reports and Updates

15. SEWRPC Survey from Waterford Dam to Illinois border-Tom Slawski
 - a. No Update
16. Report on activities of Fox Waterway Agency of Illinois – FWA or Tom Slawski
 - a. No Update
17. Report on future of the Echo Lake Dam in Burlington-Donny Hefty
 - i. Advisory referendum was passed to keep the dam and they voted to approve restoration of the dam.
18. Report on Fox River Watershed TMDL progress – Rachel Sabre
 - a. No Update
19. Report on the Fox Watershed Mitigation Plan- Tom Slawski
 - a. Note Laura Herrick’s presentation as summarized above and attached.
20. Watershed Protection Committee of Racine County- Chad Sampson
 - a. Farmers did receive DATCP funding (about \$30,000) for year 2023.
 - b. Winter Workshop
 - i. Feb 10 at Cotton Exchange
 - ii. Keynote- David Brandt of Iowa will speak on farm soil health no till cover crops, share his story and answer questions.
 - c. Andy announced new Regenerative Producer Group in Kenosha County
21. SEWFRC Website – Al Sikora or Alan Barrows
 - a. No update.

Correspondence

1. 12/9/2022, Tome Slawski, email-FW: email-RES/ - Draft Long-term Capital and Financial plan framework document
2. 11/28/2022, Tom Slawski, email-Infrastructure Project Funding & Ideas on the Fox River-for discussion at our next SEWFRC mtg
3. 11/17/2022, Tom Slawski, email-FW: Fox River Study Group Draft 2022 Implementation Plan
4. 11/15/2022, Tom Slawski, email-FW: FF!WT Application has been submitted!

5. 11/15/2022, Tom Slawski, email-FW: RES/Foth Update Meeting - Draft Story Map & Financial plan documents
6. 10/27/2022, Katelyn Bratz, email-Fwd: September Meeting Minutes
7. 10/27/2022, Tom Slawski, email-FW: Cloud Recording & Documents - SEWFRC - RES / FOTH Update Meeting is now available
8. 10/19/2022, Tom Slawski, email-FW: NEWS RELEASE: New Interactive PFAS Data Tool Available
9. 10/18/2022, Tom Slawski, email-FW: RES-Foth SEWFRC Project Update - DOODLE POLL

Miscellaneous Issues

1. Next Meeting and Location
 - a. January 20th 1:00pm
 - b. Town of Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI 53101
2. Close Meeting
 - a. Alan Barrows ended the meeting without motion or voting to adjourn the meeting.

* If you have any question about the Agenda, please call Secretary Tom Slawski at tslawski@sewrpc.org or (262) 953-3263.

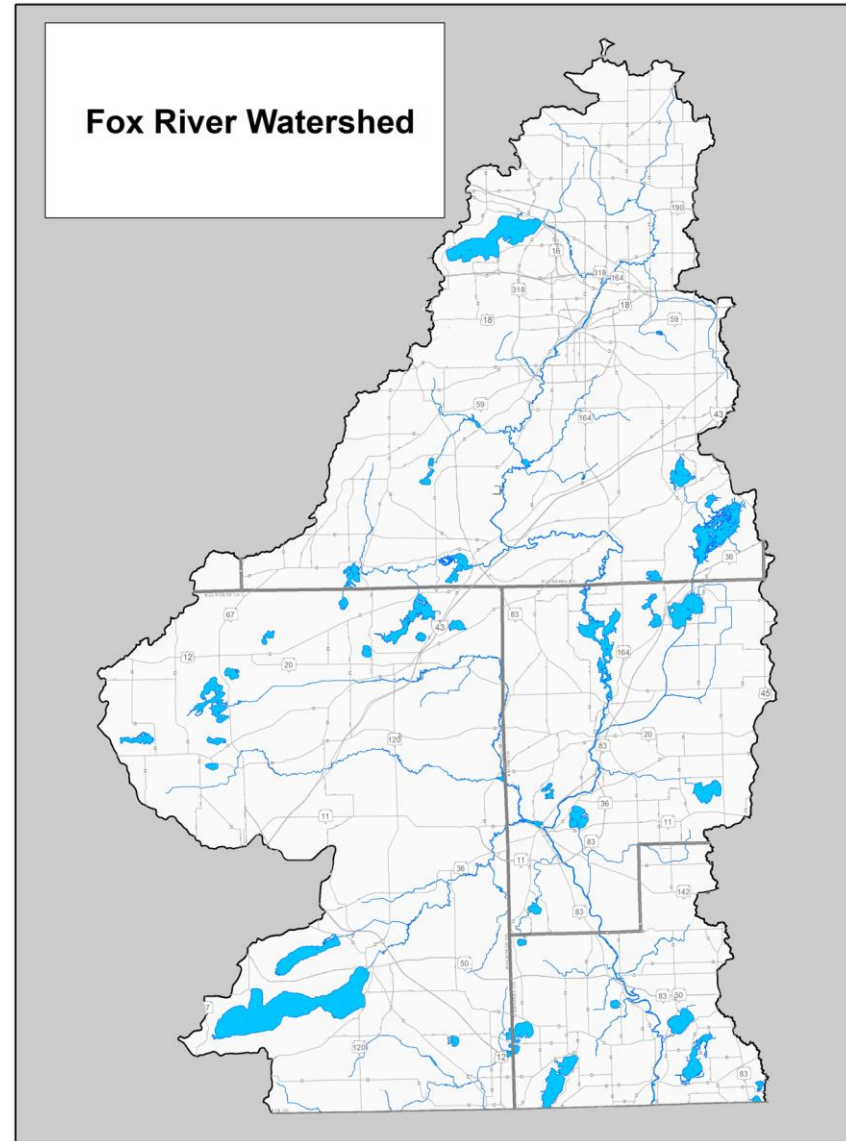
Southeastern Wisconsin **Regional Planning Commission**



Fox River Regional Watershed Mitigation Plan

Overview to SEWFRC
December 9, 2022

- **Scope Overview**
- Flooding Concerns
- Project Ideas



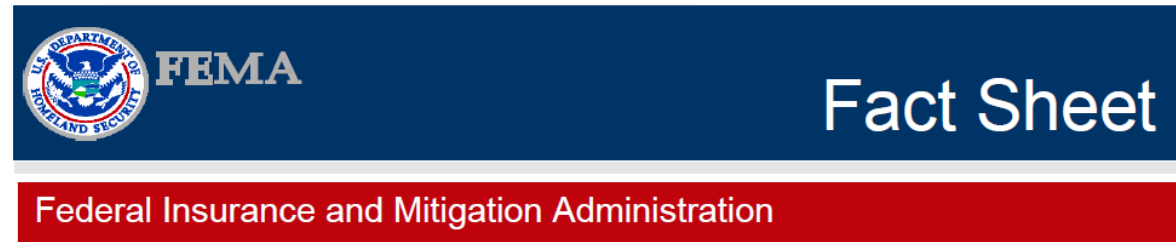
●●●●● Scope Overview

2017 Burlington flood

Racine Co. property damages totalled \$23.8M



- Planning effort – develop mitigation projects for future implementation
- 2 Year Effort – ending October 2023



FY 2019 Pre-Disaster Mitigation (PDM) Grant Program

As appropriated by the Consolidated Appropriations Act, 2019 (Proper Public Law 116-6); the Fiscal Year (FY) 2019 Pre-Disaster Mitigation (PDM) grant program provides resources to assist states, tribal governments, territories and local communities in their efforts to implement a sustained pre-disaster natural hazard mitigation program, as authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended (42 U.S.C. 5133).

The 2015 Hazard Mitigation Assistance (HMA) Guidance applies to the FY 2019 PDM grant program application cycle. Applicants are encouraged to review the Notice of Funding Opportunity announcement and the HMA Guidance for detailed information regarding eligibility and to contact their FEMA Regional Office for additional information.

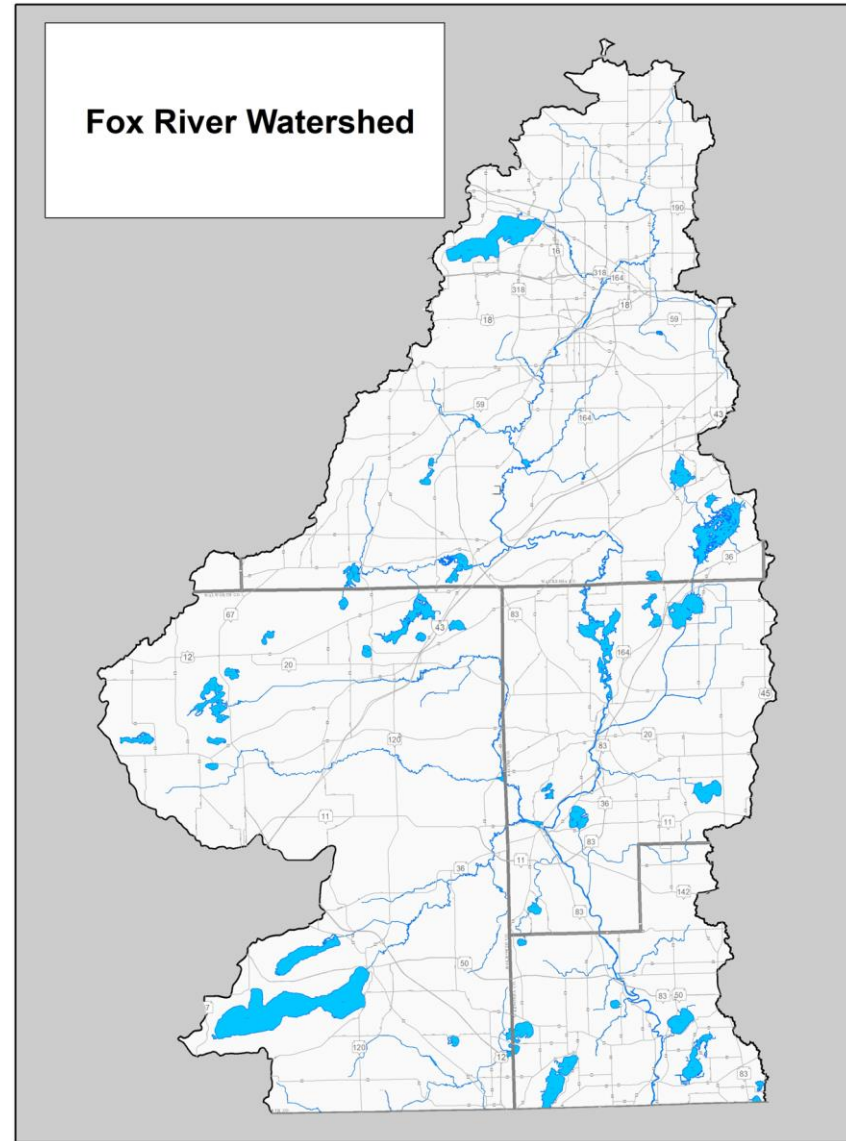
In Fiscal Year 2019, \$250 million is available to assist state, tribal, territorial and local governments in reducing overall risk to the population and structures from future hazard events, while also reducing reliance on federal funding from future disasters.



1. Coordinate flood hazard mitigation for the watershed
2. Improve flood risk assessment and flood forecast warning
3. Promote a regional effort to protect communities and infrastructure from flooding and droughts
4. Develop a prioritized plan for long term resilience
5. Identify potential funding sources



- Scope Overview
- **Flooding Concerns**
- Project Ideas





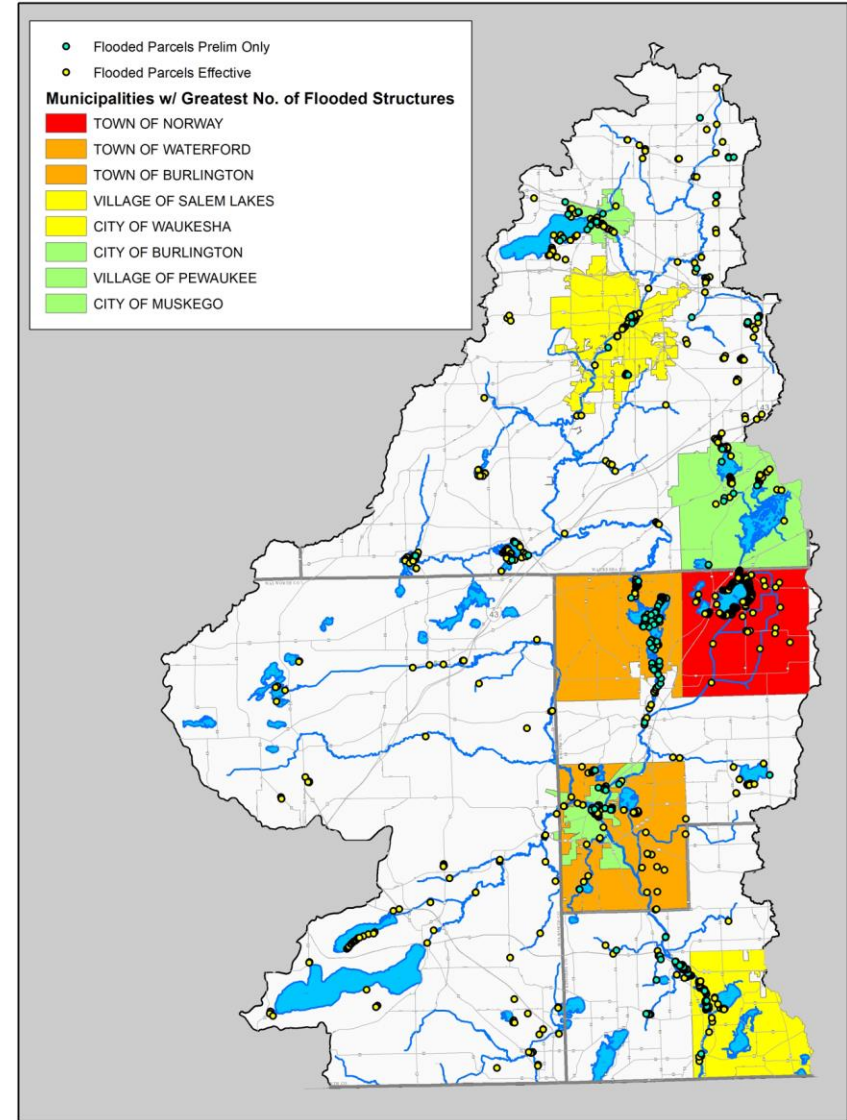
Structures Mapped in the Floodplain

Totals by County

	Effective
Walworth	109
Waukesha	420
Kenosha	107
Racine	523
Total	1159

Top 10 Communities (sorted by structures in effective floodplain)

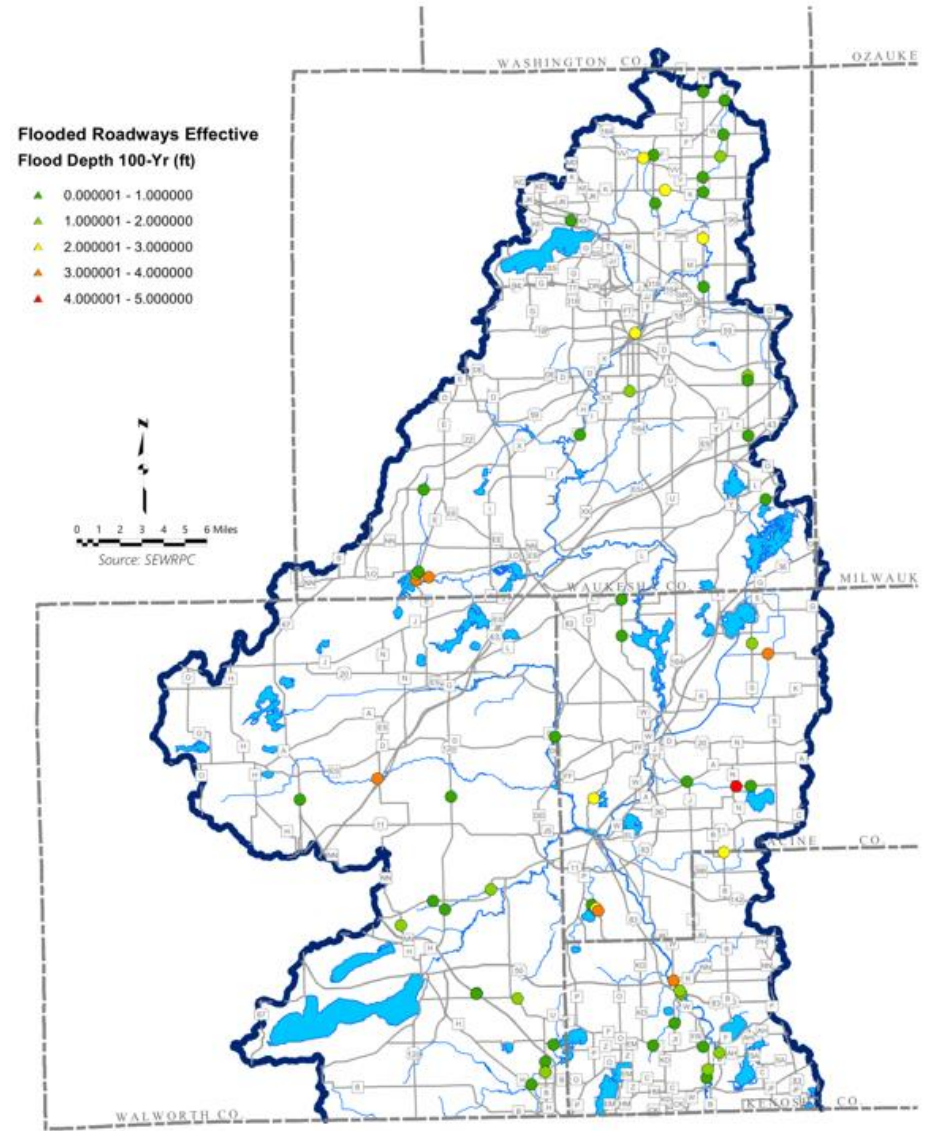
County	Municipality	Structures in Effective FP
Town of Norway	Racine	289
Town of Burlington	Racine	99
City of Waukesha	Waukesha	77
Village of Salem Lakes	Kenosha	70
City of Muskego	Waukesha	56
Village of Pewaukee	Waukesha	55
City of Burlington	Racine	54
Town of Mukwonago	Waukesha	47
City of Pewaukee	Waukesha	43
Town of Waterford	Racine	42



Flooded Major Roadways

- Effective floodplains
 - 33 in Waukesha County
 - 12 in Racine County
 - 10 in Kenosha County
 - 15 in Walworth County

Map 3.x
Major Roadway Flooding Locations-Effective 1-Percent-Annual- Probability Floodplain
in the Fox River Watershed

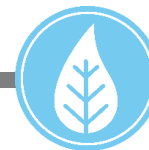


➤ 224 DOT Maintained Bridges/Culverts Over Streams in Fox River Watershed

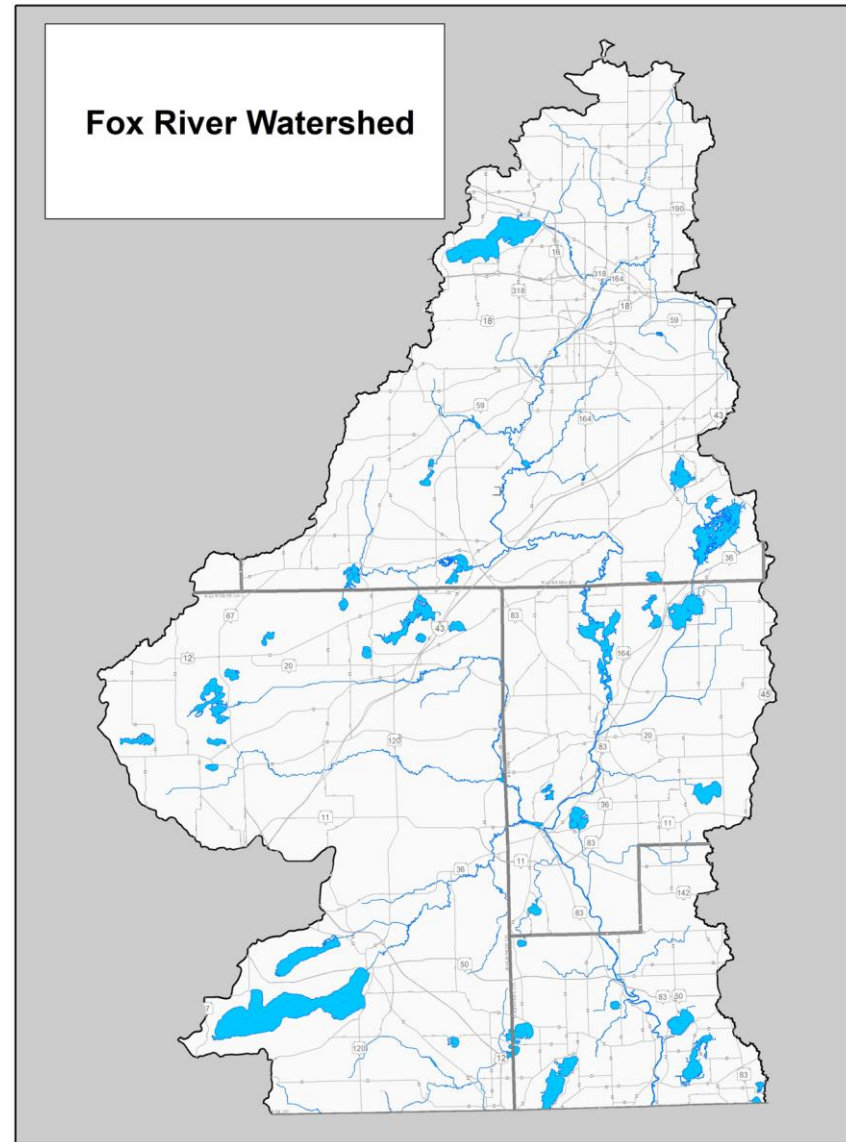
- 159 Bridges
- 65 Culverts
- Median Structure Construction Year: 1984
- **10** out of 159 bridge superstructures rated poor or worse
- **5** out of 65 culverts rated poor or worse

➤ 20 DOT Maintained Stream Crossings Flooded by 1% Flood

- **2** out of 20 rated poor or worse
- CTH XX over Pebble Creek (Village of Waukesha) and CTH JJ over Pewaukee Lake Tributary (City of Pewaukee)



- Scope Overview
- Flooding Concerns
- **Project Ideas**



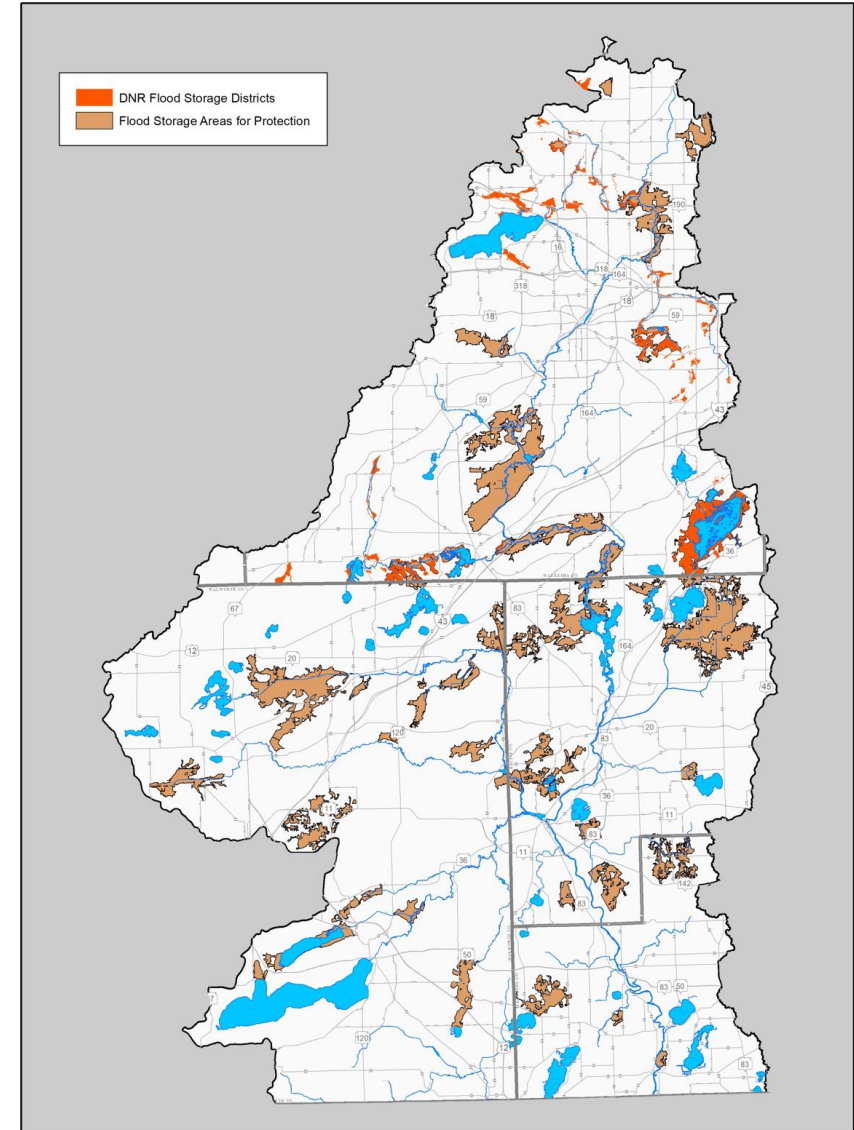
Flood Storage Areas for Protection from Development

➤ Flood Storage Areas Identified Using

- FEMA Floodplains
- Existing Wetlands
- TNC Wetlands by Design/Potentially Restorable Wetlands

➤ Existing Flood Storage Districts

- Waukesha County Only
- Existing Protection from Development



Flooded Roadways

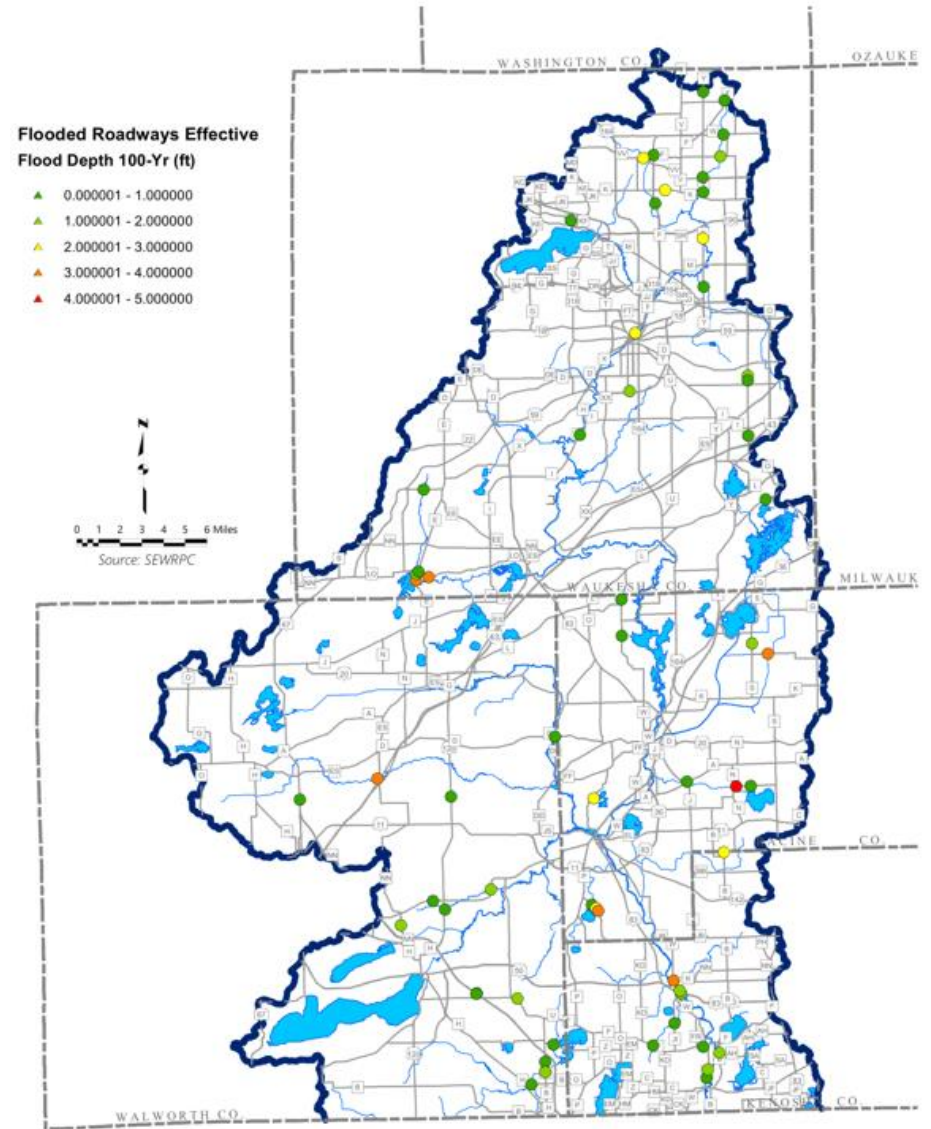
➤ Structural Updates

- Raise roadway elevations
- Upsize culverts and bridge openings
- Avoid raising upstream or downstream base flood levels

➤ Emergency Preparedness

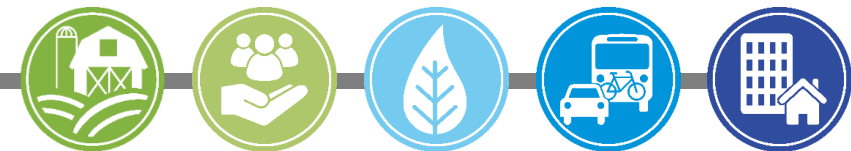
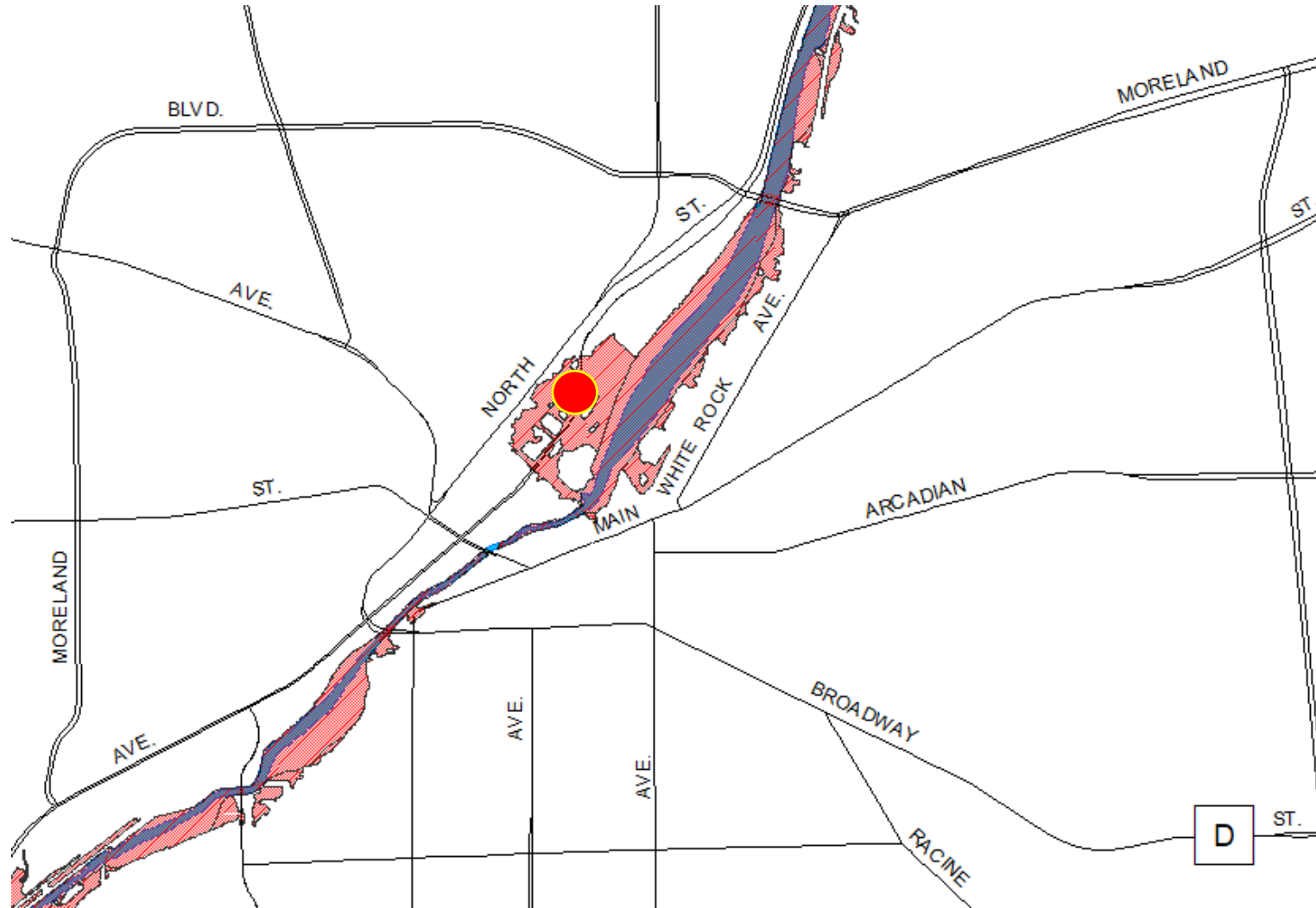
- Map emergency traffic routes
- Plan roadway closure procedures

Map 3.x
Major Roadway Flooding Locations-Effective 1-Percent-Annual- Probability Floodplain
in the Fox River Watershed



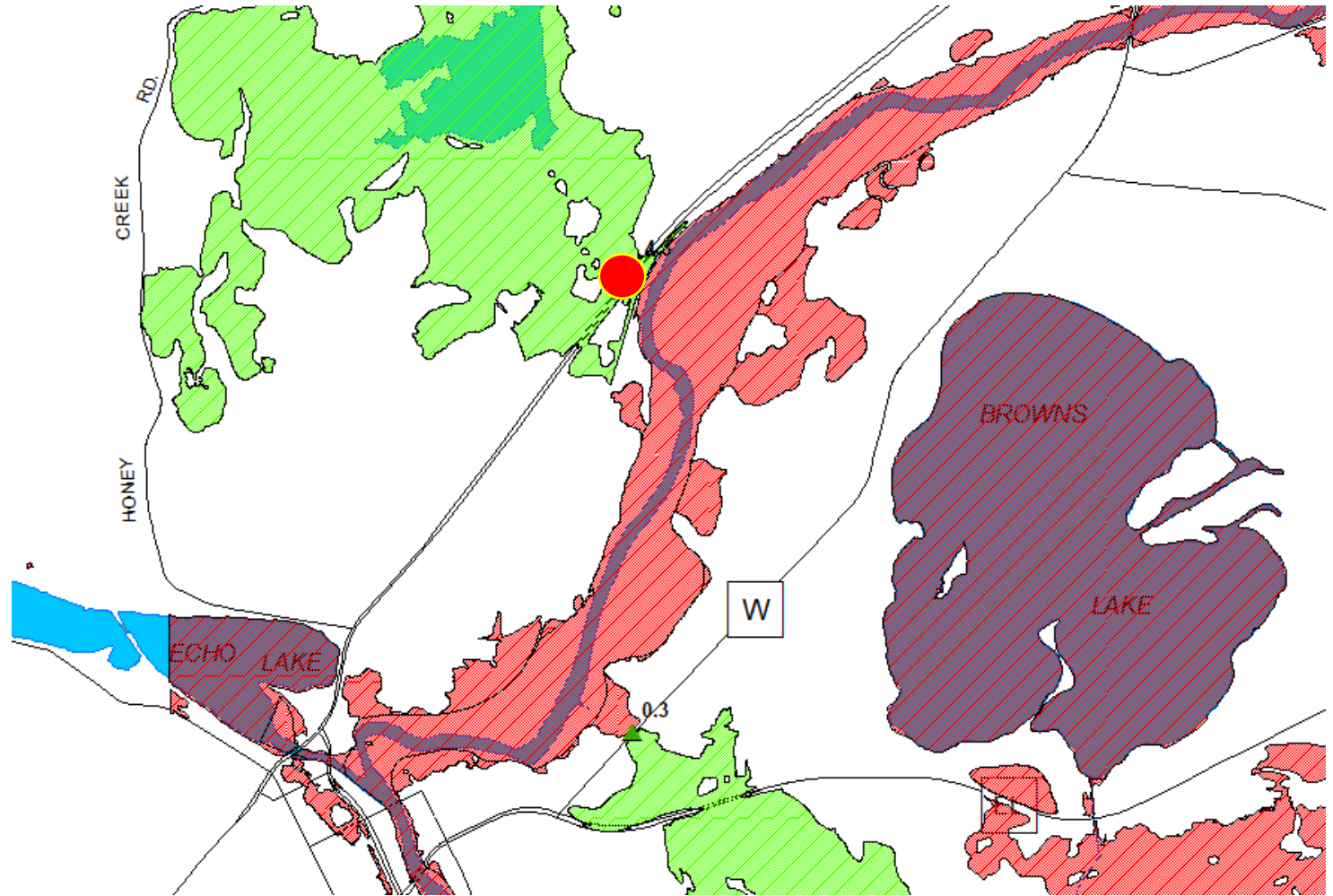
Flooded Roadway Examples – Fox River mainstem

- Location: City of Waukesha on E. Saint Paul Ave., adjacent to the Fox River
- Preliminary detailed study 100-year floodplain predicts **E. Saint Paul Ave.** would overtop by 2.3 ft at this location
- Highly developed commercial and residential area



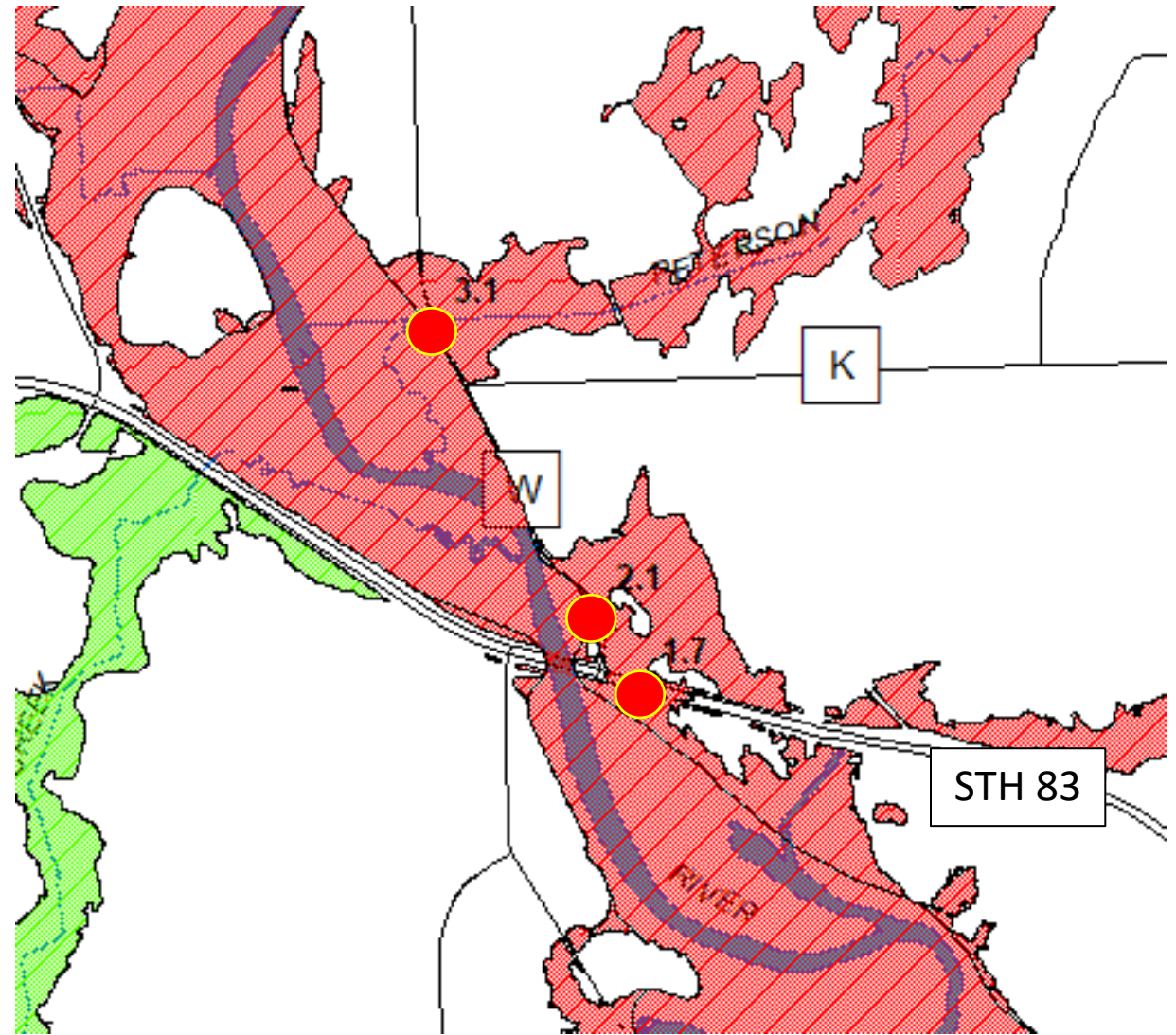
Flooded Roadway Examples – Fox River mainstem

- Location: Northeast of downtown City of Burlington on Milwaukee Ave., adjacent to the Fox River
- Preliminary Zone A 100-year floodplain predicts **Milwaukee Ave.** would overtop by 4.3 ft at this location
- Several commercial structures nearby



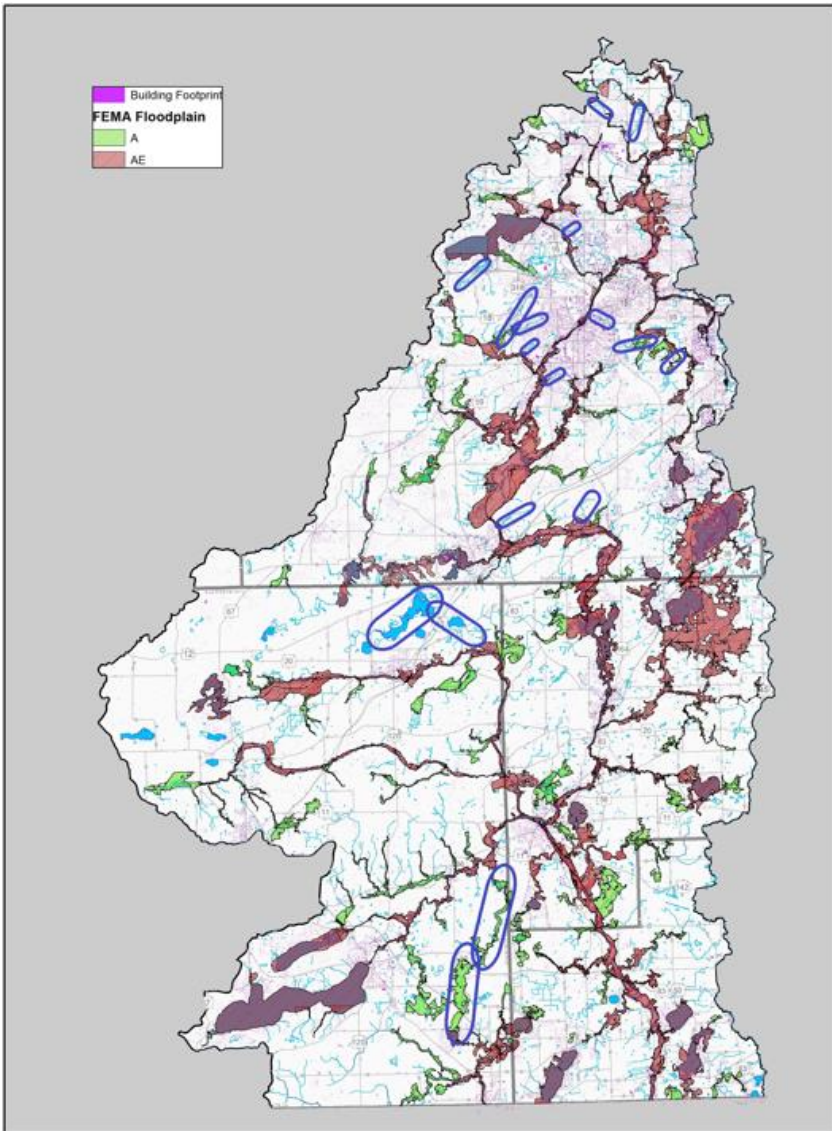
Flooded Roadway Examples – Fox River mainstem

- 3 locations in Village of Salem Lakes along the Fox River
- Based on preliminary detailed study of 100-year floodplain
- Crossing of **CR W** and Peterson Creek
 - Expected to overtop 3.1 ft
- CR W adjacent to Fox River
 - Expected to overtop 2.1 ft
- Crossing **STH 83** and Fox River
 - Expected to overtop 1.7 ft



Additional Streams for Detailed Flood Study

- FEMA Effective and Preliminary Floodplain
- Building Footprint For Current Development Visualization
- Additional Streams Identified for Potential Detailed Flood Study



Additional Stream Gages

➤ NOAA NWS

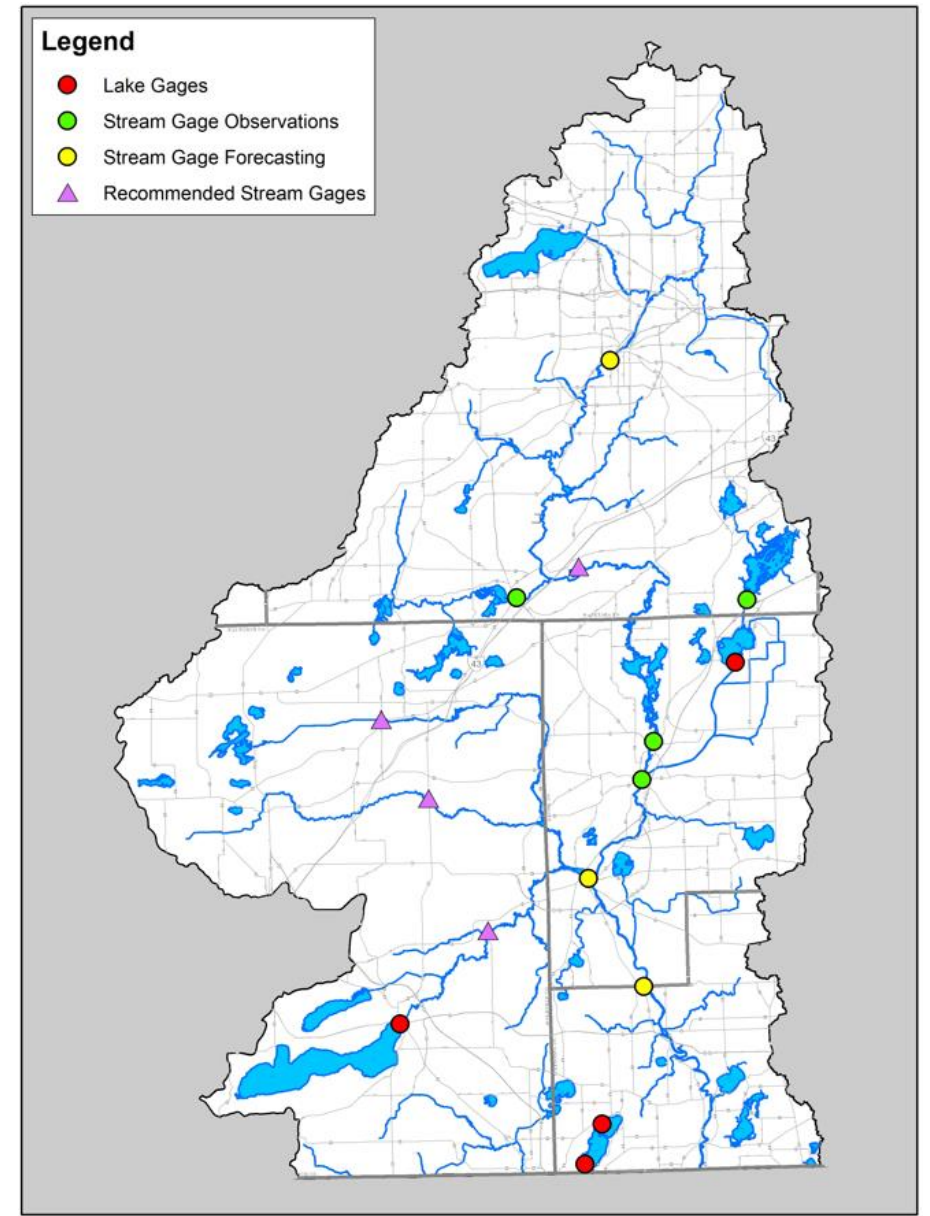
- Stream Observation and Forecasting Stations
- About: <https://www.weather.gov/mkx/FoxRiverFIM>
- <https://water.weather.gov/ahps2/index.php?wfo=MKX>

➤ USGS

- Lake and Stream Observation Stations
- <https://dashboard.waterdata.usgs.gov/>

➤ Four new stream gage locations recommended

- Fox River mainstem (2 miles downstream of Mukwonago River confluence)
- Honey Creek
- Sugar Creek
- White River



Additional Rain Gages

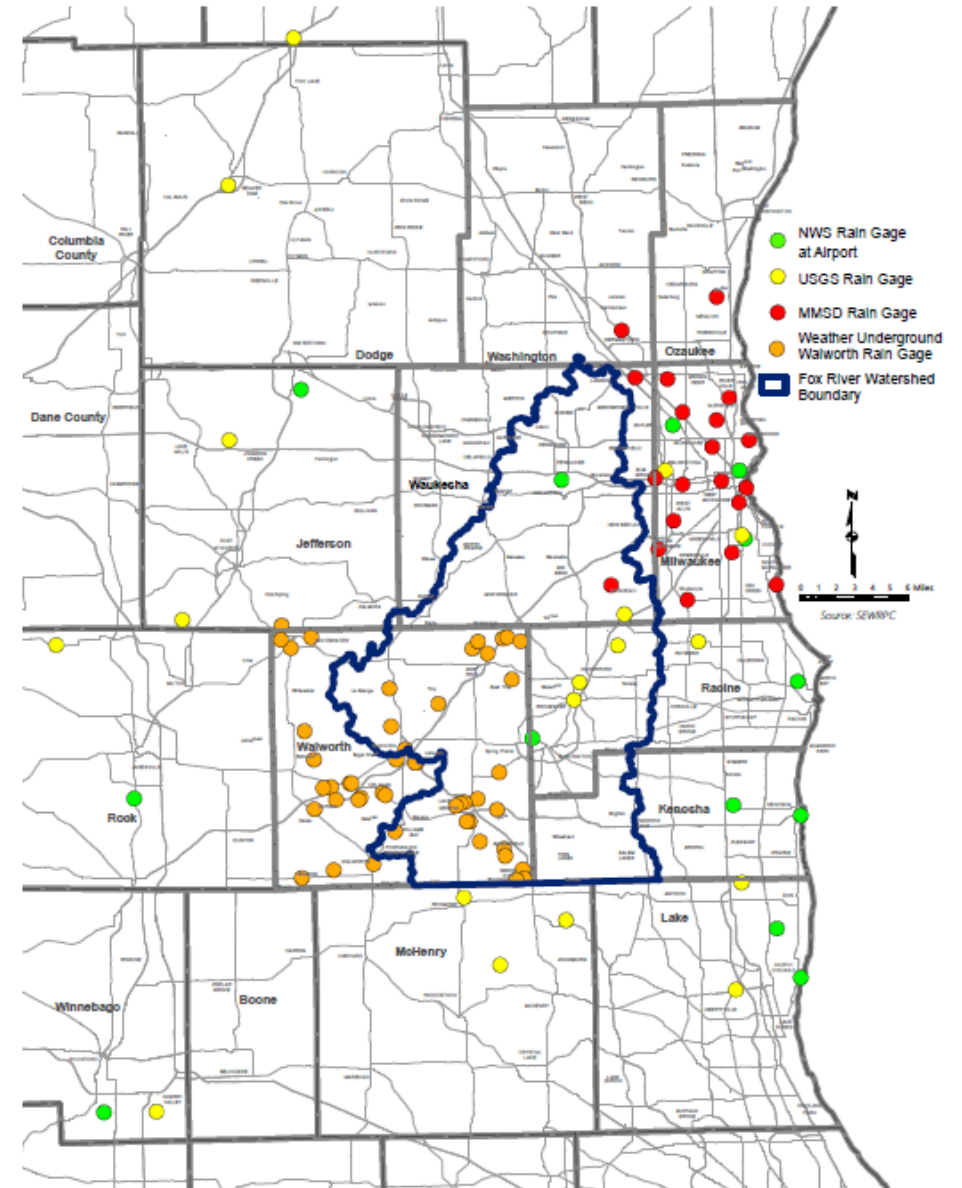
➤ Sources of Rain Gage Data

- NWS (at airports)
- USGS
- MMSD
- Weather Underground

➤ Recommendations

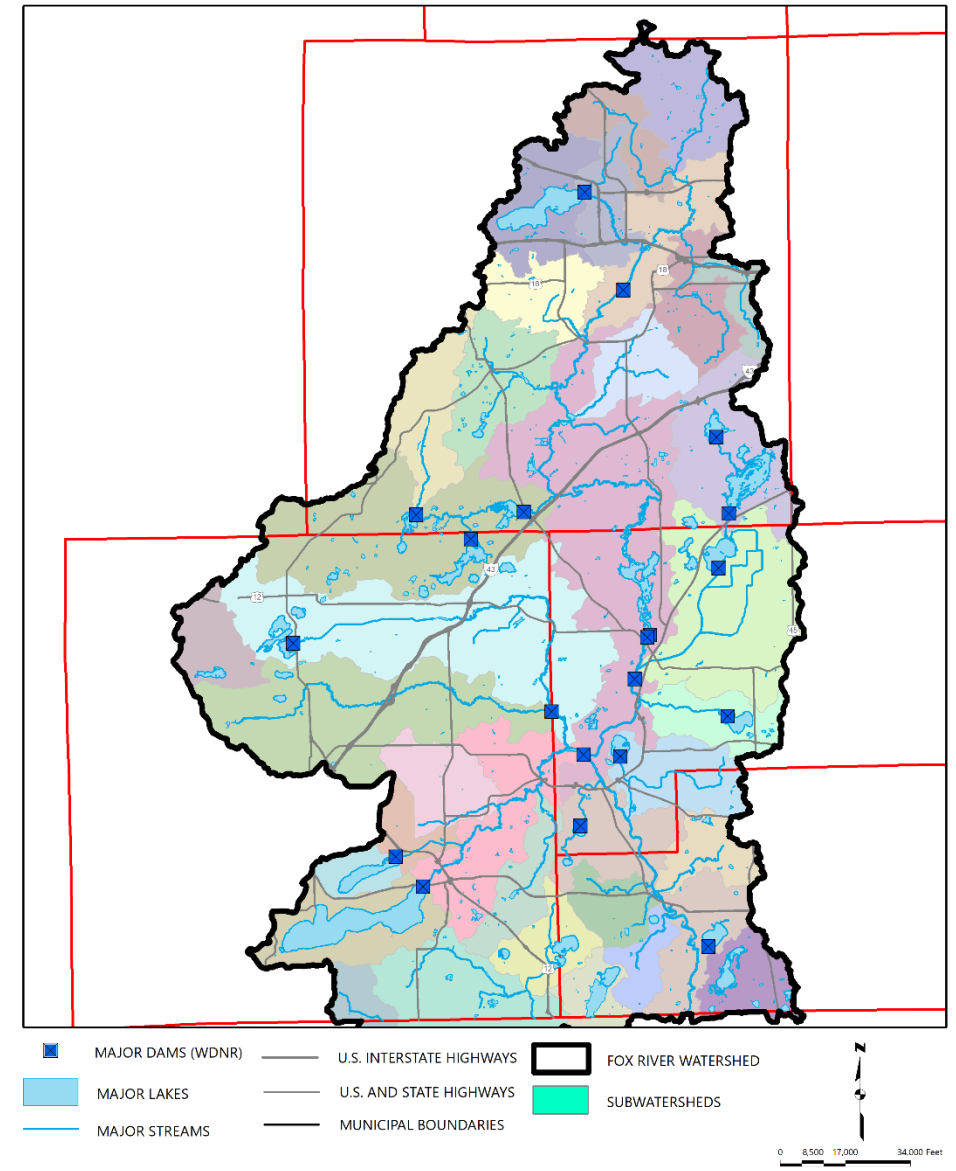
- Additional USGS rain gages in
 - Waukesha County
 - Walworth County
 - Kenosha County
- Supplement with averaged Weather Underground data in interim

Map 2.14
Sub-Daily Rain Gages in and near the Fox River Watershed



Watershed Dams

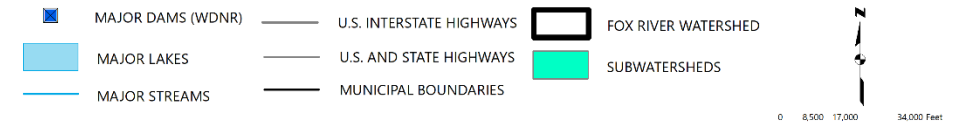
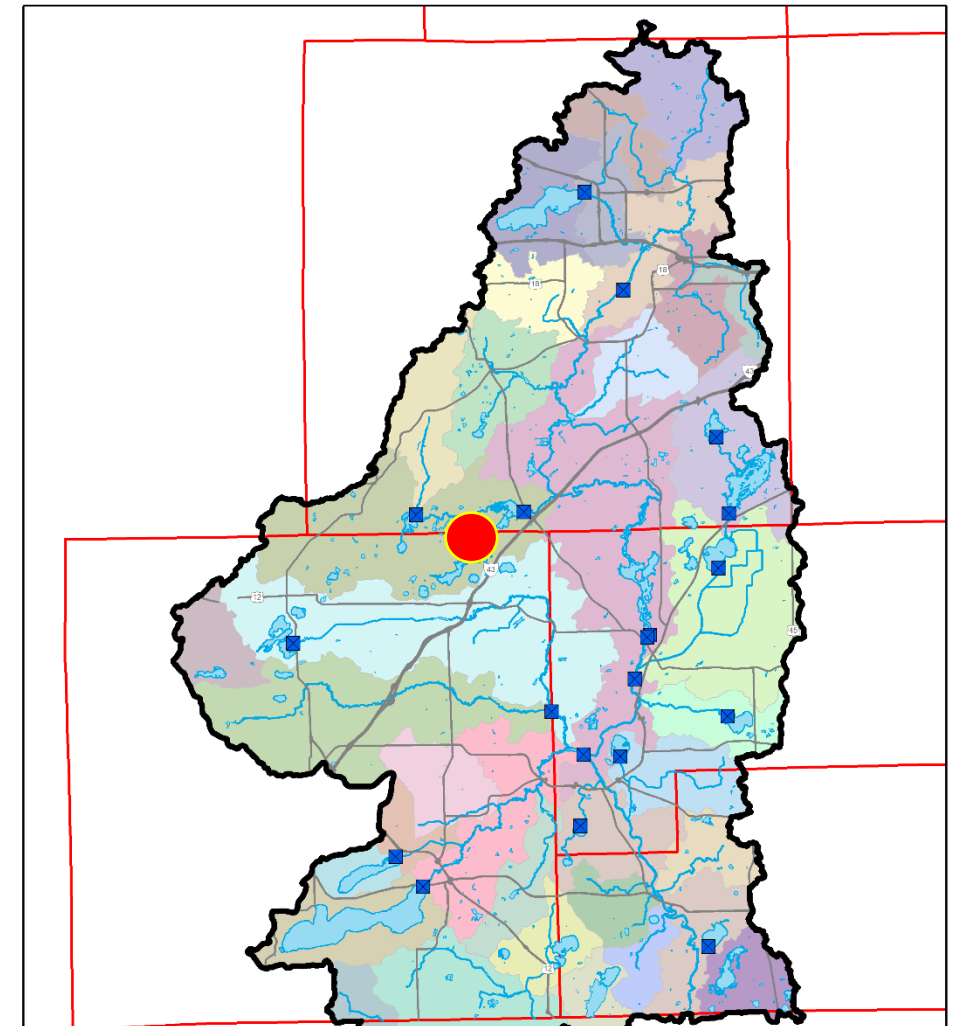
- 92 dams within watershed
 - Retrieved information on ownership, water levels, hazard ratings, impoundment sizes, discharge amounts, and structural information
- Focused efforts on “major” dams
 - Criteria:
 - On Fox River or large tributary
 - High water storage potential
 - High or Significant hazard rating
 - Capacity to manipulate water levels
 - 19 “major” dams in watershed
 - Retrieved dam IOM plans, EAPs, water level orders, and other records



●●●●● Recommendations for Dams

➤ Lake Beulah Dam

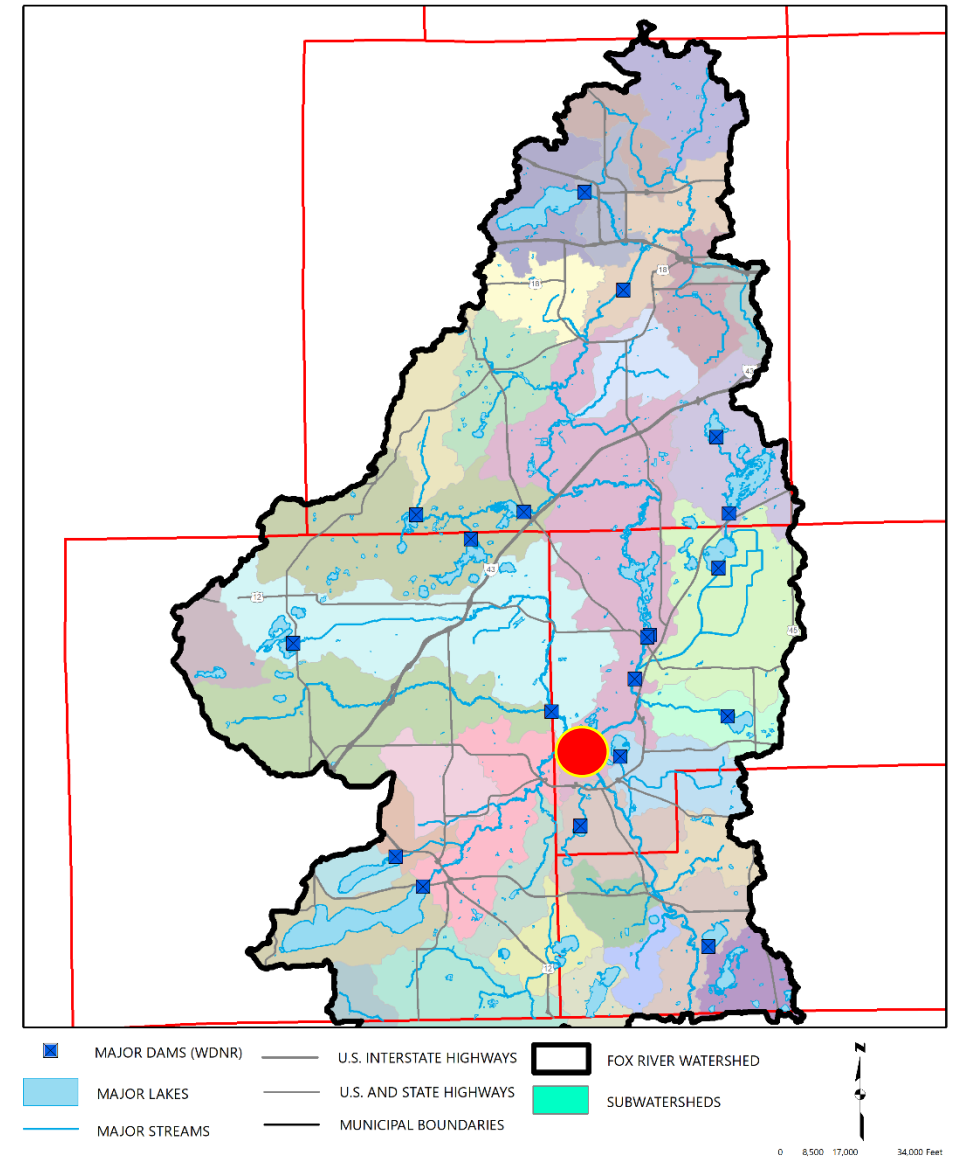
- Possible seepage through earthen embankment observed during July 2019 inspection
 - Recommended operator observe for additional signs of seepage and stabilize the embankment if necessary
- Trees growing on embankment
 - Recommended to seek agreement with landowners to remove these trees



●●●●● Recommendations for Dams

➤ Burlington (Echo Lake) Dam

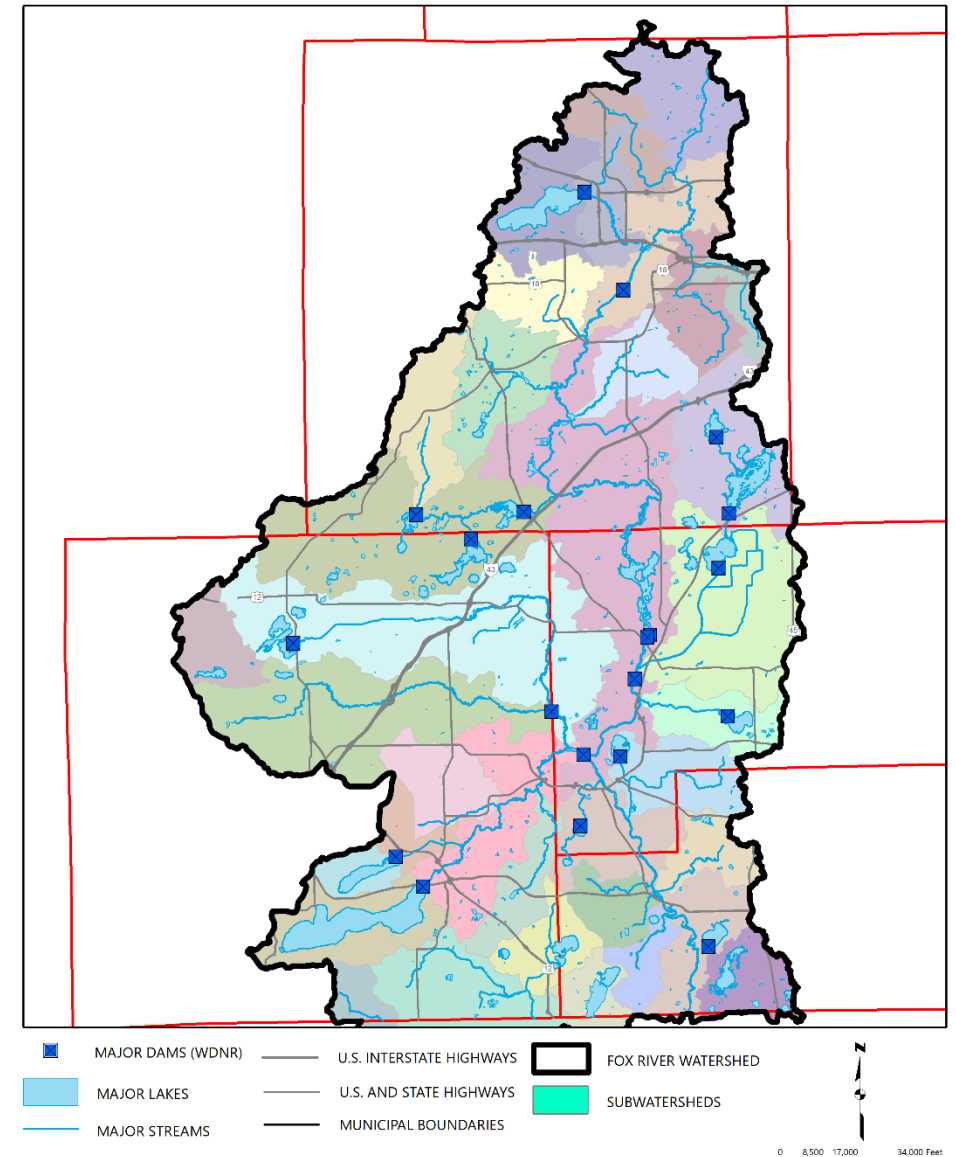
- Most of spillway is undermined by one to two feet due to scouring
 - Recommended that downstream side of spillway be grouted
- Dam doesn't have spillway capacity for 500-year event (required for "significant hazard" rated dams)
 - City currently exploring options to either increase spillway capacity or remove the dam



●●●●● Recommendations for Dams

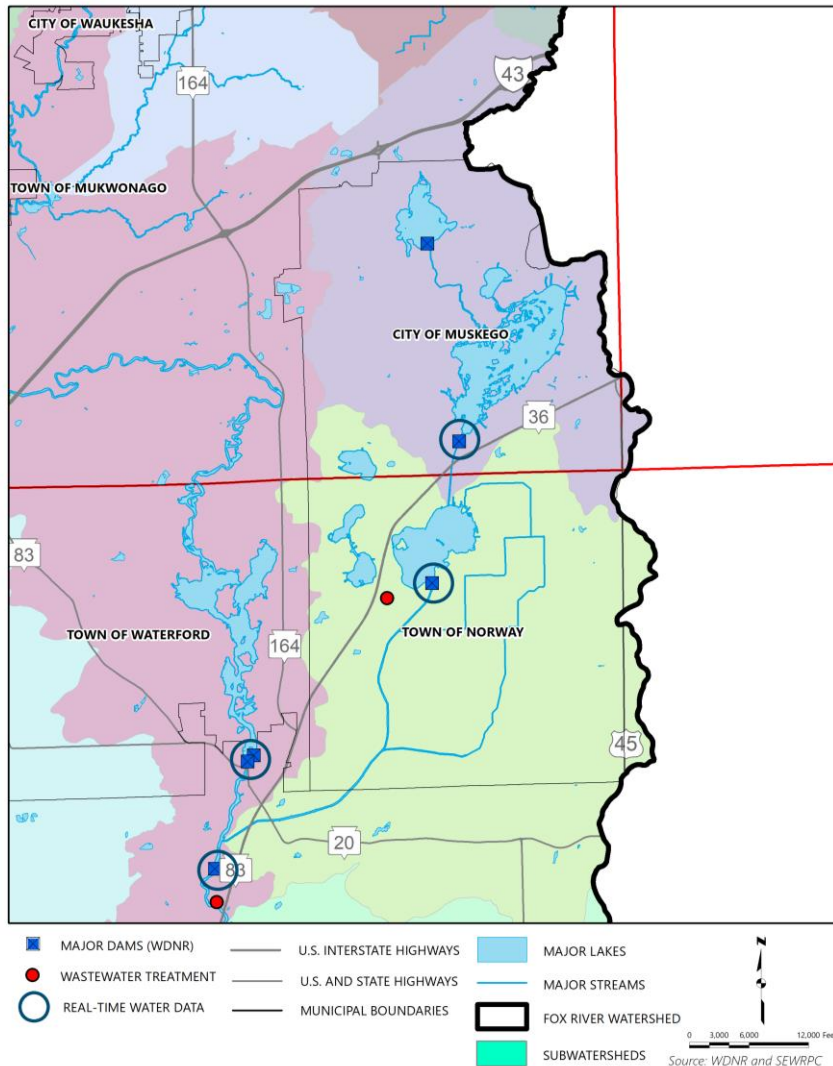
➤ General Recommendations

- Encourage communication between dam operators and communities within the same subwatershed
 - Notify downstream of any planned water releases
 - Share data, Emergency Action Plans, IOMs
- **Continually monitor**
 - Water level
 - River flow
 - Dam seepage
- Plan ahead
 - Watch weather predictions and release water in anticipation of heavy storm event





Dam Coordination Example: Muskego-Wind Lake-Middle Fox



- Dam Operation Contacts
 - Tom Halter (Wind Lake and Rochester)
 - Tom Zagar (Big Muskego)
 - Bob Anders (Waterford)
- Major Municipalities
 - City of Muskego
 - Town of Norway
 - Town of Waterford
- Wastewater Treatment Facilities
 - Town of Norway Sanitary District No. 1
 - Western Racine County Sewerage District



●●●●● Drought Mitigation Strategies

➤ Groundwater Recharge Area Protection

- Make “high” and “very high” groundwater recharge potential areas highest priority
- Preserve public parks and open spaces
- Prioritize acquisition and protection of privately owned parks and open spaces

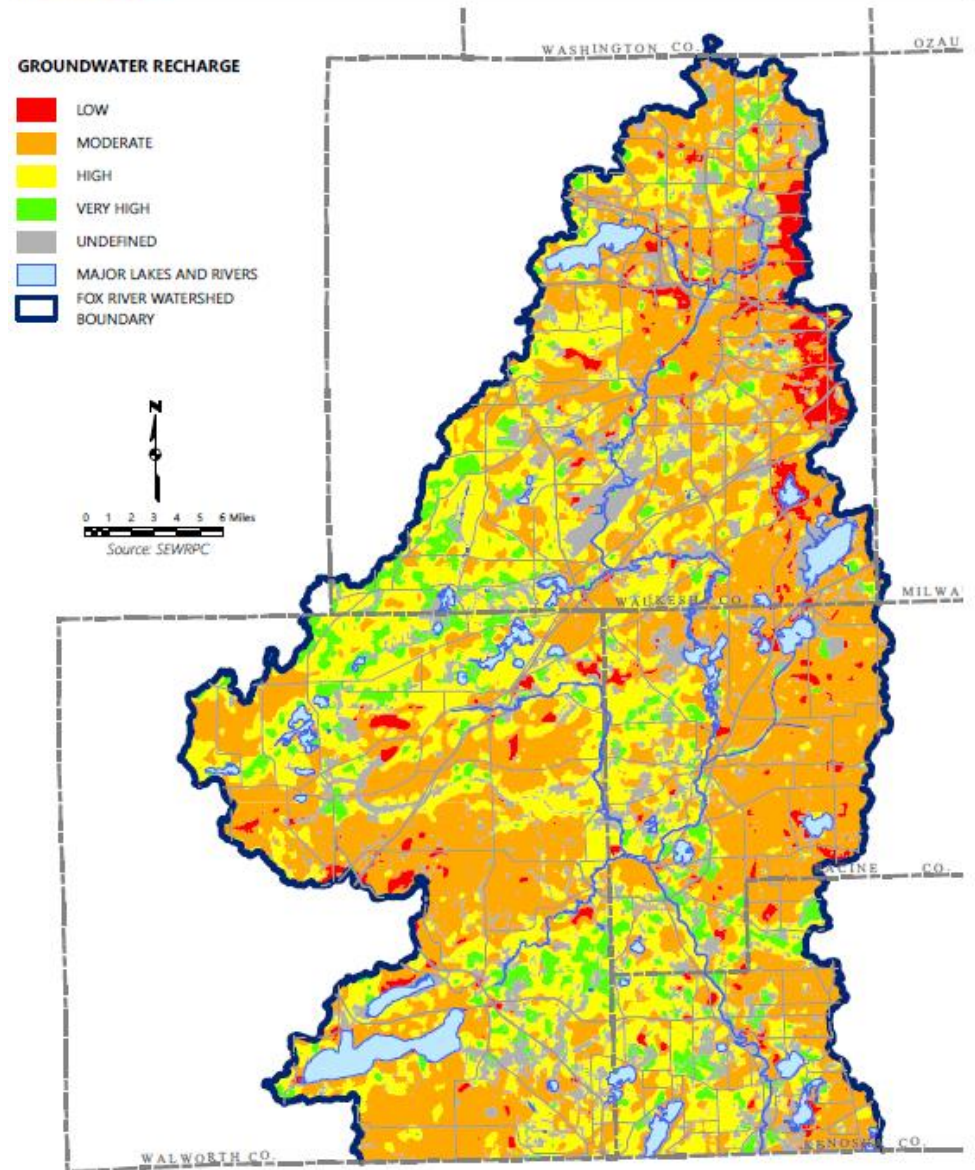
➤ Monitor Drought Index

- National Integrated Drought Information System provides variety of tools to monitor drought, including 1-month and 3-month outlook predictions

➤ Surface Water Withdrawal Management

- During extreme drought, consider temporary suspension of Section 30.18 of *Wisconsin Statutes* that requires a permit to withdraw water from streams for agricultural purposes. This was employed in 2012.

Map 2.9
Low, Moderate, High and Very High Potential Groundwater Recharge Areas in the Fox River
Watershed: 2015



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