

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Don Scott (Town of Vernon) (Vice-Chairman)
Randy Craig (Town of Vernon)
Ron Peterson (Village of Big Bend)
Chad Sampson (Racine County)
Alan Barrows (Waukesha County)
Barb Holtz (Town of Mukwonago)
Doug Koehler (City of Waukesha)
Dean Falkner (Village of Mukwonago)
Francis Stadler (Village of Big Bend)
Jim D'Antuono (Wisconsin DNR)
Tom Slawski (SEWRPC)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Robert Bartholomew (Town of Vernon)
Randy Meier (Town of Waterford)
Shelley Tessmer (Town of Waterford)
Any representative from the Town of Waukesha

Also present: Jim Ritchie, Tim Lizotte, Kelly Van Beek or the WDNR and Dan Treloar of Kenosha County.

At 1:06 PM, 01/10/14, 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 November 15, 2013 meeting were reviewed. It was motioned by Francis Stadler and seconded by Chad Sampson that the minutes be approved. The minutes were approved unanimously.

Treasurer Reports – The Treasurer's Report for November and December 2013 was reviewed. In summary we started with \$102,471.42 in our money market account. We made a payment of \$10,060.75 to Graef Engineering toward the GIS mapping survey. We received interest payments of \$16.51 and \$15.70 leaving us with a final balance of \$92,442.88 there were no real changes to the grant funds sheet and we are waiting for the paperwork to be completed for the Mukwonago Culvert Removal project and the Big Bend boat launch retaining wall projects. Francis Stadler asked if the \$1400 had been added onto the Big Bend boat launch retaining wall and Jim Pindel stated that it had been added. Al Sikora questioned the \$239.90 for website hosting and Jim Pindel pointed out that this was for the last two years. It was motioned by Francis Stadler and seconded by Alan Barrows that the Treasurers Reports be approved as corrected. The report was approved unanimously.

Election of Officers for Calendar Year 2014:

After minimal discussion, Francis Stadler motioned that we retain the present Officers and the motion was seconded by Doug Koehler. The motion (vote) carried unanimously.

Old Business

- a) Mukwonago River Restoration within Rainbow Springs – Benjamin Heussner was not present. Jim Pindel pointed out that Benjamin Heussner emailed a presentation complete with many high quality photos which he forwarded to all the commissioners. Then Jim Pindel stated that there has been a lot of activity regarding this project recently. Jim said that he received an invoice from the Kettle Moraine Natural History Association (KMNHA) for the remaining balance of the \$50,000 we allotted to this project. We expect that the KMNHA probably doesn't have the \$15,277.62 to pay this bill. Even though it has been our practice to not make the final payment toward a project until all the paperwork has been submitted and the project can be closed out; Jim Pindel motioned that we make this final payment to the KMNHA so they can pay the invoice to the WDNR. The motion was seconded by Alan Barrows and passed unanimously. Once the invoice is paid all that is missing to close out the project is the proof of payment which Benjamin Heussner will have to provide. We will issue a check to the Natural History Association as soon as possible.

- b) Fox River Partnership Summit – Tom Slawski stated that they have nearly all their speakers locked in and they are close to having their final program worked out and will have it available for our next meeting. Al Sikora assured Tom that he will help him set up a PayPal system for people to pay their attendance fee.

- c) Shoreline erosion mapping and stabilization planning with invasive species mapping – Graef Engineering. Jim Pindel reported that he had heard from Geoff Parrish of Graef Engineering and made the following report.
 - Many areas of minor erosion were noted, some of this could be considered normal river activity.
 - Ten areas of moderate erosion were found which will need to be addressed.
 - Comparison of aerial photographs from 2000 and 2010 shows that the river has changed its meander to some extent. There were areas of likely erosion and possible erosion.
 - Four farm fields were found with no to minimal buffer adjacent to eroding sections of river bank.
 - Two farm fields were found with no to minimal buffer adjacent to stable sections of river bank.
 - One area of cattle management was found immediately adjacent to river on land sloping toward the river.
 - 48 areas of the invasive species phragmites were mapped.

- Graef will prioritize the areas of erosion and phragmites and provide a GIS map indicating each of these sites with an associated table of what was found at each of the sites.

Jim also stated that he had requested that Graef make a presentation at our next commission meeting to show and explain the results of the survey. Barb Holtz asked that now that we know the location of these sites if we shouldn't send out RFP's (request for proposal) to the owners involved so they could come to us to request assistance with resolving the problems. After some discussion it was decided that after we get the GIS map we, probably with the help of the counties, will have to find out who the owners are. Since Graef will prioritize the locations we would most likely attack them in order of importance.

d) Big Bend boat/canoe launch retaining wall – Ron Peterson said that he had contacted the contractor and he was not sure how many if any lien waivers would be necessary. Ron said he didn't know if before and after pictures were available, but it was pointed out that Francis passed around paper copies of before and after pictures at previous meetings. Ron and Francis were asked to provide digital copies of these pictures so they could be put on our website. Ron said the project was complete except for the fence along the top to prevent someone from falling off the retaining wall.

e) Vernon Marsh flowage restoration project – Jim D'Antuono. Jim D'Antuono introduced Tim Lizotte (Wildlife Management Supervisor for Southeastern Wisconsin) who made a Power Point presentation showing the work that has been done in the Vernon Marsh. Tim introduced Kelly Van Beek who was hired in September to fill Brian Glenzinski's position after Brian took a position with Ducks Unlimited. Tim said that the project has been going on for about 3 years and is close to being completed. Tim showed an aerial photo that displayed the position of the Refuge and Main pools with the Fox River meandering around them. Back in the early 1960's the WDNR wanted to develop some enhanced waterfowl wetland management opportunities by creating dykes or berms to section off areas to be flooded and then under control lowered to control the habitat. The main pool is where they have had issues and needed to have some work. The entire area is just less than 500 acres and Mill Brook comes through and is impounded to create the pools. The dyke has experienced erosion and storm damage but has provided some really good wetland habitat. What they have found is that the two pools have been acting as separate impoundments and have not drained off through filtering wetlands as designed. The impoundments have been kept in a half drawn down state since 2009. Because of this drawn down state the cattails have taken over. Tim showed a slide depicting a rather normal spring time event where the water level in the pool and the Fox River were about the same and so water crossed over the dyke carrying soil into the Fox River. This demonstrated that the dyke was not high enough and the spillway was not big enough to handle normal spring water situations. Most of the money provided by the SEWFRC was used to build the channel that diverts the water away from the Fox River and directs it into the wetland where it is filtered and drains

off under control. Tim provided pictures of the Swamp Devil Machine that was used to cut its way through the cattails and marsh to create a channel for water to flow between the two impoundments. The Swamp Devil Machine is owed by the US fish and wildlife service. They will have to come back in spring and finish grade and seed the dyke because it is not up to standard everywhere as it should be. The entire project cost about \$300,000 and the SEWFRC contribution of \$20,000 got them started with the creation of the channel between the two pools. Tom Slawski asked what was the primary goal of the project and Tim said it was waterfowl production but it was noted that erosion control into the Fox River was also a consequential goal.

New Business

- a. Wood Drive Erosion Control Project – Chad Sampson_Chad said that there was nothing new to report and they would probably have the design ready for bid next week. When asked Chad said that he didn't have a cost estimate at this time.
- b. Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that he and Jim Pindel attended the Town of Burlington board meeting last night and that they approved a MOU to become part of our commission. The vote was not unanimous with one person voting against joining. They asked us when they need to appoint a commissioner and we told them it would probably be a couple years, since we had to go to the legislature and get the state statutes that define us changed. The dissenting vote was from a board member who could not be convinced that we did not agree with the City of Waukesha returning Lake Michigan water back to Lake Michigan. Tom said that our next target is the City of Burlington and he will be contacting them shortly. Tom then said that after we finish going south to the Illinois border we would start heading north. Jim Pindel then informed Tom that the commission during our deliberations coming up with the new Implementation Plan decided to go south to the Illinois border but not to go north because of the large municipalities in that direction. Also the impetus to go south was to get contiguous with the Fox Waterway Agency of Illinois so that we could apply for federal funding together.
- c. Consideration of how we operate with a larger membership base: Jim Pindel pointed out that we had agreed on some changes in the past, most obviously was the change to go to one commissioner and one alternate commissioner per municipality to keep the size of the commission manageable. He asked for any ideas or input from the commission and since none were forthcoming we moved on.
- d. Possible request for grant funds for Mukwonago shoreline restoration: Alan Barrows said that he had a documentation package prepared for Alex Seifert the land owner between the bridge and the WE Energies property including the cost share agreement and estimated cost as well as one for

We Energies. The working agreement will outline the process of how we are all going to work together throughout the project. So now we are at the point of getting this agreement of how we will work together. Alan said that he has filled out the application for the DNR permit but has not submitted it yet. Alan said that he sees us as having three cost share agreements one for the counties right of way, one for Alex Seifert's property and the third for the WE Energies property. The project will still be handled as one project with a single contractor doing all the work. Alan pointed out the Alex Seifert and WE Energies are not willing to pay any money at all, so we will have to vote on paying 100% cost share by the commission. The final proposal to the commission should come during our next meeting. Dean Falkner pointed out that WE Energies had spent a considerable amount of money to improve the landscape near the power poles but was not willing to pay more for the lands outside of this area. Alan pointed out that there have been other projects in the past where several owners were involved but all the work was accomplished by a single contractor.

- e. Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim D'Antuono said he really didn't have anything to report except that the City's application was being reviewed. Jim did mention that it has been reported that the state of Michigan has said there is no way they will pass on the diversion. Don Scott pointed out that there was a report that the City had over projected the amount of water needed. Francis Stadler said that he heard an alternate to Lake Michigan water was to drill additional shallow wells along the Fox River to get more water to dilute the deep aquifer water. Jim Pindel added in that he thought the best solution was for the City to come up with a way of removing the radium from the deep aquifer water.
- f. Consideration of purchasing a Three Panel Backboard for table top display purposes: Alan Barrows set up the three panel display board in the back of the meeting room. The panel is two sided and cost only \$160 instead of the \$300 we had budgeted. Alan stuck some of the display items we used for the Fox River Summit on the display to give us an idea of what it would look like in use. Alan said that he would like to solicit more pictures from the commission so that we could bring it up to date for the next Summit. He also proposed the idea of having a brochure holder on the display panel where people could help themselves to a small say three fold description of some of the projects we have accomplished. Al Sikora mentioned that Waterford has their Home and Commerce show coming up in early March and that we could pay to display in this show to advertise who we are and what we do.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Ron Barker was not present and Tom Slawski said that he had not heard anything to report.
- b) SEWFRC Website – Al Sikora said that he had nothing to report regarding the website. But did remind everyone he is looking for photos and short biographies to go along with them.
- c) Highway 164 Construction update: - No one from the WWMD was present. Jim Pindel said that he and Chad Sampson had attended a meeting this last Monday attended by the WDOT, WWMD, Racine County, and the WDNR. After a period of time where everyone said that they were not responsible for the large bloom of silt that discharged into Tichigan Lake after a 4” rainfall in October, it came down to what was going to be done to prevent future erosion into the lake. It was decided that Racine County (namely Chad Sampson) would try to install a vegetative buffer where the farmland to the northeast sheet flows rather dirty water down to where it eventually flows into the ravine that flows into the lake. The county would also revisit the ravine itself to see if anything has happened there that needs to be repaired or adjusted. The WDOT will review the slope of their ditches and possibly install from one to three new check dams to slowdown the water flow to the ravine. At the end of the day if these changes do not alleviate the problem then there most likely will be a new storm water abatement project that we might be involved in. Chad added that when the emails started flying around in October, he went out and studied the site. His conclusion was that a major factor in the large amount of sediment that was washed out was due to the fact that the highway had just been completed and the ground that had been disturbed hadn’t had time to settle out. Given some time the ground would settle and the vegetation would grow in holding the material in place. The timing of the 4” rainfall just after the project was completed was very unfortunate.

Correspondence –

- a. 11/18/13 Email from Jim Pindel to Paul Kling advising he use Jeff Thornton as a resource to educate the WWMD membership about the Waukesha waste water diversion away from the Fox River
- b. 11/19/13 Email from Jim Pindel to the WDNR stating our opposition to the Waukesha diversion
- c. 11/20/13 Email from Jim Pindel to all commissioners with a list of bullet points to be used to send letters of opposition to the WDNR regarding the Waukesha diversion
- d. 11/20/13 Email from Jim Pindel to Milwaukee Journal Sentinel stating our opposition to the Waukesha diversion, after email from Randy Meier stating Journal Sentinel looking for comment.
- e. 11/27/13 Email from Jim Pindel to all commissioners with two additional bullet points regarding Waukesha diversion.

- f. Email from Town of Burlington stating that we are on their 1/14/14 agenda.
- g. 12/24/13 Email from Jim Pindel to Benjamin Heussner concerning what has to be done to complete the Rainbow Springs paperwork so we can close out the project and make the final payment.
- h. 12/27/13 Email from Alan Barrows with information needed to order the three panel display unit.
- i. 12/6/13 Email from Jim Pindel to John Marek (Town of Waukesha) requesting the appointment of a commissioner to SEWFRC

Miscellaneous Issues –

Jim D'Antuono said that he had a discussion with Doug Koehler and that they had a meeting with the City of Waukesha Parks group and there is a dam on a pond west of the Fox River that the Parks group would like to abandon. This project would be similar to what we did on the Mary Kossik property a couple years ago. The Parks department will be looking for dam abandonment money and other sources of funding. So it appears they will be coming to us for funding and they want to accomplish this project this summer.

It was motioned by Chad Sampson and seconded by Ron Peterson that the meeting be closed. The motion passed unanimously.

Meeting Closed at 2:20 PM

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

Commission members present:

Don Scott (Town of Vernon) (Vice-Chairman)
Randy Craig (Town of Vernon)
Robert Bartholomew (Town of Vernon)
Ron Peterson (Village of Big Bend)
Chad Sampson (Racine County)
Alan Barrows (Waukesha County)
Barb Holtz (Town of Mukwonago)
Doug Koehler (City of Waukesha)
Dean Falkner (Village of Mukwonago)
John Marek (Town of Waukesha)
Jim Ritchie standing in for Jim D'Antuono (Wisconsin DNR)
Tom Slawski (SEWRPC)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Al Sikora (Village of Waterford) (Chairman)
Randy Meier (Town of Waterford)
Shelley Tessmer (Town of Waterford)
Francis Stadler (Village of Big Bend)

Also present: Barbara Baron, Don Baron and Andres Peekna of the WWMD, Geoff Parish, Ron Londre of Graef Engineering and Dan Treloar of Kenosha County.

At 1:01 PM, 02/14/14, Vice-Chairman Don Scott 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 January 10, 2014 meeting were reviewed. It was motioned by Alan Barrows and seconded by Randy Craig that the minutes be approved. The minutes were approved unanimously.

Treasurer Reports – The Treasurer's Report for January 2014 was reviewed. In summary we started with \$92,442.88 in our money market account. We made a payment of \$146.40 for the three panel display unit we purchased, \$1,657.70 to Graef Engineering toward the GIS mapping survey and \$15,227.62 to the KMNHA for the culvert removal project within Rainbow Springs. We received interest payment of \$14.53 leaving us with a final balance of \$75,425.69. There were no real changes to the grant funds sheet and we are waiting for proof of payment for the Mukwonago Culvert Removal project and the Big Bend boat launch retaining wall project paperwork has just been completed. It was motioned by Doug Koehler and seconded by Ron Peterson that the Treasurers Reports be approved. The report was approved unanimously.

Old Business

- a) Mukwonago River Restoration within Rainbow Springs – Benjamin Heussner was not present. Jim Pindel pointed out that the entire project including documentation has been completed and that we were only waiting for the proof of payment for the KMNHA to close out the project. We have already cash advanced the entire \$50,000 for this project to the KMNHA.

- b) Fox River Partnership Summit – Tom Slawski stated that the program is locked in and he passed around paper copies of the two page brochure advertising the summit as well as including the agenda and time table for the day. Tom pointed out and was very grateful to Al Sikora for setting up the Pay Pal account for him so that he doesn't have to handle all the cash and personal checks that he had to last time. Tom said that they would accept on site registrations at the door at probably a slightly higher fee. At this time we have only three people registered and we are hoping for another 150 or so. Tom has attempted to send the brochure to all of us electronically. The advance registration fee will be \$35 per person, just like last year. The fee includes coffee breaks, lunch and a copy of Bruce Kingsbury's, one of the speakers, book titled "Habitat Management Guidelines for Amphibians and Reptiles". At this point Tom requested that we provide a 75% cash advance so that he can make the payments required before the summit commences. Chad Sampson motioned that we make the cash advance and the motion was seconded by Barb Holtz. The motion carried unanimously. Tom asked if we had any ideas on how to promote additional table top displays. Tom asked the WWMD if they wanted to provide a display and they seemed to indicate they did. Later Don Baron asked if there was a charge to have a table top display and Tom told them it was at no charge. Tom asked Alan Barrows how much table space our commission would require and Alan said about $\frac{3}{4}$ of a table. Tom mentioned that he would target all the legislators who might be involved hoping to get their attention for the Summit. Jim Pindel suggested that Tom send the Summit brochures to the municipalities that we have approached to join the commission. Dan Treloar asked if there was a cutoff date for preregistration and Tom said that the caterer allowed him to make changes up until the last day last year and he expected the same this year. Last year the commission compensated commissioners who attended the summit in an attempt to encourage attendance. Dean Falkner motioned and Barb Holtz seconded the motion to compensate commissioners the registration fee, if they attend. The motion passed unanimously.

- c) Shoreline erosion mapping and stabilization planning with invasive species mapping – Graef Engineering. Geoff Parish and Ron Londre of Graef made a Power Point presentation that outlined and summarized the mapping project that we commissioned Graef to do. They performed the mapping of the river from mile 141.7 to 178.75. These mile markers refer to the distance from the point at which the Fox River flows into the Illinois River. They performed GIS mappings for soil type, apparent 10-year changes in the shoreline, areas of erosion, locations of targeted invasive species and the existing

environmental corridors along the river. The GIS soil mapping indicated the locations of cohesive, granular and organic soils. The mapping of shoreline shift (possible erosion) showed the change in shoreline location from aerial maps taken in 2000 and 2010. This mapping also showed the areas of deposition where eroded material has caused the shoreline to grow out into the river channel. The next mapping taken from a canoe indicated by color code along the shoreline areas of minor erosion, moderate erosion, colonies of phragmites and areas of stable shoreline. In subsequent individual slides covering our entire area of jurisdiction they showed areas of moderate erosion, areas of minor erosion and areas infested with phragmites. These overview maps indicated that most of the erosion occurs in the northern (Waukesha County) section of the river, most of the deposition occurs in the southern (Racine County) section of the river and almost all of the phragmites was limited to Vernon Marsh and the area just south of the marsh. The last GIS mapping set displayed indicated the location of the Environmental Corridors around the Fox River. Then Graef showed slides that summarized the findings of the different GIS maps. For the GIS soil mapping they determined that granular and cohesive soils were equally likely to have moderate erosion and that the aerial photography indicated that granular soils were 1.6 times more likely to erode compared to cohesive or organic soils. Regarding the shoreline shift aerial photography comparison there were 210 locations of possible shoreline shift, 85 locations that are likely stable, 46 locations of possible erosion at a rate of 1.0 foot/year, 48 locations of likely erosion at a rate of 0.8 feet/year and 31 locations identified as depositional areas growing at a rate of 2.0 feet/year. A slide summarizing the shoreline mapping indicated that 1.0% or 1.23 miles of the river exhibits moderate erosion, 16% or 8.13 miles of the river experiences minor erosion and 83% or 77.12 miles of the river has a stable shoreline. A slide that summarized the findings regarding invasive species indicated that there were 48 locations with phragmites amounting to 7.56 miles out of the total of 93 miles of shoreline surveyed. Geoff then showed two slides that prioritized the 19 worst locations of erosion. Clearly we need to address these areas of erosion in a top down manner to maintain the quality of the river. The presentation concluded with 15 photos of the worst locations of erosion taken from the canoe they used to do the physical survey.

Tom Slawski asked if there was anything special about the areas where the phragmites was growing and Ron Londre said that for the most part the phragmites occurred in areas where the river bank was low and in the flood plain. These are the same locations where you will find reed canary grass and small growths of cattails. This habitat occurs mostly in the Vernon Marsh and the area just south of the marsh. Dan Treloar asked if the stands of phragmites stabilized the shoreline and Ron Londre said that none of the stands were populated enough to make a difference and there was no indication that phragmites had a stabilizing effect. Alan Barrows asked if they observed any logjams and Ron responded that there was only a minor logjam under a railroad crossing somewhere north of the Vernon Marsh. Geoff and Ron said

there were a number of trees in the water but the logjam they mentioned north of the Vernon Marsh was the only place where they had to get out of the river and portage around the obstruction. Jim Pindel pointed out that in the presentation Graef only provided a single slide of each of the types of mapping but the official report by Graef includes multiple frames of sections of the river showing every bit of the river within our boundaries. Jim Pindel then expressed some concern with finding out what the county, municipality and property owner was for each of the designated areas of concern. Dean Falkner asked Graef if the county plot maps could be superimposed on the GIS map to identify the ownership of the particular locations. The indication from the group seemed to be that this was possible. Chad Sampson commented that the two main causes of erosion he encounters in Racine County are wave action from motor boats and ice damage to the shorelines. Geoff could not comment on the effect of these two factors causing erosion from his observations but did indicate that the areas of greatest erosion seemed to be location without any sort of vegetative buffer. Jim Pindel asked if the project would come in within budget and Geoff indicated that it would.

d) Big Bend boat/canoe launch retaining wall – Ron Peterson said that the project was completed and they were waiting for a quote on a fence along the top of the retaining wall. Jim Pindel then said that he had discussed the project with Francis Stadler and we concluded and agreed that the fence was a separate issue or after thought. Therefore we would consider the project completed and can close it out. If the fence requires funding from the commission Ron or Francis would have to present a cost and apply as if this were a separate project which we could vote on funding.

New Business

- a. Wood Drive Erosion Control Project – Chad Sampson Chad said that he would be meeting with the farmer who owns the land for this project and another farmer nearby where some additional work has to be done. Chad also pointed out that the new US farm bill was signed last week and this will provide additional federal funds to pay for these types of projects. Chad expects that these new federal funds will make it easier to convince the land owners to participate in these projects. Jim Pindel asked how much money would the commission be asked to provide and Chad felt it would still be in the neighborhood of the \$5000 he originally indicated.
- b. Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that he had re-contacted the City of Burlington asking that we could be put on their meeting schedule. Tom has not heard from the City and will get after them more aggressively after the summit. Jim Pindel asked Dan Treloar if he could provide the contact information for the municipalities in Kenosha County to Tom so that he could start contacting them once we finish with the City of Burlington.

- c. Consideration of how we operate with a larger membership base: Jim Pindel pointed out that we had agreed on some changes in the past, most obviously was the change to go to one commissioner and one alternate commissioner per municipality to keep the size of the commission manageable. He asked for any ideas or input from the commission and since none were forthcoming we moved on. This is an ongoing point of discussion.

- d. Possible request for grant funds for Mukwonago shoreline restoration: Alan Barrows said the he and Dean Falkner met with WE Energies on Monday and they tried to define the role of each of the tenants in the project. Dean said that he has been trying to figure out how to channel the money through the organizations and the contractor. He has talked to the village's public works committee and will meet with the finance committee this coming week. Dean said that this must have been worked out when the Village did the similar project on the opposite shore of the river some years ago. Jim Pindel then gave to Dean the project folder containing all the records from the shoreline restoration project we did a few years ago. Jim indicated that with a quick review of the materials in the file it appeared that Steve Brunner a contract engineer had orchestrated the previous project for the Village. Alan Barrows said that he had put together a step by step project process some time ago and step one was identify a project sponsor and this has still not been done. Alan said that he was not able to provide this function on the county level and WE Energies was unwilling to perform this role so hopefully the Village can do the job. Once we accomplish this task we will have to be on a fast track through the permitting bidding and construction phases of this project to be done by the end of June. From a planting standpoint we want to be doing this project in May. Alan said that there will be state and federal permitting as well as working through bidding procedures of the village and county. At the end of the day the village will be the sponsor and the county will be the project manager doing the site showings, bid packages and construction oversight and inspection and closure.

- e. Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie indicated that the city has presented its formal application to the WDNR and there has been ongoing communication to answer some questions, so it is an ongoing process. Everyone else said that they have not heard anything recently.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Ron Barker was not present and Tom Slawski said that he had not heard anything to report.

- b) SEWFRC Website – Al Sikora was not present, so nothing was reported. Tom Slawski again expressed his gratitude to Al for establishing the Pay Pal means of collecting the registration fees.

- c) Highway 164 Construction update: - Don Baron said that there had been a meeting with the WWMD the WDNR and the WDOT concerning the new flow of sediment into Tichigan Lake, which was reported on by Jim Pindel and Chad Sampson at our last meeting. There is a possibility that something can be done to stop the runoff from the Malchine property, which is being investigated. Don also said that Chad Sampson will be reviewing the ravine that runs down into Tichigan Lake to see if anything needs to be done there. Chad added that he has to wait for the snow to melt so he can inspect the ravine.

Correspondence –

- a. 1/13/14 Email from Jim Pindel to KMNHA explaining what is needed to close out the Mukwonago River Culvert removal project. Joicelyn Schwager responded that she will provide canceled checks and bank statement as proof of payment.
- b. 1/21/14 Jim Pindel emailed the Presentation made by Tim Lizotte of WDNR on the Vernon Marsh dyke repair/replacement to all commissioners.
- c. 1/22/14 & 1/24/14 Emails from Julie Simmons of WE Energies and others concerning vegetation clearing along power lines on WE Energies property.
- d. 2/4/14 Emails between Alan Barrows and Dean Falkner regarding the WE Energies shoreline restoration
- e. 2/7/14 Emails between Jim Pindel and John Marek of the Town of Waukesha, requesting the Town to assign a commissioner.
- f. 2/7/14 Email from Tom Slawski requesting a cash advance for the Fox River Summit.
- g. 2/10/14 Email from Paul Kling of the WWMD advising of several future projects.

Miscellaneous Issues –

There were no miscellaneous issues.

It was motioned by Bob Bartholomew and seconded by Ron Peterson that the meeting be closed. The motion passed unanimously.

Meeting Closed at 2:35 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, March 7, 2014 at 1:00 PM. (Meeting Location: Town of Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI 53103.)

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Randy Craig (Town of Vernon)
Robert Bartholomew (Town of Vernon)
Francis Stadler (Village of Big Bend)
Chad Sampson (Racine County)
Alan Barrows (Waukesha County)
Barb Holtz (Town of Mukwonago)
Doug Koehler (City of Waukesha)
Jim D'Antuono (Wisconsin DNR)
Tom Slawski (SEWRPC)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Don Scott (Town of Vernon) (Vice-Chairman)
Ron Peterson (Village of Big Bend)
Randy Meier (Town of Waterford)
Shelley Tessmer (Town of Waterford)
Dean Falkner (Village of Mukwonago)
John Marek (Town of Waukesha)

Also present: Barbara Baron, Don Baron of the WWMD, Mark Mayette of Racine County and Dan Treloar of Kenosha County.

At 1:04 PM, 03/07/14, 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 February 14, 2014 meeting were reviewed. It was motioned by Bob Bartholomew and seconded by Randy Craig that the minutes be approved. The minutes were approved unanimously.

Treasurer Reports – The Treasurer's Report for February 2014 was reviewed. In summary we started with \$75,425.69 in our money market account. We made cash advance payment of \$4,125 to the SE Fox River Partnership for the 2014 Fox River Summit and a payment of \$5,649.50 to Graef Engineering toward the GIS mapping survey. We received interest payment of \$10.79 leaving us with a final balance of \$65,661.98. It was noted that the payment of \$5,649.50 was to Graef and the \$4,125.00 was to the Fox River Partnership not to the line items erroneously listed on the report. The main change to the enumeration report was that the removal of the culverts in Rainbow Spring project was moved up the completed projects section. Jim Pindel pointed out that since the last meeting Jim Ritchie of the WDNR asked him to look up our tax number and in so doing we saw that in 2007 we had an interest income of over \$5000 and in 2008 we made over \$4000. These numbers and probably the years before them explain how we wound up with the approximately \$30,000 we had in the summer of 2011 when we had no grant income and no grant expense left. Jim Pindel also pointed

out that on the line which states “Total balance available from ENUM-18” he has made a note that all of these funds must be used up by 6/30/14. Jim’s understanding is that all the project work has to be completed by that date but follow up paperwork like invoicing, payment, proof of payment, lien waivers and other required forms can be completed in a timely manner after this date. Jim Pindel said that he would inquire with Jim Ritchie of the WDNR to confirm this. Jim Pindel also said the ENUM-19 would also expire on that date and so he has to request a grant extension. It was motioned by Francis Stadler and seconded by Doug Koehler that the Treasurers Reports be approved as amended. The report was approved unanimously.

Old Business

- a) Mukwonago River Restoration within Rainbow Springs – Jim Pindel stated that the proof of payment had been received for the KMNHA to close out the project. The project is complete and closed out and will be removed from the agenda.

- b) Fox River Partnership Summit – Tom Slawski stated that 79 people had registered as of this morning. Last year we had 145 registrants and so we are probably on track to at least meet last year’s attendance. Tom said that there will be 6 or 7 booths mostly from people who were there last year. The Root Plank watershed initiative network is also going to attend with a booth. They come from the Great Lakes contingent. Alan Barrows asked if Tom could tell us what the affiliations were of the people already signed up. Tom said that there were not many individuals, there are quite a few agencies, several municipalities, some consultants and quite a few conservation groups. Tom also said that Eric Nietzsche of the WDNR is registered. Tom said he had one request for a booth from a consultant, thus far he has not charged a fee for booths, but when consultants come in, he will consider a fee for them because they are for profit. This additional revenue stream could help offset some of the costs of the summit. Dan Treloar of Kenosha County pointed out that he had a problem when he tried to register using someone else’s credit card/Pal Pal account. Tom acknowledged the problem and he and Al Sikora had addressed it, so it should not be a problem in the future. Don Baron of the WWMD asked if Tom had invited the legislators and political people and Tom said that he had.

- c) Shoreline erosion mapping and stabilization planning with invasive species mapping – Graef Engineering. Jim Pindel reported that Alan Barrows had requested and received the GIS data from Graef. Jim asked Alan if he had a chance to evaluate the GIS mapping and Alan said that he had only just looked at it. Jim went on to say that after we hear back from Alan and Chad representing the two counties we now cover, if the data is acceptable and beneficial, we should consider mapping the Mukwonago River. If and when we extend to the Illinois border, it might be appropriate to GIS map the new river way to see what we have let ourselves in for. Jim also pointed out that

all of the 19 erosion control project identified were in Waukesha County. He said he should contact Geof Parish at Graef and ask if any of the deposition locations in Racine County were severe enough to prohibit canoe and motor boat travel. Then as a matter of navigation we would need to address these locations with some form of dredging. Francis Stadler said that he was not able to open the data provided by Graef on the internet. Barb Holtz said she had the same problem. Jim Pindel said that he was able to access it and that it was a very large .pdf file. Al Sikora said that it was possible that some of our PC equipment or software was not current enough to handle the file. Jim Pindel went on to say that Graef owes us three hard copies of the report, so if anyone can not view the survey on their PC they can borrow one of the hard copies to study.

d) Big Bend boat/canoe launch retaining wall – During the review of the Treasurer's report, Francis Stadler asked if the new fence had been included in this project. Jim Pindel stated that at our last meeting we reviewed the proposal from the contractor and agreed that the \$1400 addition was to raise the fence 2 feet and adjust the landscaping accordingly. The fence is a new issue. If the fence requires funding from the commission Ron or Francis would have to present a cost and apply as if this were a separate project which we could vote on funding. Francis requested that we keep this project on the agenda and Jim Pindel suggested that we change to title to boat/canoe fence instead of retaining wall, Francis agreed. Jim also reported that we have sent the check to the Village and so now we are waiting for it to clear the bank so the project can be closed out.

New Business

- a. Wood Drive Erosion Control Project – Chad Sampson Chad said that the project was still a go. The project to the east of there on farmland owned by Kevin Malchine is still in the discussion stage. The new Farm Bill which was recently passed doesn't have a lot of policy written up yet so they can't apply it as of now. He hoped that the policies would be set in the next few weeks and then he could negotiate with the farmers involved. The weather conditions have pushed back the construction season which could be a problem with getting the project done by 6/30/14. With input from Bob Bartholomew, Chad did say that the Farm Bill did allow for wide environmental corridors around rivers and streams including reasonable rental provisions for renting these areas from the farmers.
- b. Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that he had contacted Craig Workman of the City of Burlington asking that we could be put on their meeting schedule. Tom said he has not received any response for Craig and will get after the City more aggressively after the summit. Jim Pindel suggested that maybe we contact the Mayor or the City Clerk to try to get

on the agenda. Al Sikora said that he had received the MOU from the town of Burlington and had given it to Jim Pindel just before the meeting. Tom asked Jim to scan it and forward it to him.

- c. Consideration of how we operate with a larger membership base: Jim Pindel pointed out that this is just an ongoing discussion so we are prepared to tell our legislators how we would like to see our commission redefined with the expansion. Jim suggested that we either include in the state statutes or amend our project criteria so that anyone who applies for funding a project must come from a municipality that has representation on the commission. The intent here was to insure that all the included municipalities actively participate. After some discussion and with the fact that the counties over shadow the municipalities, it was decided this wasn't such a good idea and it was put to rest.
- d. Possible request for grant funds for Mukwonago shoreline restoration: Alan Barrows said the he and Dean Falkner met with WE Energies on Monday of this week. We sat down with the revised working agreement to essentially outline the process of the village paying the contractor and the county overseeing the construction with WE Energies doing their own portion as sort of a cost share match. Alan said that he thought they had made a lot of progress with WE Energies land agent taking our working agreement back to his office to review all the details. Alan said that he was quite confident that they can get the agreements signed and apply for the Chapter 30 permits in the next week or so. The challenge will be what the weather has thrown at us, the types of plants that they intend to use should be planted in May but with the expected late spring, we will have to play it by ear. Barb Holtz asked what was going to be done about the invasive species along the shoreline. Alan said that the original plan called for selected shrubs to be kept but the plan now is for all the existing vegetation to be removed. Barb pointed out that during the walk through last summer, she noted Siberian Elm which is an invasive species that has a root system that is inductive to erosion. It is similar to our common buckthorn which overshadows the other vegetation under it that induces erosion.
- e. Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim D'Antuono said he had nothing to add to what Jim Ritchie indicated at the last meeting that the city has presented its formal application to the WDNR and there has been ongoing communication to answer some questions, so it is an ongoing process.
- f. Review preliminary 2015 SEWFRC Budget – Jim Pindel Jim reviewed the worksheet prepared for this meeting. On the non-grant side we started with \$28,894.36 and estimate interest income of \$2,160.00 and operating expenses of \$840.82 resulting in net non-grant funds of \$31,547.95. On the grant side we have the two grants ENUM-18 & 19 totaling \$400,000.

The worksheet enumerated all the individual grant projects completed, in process and expected totaling \$265,793.65 resulting in \$164,913.48 still available for new future grants. Transposing these numbers into the Proposed Budget for 2015 that is published and voted upon at the annual public hearing, adding the grant funds to the non-grant funds results in a total revenue of \$431,547.95. Adding up the project costs for all the projects in Racine and Waukesha counties, our operating expenses and our Future Project Reserve Balance totals \$431,547.95. This gives us a balanced budget. Appended to the end of the published 2015 budget was a list of anticipated potential grant fund projects. The five highest priority erosion control projects found on the GIS map were listed for Waukesha County. We did not have any anticipated potential projects for Racine County and Chad Sampson said he would provide some in short order. We want to list these anticipated projects so that the county boards see what we have ahead of us, so that they possibly would allocate some funds to us. These potential projects are also helpful when we show them to our legislators when we are asking for state grant funds. It was motioned by Alan Barrows and seconded by Francis Stadler that the proposed budget be accepted and the motion carried unanimously.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Ron Barker was not present and Tom Slawski said that he had not heard anything to report. Tom also said that he had not received any response from the Agency concerning the Summit.
- b) SEWFRC Website – Al Sikora said all the projects were in the completed category except the Mukwonago River shoreline stabilization at the WE Energies property. Al said he is looking for electronic photos of the Big Bend boat launch retaining wall and asked Francis to see what he could do to get them.
- c) Highway 164 Construction update: - Don Baron said that there was no new information except what we talked about last month. Don asked Chad Sampson if he had done anything about the runoff coming into this area and Chad said he was waiting of the Farm Bill policies to be settled so he could proceed with the farmer involved.

Correspondence –

- a. 2/21/14 Tom Slawski emailed that the Fox River Summit was announced in the Sweet Water Watershed Watch. A copy of the Watch was attached.
- b. 2/24/14 Project cost estimates emailed by Paul Kling of WWMD to Jim Pindel
- c. 2/26/14 Email and attachment from Geof Parish of Graef to Alan Barrows providing the GIS map data.

- d. 3/1/14 Emails between Jim Pindel and Jim Ritchie closing out the Mukwonago River culvert removal project.
- e. 3/6/14 Email from Jim Ritchie stating that he has processed some of the money being held by the WDNR against the second half of ENUM-18

Miscellaneous Issues –

Jim D'Antuono advised the commission of an in process land fill project in the Village of Big Bend where the runoff and ground water are affecting the wetlands and Mill Brook, a high quality cold water stream, adjacent to this property that eventually runs into the Fox River. There will be hundreds of thousands of cubic yards of material deposited on this site. Eventually this will probably be turned into a subdivision. This work is being done by a private individual who has been permitted by the WDNR and permission to go forward by the Village of Big Bend. This will be a phased project and the individual has now approached the Village to move to phase 2, to expand the foot print. So many people showed up for the Village meeting that it had to be postponed to a time and place where all could be accommodated. There was some discussion concerning whether the project was operating within permitted parameters and it seems that they were. Francis Stadler said that the project was now on hold and no work was being done. Jim D'Antuono asked that we make this an agenda item so that we follow it and do whatever is necessary to protect the wetlands, stream and Fox River as things go forward.

Francis Stadler asked if there was anything that could be done to eliminate (poison) weeds that come up in rock rip rap. Jim D'Antuono advised him that a representative of the Village would have to contact the WDNR and apply for an Aquatic Plant management permit and then contract an authorized contractor to come in and properly address the plants.

Alan Barrows said that he needs more pictures for our three panel display for the summit. Specifically he was looking for pictures of the sediment sampling by the WWMD, last year's Fox River Summit and the Big Bend retaining wall.

Randy Craig said that there is an organization called the Rock River Coalition that did the same sort of things we do but on a larger scale. He wondered if we had any contact with them because we might be able to learn from them. Tom Slawski said that he does interact with them and has invited them to the Summit. Tom said he will try to continue to work with them.

It was motioned by Francis Stadler and seconded by Bob Bartholomew that the meeting be closed. The motion passed unanimously.

Meeting Closed at 2:37 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, April 25, 2014 at 1:00 PM. (Meeting Location: Town of Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI 53103.)

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Randy Craig (Town of Vernon)
Robert Bartholomew (Town of Vernon)
Francis Stadler (Village of Big Bend)
Jon Grove standing in for Chad Sampson (Racine County)
Alan Barrows (Waukesha County)
Doug Koehler (City of Waukesha)
Randy Meier (Town of Waterford)
Shelley Tessmer (Town of Waterford)
Dean Falkner (Village of Mukwonago)
Jim Ritchie standing in for Jim D'Antuono (Wisconsin DNR)
Tom Slawski (SEWRPC)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Don Scott (Town of Vernon) (Vice-Chairman)
Ron Peterson (Village of Big Bend)
Barb Holtz (Town of Mukwonago)
John Marek (Town of Waukesha)

Also present: Don Baron of the WWMD, Merc and Shirley Wagner, Tom and Marge Uhen, Nancy Ziarek, Bill Karas, Bill Craig of the town of Vernon and Dan Treloar of Kenosha County.

At 1:02 PM, 4/25/14, Chairman Al Sikora called the Public Hearing to order.

The only order of business was the review of the Southeastern Wisconsin Fox River Commission Proposed Budget for 2015. The proposed budget was read for the record. Francis Stadler asked if the cost of the Fox River Partnership Summit was split equally between the two counties and it was. Shelley Tessmer asked if the Future Project Reserve Balance included the grant and non-grant funds and yes it does. Al Sikora asked the non-commission attendees (the public) if they had any questions or comments concerning the proposed budget. Al Sikora then asked the attendees a second and third time if there was anyone who wanted to speak in favor of or against the proposed budget. There were no comments from the Public concerning the budget.

The Public Hearing was closed at 1:15 PM.

At 1:16 PM, 04/25/14, Chairman Al Sikora called the SEWFRC meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Approval of 2015 Proposed SEWFRC Budget.

It was motioned by Shelley Tessmer and seconded by Francis Stadler that the 2015 budget be approved as submitted. The motion passed unanimously.

Minutes The minutes from the March 7, 2014 meeting were reviewed. It was motioned by Dean Falkner and seconded by Randy Meier that the minutes be approved. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Report for March 2014 was reviewed. In summary we started with \$65,661.98 in our money market account. We made payments of \$10,050.30 to the Village of Big Bend and payments of \$2,333 and \$241 to Graef Engineering toward the GIS mapping survey. We deposited a check from the WDNR in the amount of \$51,668.65 against the money being held back in ENUM-18. We received interest payment of \$11.45 leaving us with a final balance of \$104,717.78. It was motioned by Randy Meier and seconded by Bob Bartholomew that the Treasurers Reports be approved as amended. The report was approved unanimously.

Old Business

- a) **Fox River Partnership Summit** – Tom Slawski stated that 142 people had attended the summit. Last year we had 144 registrants. Tom said the summit was a large success and he is presently in the process of posting all the presentations on the Fox River Partnership website. When he has finished posting the presentations he will email a link to them to all the commissioners and Al Sikora said he would provide a link from our website to the presentations on the Partnership’s website. Tom will also include a summary of all the summit activities. Tom reported that all the attendees unanimously approved our intention of applying for the USGS’s WaterSMART program. This will be a combined effort between the Partnership members in Illinois and Wisconsin to gain federal grants through the WaterSMART program. Tom said he is waiting for all the checks to clear the bank so that he can apply for the final reimbursement from our commission. Tom again thanked Al Sikora for helping him organize the PayPal method of collecting attendee fees. Tom also pointed out that the keynote speakers were still very interested in developing their clear-choices, clean-waters program here in Wisconsin. Jim Pindel pointed out that the three panel display put together by Alan Barrows was set up in the back of the room for those who didn’t attend the summit to see. Also the date for the 2015 summit is already set for 3/20/15. Tom said he was also considering sending some sort of summary to the WNDR’s monthly Natural Resources magazine to get more exposure for the summit.
- b) **Shoreline erosion mapping and stabilization planning with invasive species mapping** – Graef Engineering. Jim Pindel reported that he had talked to Geoff Parish of Graef asking if all invoices had been sent and they thought the project was complete. Geof said that one last invoice was in route, which we received yesterday for \$618 this will close this project out and be within budget. Jim said this project will be removed from the agenda. He further pointed out that at some point we might want to do a GIS survey of the

Mukwonago River or other tributaries of the Fox.

c) Big Bend boat/canoe launch retaining wall – Francis Stadler reported that he just received the quote for the fence minutes before the meeting. He was not prepared to make a submission to the commission regarding the fence. It was pointed out that the retaining wall project was closed out and that the Village of Big Bend had already cashed the payment for the retaining wall. Francis said that he would take the matter up with the Village. He also said to remove this item from the agenda. Alan Barrows said that he was passing by the boat launch and took pictures of the retaining wall which he sent electronically to Al Sikora. Al said that he would put them up on our website soon. Francis passed around a picture of what the proposed fence and plantings would look like for our information.

New Business

- a. Wood Drive Erosion Control Project – Jon Grove representing Chad Sampson said that the design was complete and now they were waiting on bids from the contractors so the project could move forward. Jon reported that Chad had tried to contact the Farmer Kevin Malchine upstream of the project but had no response.
- b. Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that we are on the agenda for the City of Burlington meeting on May 20, 2014 at 6:30 PM. Tom was able to get this meeting by working with Craig Workman of the city. The city has asked that we describe our goals and implementation plan and share with them a draft copy of the MoU we want them to sign. Jim Pindel said he would attend with Tom and Al Sikora said he will try to attend.
- c. Consideration of how we operate with a larger membership base: Al Sikora pointed out that this is just an ongoing discussion so we are prepared to tell our legislators how we would like to see our commission redefined with the expansion. No one had any new input on this topic at this time.
- d. Possible request for grant funds for Mukwonago shoreline restoration: Alan Barrows said the he had spent a lot of time with the WE Energies people recently and that we had our plans approved by their ecology folks. The bid announcement was sent to the Waukesha Freeman yesterday and will be published next Wednesday. Alan will also email the bid announcement to a number of contractors the county has used in the past on similar projects. The next items that have to be completed are signing the working agreement by the private land owner and WE Energies as well as getting the permit application into the WDNR. Alan said that he talked to Jim Ritchie about the possibility of having one WDNR permit apply to all three properties involved. There will be a site showing probably held at Indian Head Park, just across the river from the project itself. The pre-

bid showing will be on May 12 and the bids will be due by 4:00PM on May 21. The bids will be opened on May 22 and the contract awarded to the winning bidder shortly thereafter. With the fact that this is all happening just before Memorial Day weekend it was decided that we should go ahead and sign the cost share agreement at this time. Alan Barrows motioned that we sign the cost share agreement and limit the cost by the commission to not more than \$50,000. The motion was seconded by Shelley Tessmer and passed unanimously. One problem that still exists is that the work agreements put together by Alan indemnify and hold harmless all the parties involved. WE Energies has taken that language out of their agreement and is not holding the Village of Mukwonago, Waukesha County or the commission harmless. This point has to be negotiated. Another sticking point is that we would require 10 years of maintenance included in a project of this type and WE Energies has refused to do the maintenance. Alan believes we can get around this problem by including the maintenance in the contract that the contractors bid on. This will add some cost to the overall project, but is necessary. Alan pointed out that when we did the Indian Head Park project a 3 year maintenance contract was included which helped to make the project as successful as it has turned out. Dean Falkner pointed out that the discussions based on this project have caused people to consider improvements all along this section of river making it a much better environment. The three properties involved may all be eventually used as public purposes. Dan Treloar asked Dean if the Village would be able to provide the maintenance for a price and Dean said he could not commit to it at this time.

- e. Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that the WDNR water supply staff are continuing to review the diversion application submitted by the City of Waukesha. The next steps are preparing a technical review where the WDNR will assess whether the application meets the requirement of the Great Lake Compact. If the application meets the Great Lakes Compact criteria then there will be a public notice of the draft of the environmental statement. Once the public notice is issued there is a 45 day period for public comment period. Tom Slawski asked if the technical review included an assessment of the need for the water by the city and Jim Ritchie said that he believed it did.
- f. Potential Storm Water runoff and ground water contamination from the Kaishian landfill: Village of Big Bend Francis Stadler said that the Village is working closely with the WDNR. There are three requirements that Kaishian must do before he can move onto the second phase. The issues are water contamination, runoff and a problem with the fact that sediment is not settling in the retention ponds. Apparently he will have to add some chemical to the water in the retention ponds to get the sediment to settle to the bottom. Much of the complaints are coming from the kennel club

which is adjacent to the landfill. The fact that the club has been engaged in trap shooting since 1941 has resulted in lead shot and clay pigeon debris contamination. The Village is keeping a close watch on the landfill and Francis reported that the landfill was nine feet above grade at one time. Francis said that this item should be removed from our agenda since the situation is being handled by the Village.

- g. Woodfield Park Dam Removal project: Doug Koehler Doug reported that the city's parks department ran into some snags and so was not able to prepare a presentation for today's meeting. Doug said he expects that the park department will be ready to make a presentation sometime later this year. Jim Pindel pointed out that the only other dam removal project we were involved in was on the Mary Kossik property and in that case Mary received a \$50,000 grant from the WDNR from their dam removal program. Doug said that the city was looking into that grant program. Alan Barrows said that two people from his office are assisting with this project.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Ron Barker was not present and Tom Slawski said that he had not heard anything from the agency for some time now. Tom did mention that there was one attendee from the agency at the Fox River Summit, but he did not have a chance to speak to him.
- b) SEWFRC Website – Al Sikora said that he did receive electronic pictures of the retaining wall from Alan Barrows and that he would put them up on the website this weekend. Also as soon as Tom Slawski gets the Summit presentations up on his website Al will install links to them on our website. Francis Stadler asked about the GIS survey which he was unable to open up on his home computer. Jim Pindel pointed out that we have four paper copies of that report and Francis could borrow one of them so he could study the report at his convenience. Al said that he has an electronic copy of survey and believed he already put it up on our website.
- c) Highway 164 Construction update: - Don Baron said that there has been an issue with standing water at one of the residences along highway 164. The DOT said they fixed the problem by melting ice and removing debris from a culvert at the property. Don said he asked the DOT if they were going to continue to maintain the condition of the culvert in the future to prevent further flooding. Don has not heard back from the DOT. Don said that he had expected a report from Chad Sampson at this meeting concerning the farm field east of Poplar Circle. Jon Grove said that he had a written report from Chad and passed out copies to Don Baron and the commissioners. The report stated that there is about an 80 foot grassed buffer between the farm field and the rock riprap installed by the DOT. Chad said he would like to see it extended an additional 100 feet or have the

entire field planted with a more permanent cover such as alfalfa, hay mixture or native grasses. Chad's report also included a section on the rock riprap in the ravine at Poplar circle. It stated that the bottom portion of the ravine contained loose rocks that had been moved by water or were manually dislodged from the sides of the ravine. The area where the rocks were dislodged from could be a source of erosion. Chad also noted another small ravine leading into the rock riprap ravine which could be a source of some additional erosion. Chad concluded by saying that the cost effectiveness to use rock riprap to stabilize this ravine can be reviewed if the landowner is interested. Don Baron said that 55% of the runoff coming into the ravine comes from the farm field and Chad was going to investigate adding a grassed buffer to minimize silting from this runoff. Jon said that both he and Chad had tried to contact the farmer who owns this field and had not received any response from him. Don said he will continue to monitor the situation.

Correspondence –

- a. 3/10/14 Scanned copy of Town of Burlington MoU sent to Tom Slawski
- b. 3/11/14 Email response from Jim Ritchie confirming that all work against ENUM-18 must be accomplished before 6/30/14. Jim Ritchie further clarified that all paperwork has to be completed within one year of that date.
- c. 3/11/14 Email from Tom Slawski confirming that Eric Evenson, Coordinator, USGS National Water Census, will attend the Fox River Summit to talk about the WaterSMART program.
- d. 3/7/14 Email response from Jim Pindel to Doug Koehler stating that he can still make a presentation and apply for grant funds for the Woodfield Park Dam removal project, even though it was not included as an item on the 2015 proposed budget.
- e. 3/7/14 Email with attachment from Chad Sampson listing seven potential projects in Racine County for itemizing in the proposed 2015 SEWFRC budget.
- f. 3/20/14 Email from Jim Pindel to all commissioners stating that we have received 4 hard copies of the GIS mapping survey from Graef. These paper copies are available to all commissioners to barrow and study.
- g. 3/22/14 Email from Jim Pindel advising all commissioners that we received a check against ENUM-18 for \$51,668.64, which is part of the \$100,000 the WDNR is holding against this ENUM.

Miscellaneous Issues –

Alan Barrows brought up two points for the commission to consider. The first being that a person in his department came up with a map of the Fox River, put together some years ago by the Fox River Partnership that listed the recreational opportunities along the Fox River watershed listing such things as boat launches, canoe launches and other points of interest. The idea would be to extend this map into Illinois to show all the opportunities along the entire Fox River watershed. Alan felt that this would be a logical

extension of the Fox River Summit. This would be a project Alan would bring to the commission in a few meetings. The second item Alan brought up was the idea of our producing signage that we could put up at locations where we have completed projects. This would provide outreach and advertising for our commission. Alan was looking for something small with our logo and website listed on it. The placement of the signs would be purely voluntary. Al Sikora said that if someone provided exactly what we wanted on the sign he could produce the artwork. Jim Ritchie suggested a sign that stated this project financed by or funding assistance by the SEWFRC with our logo and website address. Everyone agreed that a lot of other organizations do provide signs and it would help people be aware of some of the things we have done. Alan suggested that we go back and offer signs to projects that we have already completed.

Don Baron pointed out that the WWMD had conducted a survey of their membership and the results of the survey were available on their website. The survey was concerned with the aquatic plant poisoning harvesting and the upcoming dredging project. The survey had a 58% response and was very positive in results.

It was motioned by Randy Meier and seconded by Francis Stadler that the meeting be closed and the motion carried unanimously.

Meeting Closed at 2:17 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, May 30, 2014 at 1:00 PM. (Meeting Location: Town of Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI 53103.)

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Don Scott (Town of Vernon) (Vice-Chairman)
Randy Craig (Town of Vernon)
Francis Stadler (Village of Big Bend)
Chad Sampson (Racine County)
Alan Barrows (Waukesha County)
Dean Falkner (Village of Mukwonago)
Barb Holtz (Town of Mukwonago)
Jim D'Antuono (Wisconsin DNR)
Tom Slawski (SEWRPC)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Ron Peterson (Village of Big Bend)
Doug Koehler (City of Waukesha)
Robert Bartholomew (Town of Vernon)
Randy Meier (Town of Waterford)
Shelley Tessmer (Town of Waterford)
John Marek (Town of Waukesha)

Also present: Don Baron, Dick Kosut of the WWMD, and Jim Ritchie of the WDNR and Dan Treloar of Kenosha County.

At 1:06 PM 05/30/14 Before the official meeting started, Chairman Al Sikora announced to everyone present that this was the last meeting to be attended by Jim D'Antuono of the WDNR. Jim is retiring after 30 some years of service with the WDNR. Al and others thanked Jim for his support for the commission and all the insight and guidance he has provided to us. Jim Ritchie added that Jim D'Antuono as a manager in the WDNR has served as a counselor and touter to many who were starting their careers in the WDNR. Jim Ritchie pointed out that when he started in the WDNR 20 years ago Jim D'Antuono served as a mentor and helped him get started. All the commission and guests applauded Jim D'Antuono and wish him the best in his retirement.

After the opening comments, 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 April 25, 2014 meeting were reviewed. It was motioned by Francis Stadler and seconded by Dean Falkner that the minutes be approved. The minutes were approved unanimously.

Treasurer Reports – The Treasurer's Report for April 2014 was reviewed. In summary we started with \$104,717.78 in our money market account. We made payments of \$164.01 to Racine Journal Times, \$314.94 to Waukesha Freeman, \$210 to reimburse commissioners who attended the Fox River Summit and \$618 to Graef Engineering

toward the final payment for the GIS mapping survey. We received interest payment of \$17.18 leaving us with a final balance of \$103,428.03. It was motioned by Alan Barrows and seconded by Randy Craig that the Treasurers Reports be approved as amended. The report was approved unanimously.

Old Business

- a) Fox River Partnership Summit – Tom Slawski stated that working with the UW-extension he has all the presentations posted as well as an attendees list and speaker biographies. Tom expects to get the paperwork finished to apply for the final reimbursement and close out this project this coming month. Tom said he was able to contact Natasha Kassulke of the WDNR concerning an article submission in the WDNR's magazine "Wisconsin Natural Resources". The magazine is published 6 times per year but they are already booked out until spring of 2015. So it may take a while before we can have an article covering the Summit in this particular magazine. She seemed to be interested in a 3 page 2100 word type of article. Tom is considering putting together a draft and sending some photos of project we have done and some pictures taken at the 2 Summits we have already finished.
- b) Shoreline erosion mapping and stabilization planning with invasive species mapping – Graef Engineering. Jim Pindel reported that we have received the final invoice from Graef and the project has come in about \$1000 under budget. Jim Pindel will have to generate the paperwork and submit it to Jim Ritchie to get our reimbursement and close out the project. Jim Pindel also said that Laurie Longtine had borrowed a hardcopy of the report at the Summit and had emailed him to see if she could get copies of 4 of the maps in the report. Jim said that he asked Graef what the cost would be for copies of 4 maps and has not heard back from them at this time. Jim then suggested that seeing we have 4 hardcopies and only contracted for 3 hardcopies that maybe we could turn the extra copy into a sacrificial copy that we can dissect and distribute to people who want just a portion of the report. It is quite possible that even 3 hardcopies is more than we will ever need considering the report is available on our website and we have 4 DVD copies as well. Barb Holtz motioned that we use one copy as a sacrificial copy and Don Scott seconded the motion. The motion carried unanimously. Jim gave the extra copy to Barb Holtz to give the 4 maps to Laurie Longtine. Another hardcopy of the report was borrowed to Francis Stadler to take home and study.

New Business

- a) Wood Drive Erosion Control Project – Chad Sampson said that the project is out for bid. He has not received any hard copies of bids yet, but one contractor said he had some questions and would get them to Chad but he hasn't seen anything so far. Another issue that has come up recently is that they will be pouring concrete on the top sections of the roadway and so there will be no way for the residents

- who live down this road to access their properties during this time. So a temporary road may be required for this time period. This issue which should only require a couple days has to be taken up with the homeowners. Chad is still hopeful that the project can be completed by the end of June seeing the actual work should only take a day or two.
- b) Big Bend boat/canoe launch retaining wall – Francis Stadler said there was some confusion and that he thought that the extension of the project included the fence. Francis passed around a copy of the quote for the fence and necessary vegetation at the last meeting, which he thought was included in the original contract. The question came up if there was a fence before even though there wasn't one before; the fact that the retaining wall was made about 3 feet higher with a drop to a rock or concrete surface makes it reasonable. When Francis passed around a picture of the wood rail fence, Alan Barrows pointed out that the county does not consider a wood rail fence a safety barrier. Francis said that he would insist on some chain link or other additional fencing to keep small children from crawling through the fence. After some discussion Barb Holtz motioned that we provide 90% of the \$1,950 which amounts to \$1,755 contingent on the fact that the vegetation installed is native and non-invasive. The motion was seconded by Don Scott and passed unanimously. Francis ended by saying that the Village wanted to thank the commission for all the work we have paid for at this site. It is a beautiful and used facility. Francis pointed out that the Village has a box on site to collect a launching fee and Jim Ritchie pointed out that that fee has to be used for maintenance or operation of the launch.
- c) Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that he and Jim Pindel attended the City of Burlington Common Counsel meeting on May 20, 2014. Tom made an abbreviated presentation, which was well received. The council asked many questions, but at the end of the day, they were very positive and eager for membership in the commission. It should be noted that they also indicated that they are in need of help in an amount larger than what we presently have available for everyone. Tom also pointed out that they were impressed not only by the dollars we provided but also by the time and effort put out in many cases by volunteers. Tom pointed out that for his own part he has never been involved with a group like ours which has the collaboration and networking to help each other out for the good of our common cause. When Tom mentioned that now we will go onto the three communities in Kenosha County, Dan Treloar of Kenosha County pointed out that he had just read a newspaper article that the Village of Spring Lake was considering unincorporating and thus becoming part of the Town of Salem. Dan said the Village is seriously considering the move because they think it will significantly reduce their property taxes. This of course would require us to get MoU's from just the two remaining municipalities.
- d) Consideration of how we operate with a larger membership base: Included in the agenda was the following statement "Presently State Statute states for

appointed commissioners “his or her term on the commission begins on the 3rd Tuesday in April of the year in which the commissioner is appointed and ends on the 3rd Tuesday in April in the 3rd year following the year in which the commissioner is appointed.” Consider changing to 2 year term coincident with the commissions fiscal year or as determined by the individual municipalities.” Chad Sampson pointed out that he thought that the 3rd Tuesday of April was probably chosen because County elections are typically held in early April, so then the newly elected officials could then make their appointments. Jim Pindel pointed out that in the Village of Big Bend they appoint people to positions on committees and organizations annually at their May meeting. Barb Holtz said that in the Village of Mukwonago, she is reappointed every year probably in May. Jim Pindel said that some of the letters or appointment state the person is appointed until further notice. After some discussion it was decided to ask the legislature to change the appointment language as suggested above. Jim Pindel passed around a document to the commissioners present that summarizes all the recommended changes we have agreed to, when we go to the legislature. The points were briefly reviewed and Jim said that as we go on he will keep this document updated, so that when it is time to approach the legislators we have a talking document to work with. It was motioned by Dean Falkner and seconded by Barb Holtz that we change the wording of the terms of appointment for commissioners as stated above, the motion passed unanimously.

- e) Possible request for grant funds for Mukwonago shoreline restoration: Alan Barrows said since our last meeting he has obtained a signed approved plan by the County and WE Energies. We had the site showing for contractors and have received sealed bids. At the site showing two changes came up which are now incorporated in the project. There is a tree on the highway right of way line which would have been killed by the work of the project. So the plan was changed to remove the tree. On the opposite end of the project, near the pedestrian walk way, there are two Village storm sewer outlets that are sticking out by the bridge. There is about 6 feet of erosion at this location so the plan was altered to include the addition of sufficient rock riprap to eliminate the erosion. An additional change occurred when the contactors noted that there are a number of guide wires to the WE Energies poles that would be in the way for their dump trucks. So the plan was altered to add an area that would be temporarily disturbed to give the dump trucks access to the work area. This would require restoration work when the project is completed. After opening the bids, it showed that the high bid was \$81,490 and low bid was \$54,615. The low bid came in from a company named Applied Ecological Services, who Alan has worked with before and considers a reputable company. This amount is about \$10,000 over our budget. Yesterday Alan sat down with WE Energies and reviewed the bids and working agreements to make sure we were all in agreement. Some effort was put into getting our contract forms and the legal forms of WE Energies to comply with each other. The next steps that remain include that we have not been able to apply for the WDNR permit and we need to get the signature in from Alex Seifert the individual land owner involved. We are very close on timing as long as we

comply with the general permit by the WDNR. There is also the concern with endangered species within the Mukwonago River and we may need to look for volunteers to pick the fresh water mussels out of the river on the shoreland side of the slit fence which will be placed in the river itself. There are also some fish spawning issues as well because of the time of the year. One of the major issues was the maintenance of the project after completion and that was resolved by adding a three year maintenance clause to the contract that was bid on. Dean Falkner pointed out that the original paperwork submitted to Alex Seifert was somewhat confusing, which has been cleared up and so not there should not be a problem getting Alex Seifert to sign. Dean Falkner motioned that we increase the budgeted amount for this project from the \$46,125 original estimate to the actual contracted figure of \$54,615, Barb Holtz seconded the motion and the motion passed unanimously. Alan pointed out that this project has made the work our commission does apparent to a lot of people within the County, local municipalities and local organizations. The end result will be a beautiful location for people to enjoy and recreate in. Jim D'Antuono said that all of us should appreciate all the time and work Alan Barrows put into this project to make sure it got done. He said that at the first meeting the involved parties over a year ago, it looked pretty bleak for trying to get it done. The whole commission acknowledged the work done and effort by Alan and Dean Falkner.

- f) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim D'Antuono said that he is aware of the fact that the Environmental Assessment (EA) and the Environmental Impact Statement (EIS) are being prepared by the Madison staff now that the application is complete. He said he has no idea when it will be ready and that there will still have to be at least one public hearing and information from that hearing will have to be included in the final documents. Jim D'Antuono said that neither he nor Jim Ritchie were privy to the details of where the process stood right now. Jim D'Antuono said that one of the factors complicating this issue is that Eric Ebersberger, who spoke to our group explaining the process, suffered a severe stroke and has been inactive for some time. Eric is the section chief of the group, so this has to have an effect on getting the documents in order. Once the EA and EIS are completed the City of Waukesha can apply to the Great Lakes Compact for the diversion. The vote for diversion must be unanimous. Jim Pindel asked if the EA or EIS had the ability to recommend to stop or prevent the diversion and Jim D'Antuono said that the documents we only a statement of the facts of the consequences of the diversion, they do not have the power to make or break the deal.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois –Tom Slawski said that he had not heard anything from the agency and that he should probably make a trip down there to talk to them and see what is going on. Jim Pindel asked that if Tom goes down that he would like to accompany him.

- b) SEWFRC Website – Al Sikora said that there is nothing to report except that it is completely up to date. With the advent of this WE Energies project Al asked that Alan and Dean provide text and pictures during the whole project process so he can keep the website current.

- c) Highway 164 Construction update: - Don Baron of the WWMD said that he did get a response from the WDOT concerning the water build up on the east side of SHW 164 this last spring. The WDOT said they addressed the problem when it occurred and now it was up to the property owner to keep the culvert clear of debris and ice to prevent future flooding. Don said that he talked to Chad Sampson before the meeting and that Chad had not heard back from Kevin Malchine. Chad wants to approach Kevin about adding to the existing berm or extending the grass buffer or even planting a permanent cover like a hay crop in the field in question to reduce the sediment runoff from this area. Don pointed out that there are two owners to the ravine that runs from this area in question into Tichigan Lake. Chad said that he can contact the owner about what needs to be done to repair the ravine to help diminish the amount of sediment running into the lake.

Correspondence –

- a. 5/01/14 Email with attachment from Alan Barrows “Shoreline restoration Project Bid Announcement”
- b. 5/05/14 Email from Jim Ritchie with attached Grant Extension for ENUM -19.
- c. 5/06/14 Email from Jim Pindel to the Clerk of the Town of Vernon concerning the terms of appointed commissioners and a report on what happened at our April meeting concerning the Kaishian landfill.
- d. 5/29/14 Emails to Mary Lasich, David Craig, Scott Gunderson, Jim Ladwig and Dan Vrakas asking for funding for SEWFRC with attached 2015 budget

Miscellaneous Issues –

Alan Barrows brought up the fact that Waukesha County has a farm field not far from Bob Bartholomew’s farm that has about a 500 foot long gully so he is working on designs for a grass waterway to fix this situation. Alan said he will probably be coming to the commission for funding sometime this summer.

Don Barron of the WWMD said that one of their commissioners Andres Peekna who is on the Ecosystem restoration project (ESR) otherwise known as the dredging project has completed a field survey and calculation which shows that the impoundment is filling up with silt at a rate of 0.6 inches per year. At this rate in twenty years the silt will be 2 feet higher eliminating boating navigation throughout most of the impoundment. So the timeline is running on getting the dredging done.

Jim D’Antuono gave an update of the Kaishian landfill situation. Jim said that the WDNR amended the permit to allow him to finish phase 1 of the project and bring it up to grade and stabilize the site. After that time the Village of Big Bend and the WDNR

would review the progress and decide whether to issue permits for the next phase of the project. Jim said that Kaishian did not do what he was supposed to do. The site has been shut down and the Village has issued a stop work order. The WDNR is now in an enforcement mode. Jim said he does not know if the site will ever be opened up again. Jim D'Antuono did say that a lot of stabilization work had been completed before the shutdown. Chad Sampson asked if there was a Restoration Bond in place and Jim indicated that there was one. When asked Jim D'Antuono said that the WDNR had not issued a formal citation but Francis Stadler said that the Village had issued citations. Francis said that Kaishian is required to put in 3 more monitoring wells and the Village is watching the site closely.

Dean Falkner said that the Village of Mukwonago has well #7 ready and capable of working. They have not started it yet because there are some site issues and program issues that have to be resolved. It is possible that the well might be put into operation within the next month. Barb Holtz said that there were concerns that it might drain the Phantom lakes and even the river. Dean said that there were varying views on what would happen and so they will be monitoring to see if there are any effects when the well is put into operation. The well is capable of 700 GPM but will only be operated around 100 to 200 GPM. The well is 120 feet deep.

It was motioned by Francis Stadler and seconded by Chad Sampson that the meeting be closed and the motion carried unanimously.

Meeting Closed at 2:23 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, June 27, 2014 at 1:00 PM. (Meeting Location: Town of Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI 53103.)

Commission members present:

Doug Koehler (City of Waukesha)
Robert Bartholomew (Town of Vernon)
Randy Meier (Town of Waterford)
Shelley Tessmer (Town of Waterford)
Randy Craig (Town of Vernon)
Francis Stadler (Village of Big Bend)
Chad Sampson (Racine County)
Dean Falkner (Village of Mukwonago)
Barb Holtz (Town of Mukwonago)
Jim Ritchie (Wisconsin DNR)
Tom Slawski (SEWRPC)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Al Sikora (Village of Waterford) (Chairman)
Don Scott (Town of Vernon) (Vice-Chairman)
Ron Peterson (Village of Big Bend)
Alan Barrows (Waukesha County)
John Marek (Town of Waukesha)

Also present: Don Baron of the WWMD, and Dan Treloar of Kenosha County.

At 1:05 PM, Jim Pindel standing in for Chairman Al Sikora called the SEWFRC meeting to order.

The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Before going into the agenda, Jim Pindel stated that he had a copy of the Spring 2014 Fishing Report which was put out by the WDNR and attached to a recent Natural Resources magazine. On page 3 there is a 1 paragraph article by Benjamin Heussner about the culvert removal project on the Mukwonago River, which we helped to fund. Jim passed the report around for all the commissioners to see.

Minutes The minutes from the May 30, 2014 meeting were reviewed. It was motioned by Randy Craig and seconded by Shelley Tessmer that the minutes be approved. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Report for May 2014 was reviewed. In summary we started with \$103,428.03 in our money market account. We made a payment of \$119.95 to Bella Mia for our website hosting. We received interest payment of \$17.55 leaving us with a final balance of \$103,325.63. Jim Pindel explained to the commission that Alan Barrows emailed us stating that the Mukwonago Streambank restoration project has run into a snag and could not be completed by 6/30/14 as earlier expected. Based on this information Jim Pindel sent a letter to Jim Ritchie of the WDNR requesting a further extension of ENUM-18 until the end of the year. Jim Ritchie responded with a grant

extension, so now the Mukwonago Streambank restoration has to be completed by the end of this year so we can use ENUM-18 funds. It was motioned by Francis Stadler and seconded by Randy Meier that the Treasurers Reports be approved. The report was approved unanimously.

Old Business

- a) Fox River Partnership Summit – Tom Slawski stated that he had completed the paperwork for reimbursement for the 2014 Summit. He handed that documentation over to Jim Ritchie. Jim Ritchie said that he would scan the documentation and email a copy to Jim Pindel for our records. Tom then indicated that he had not officially requested funds for the 2015 Summit, which will be held on March 14, 2015. After some slight discussion Tom requested \$5,500 again even though he thought he might not need all of it, in which case he would simply come in under budget. Shelley Tessmer motioned that we provide the funding for the summit and the motion was seconded by Barb Holtz. The motion carried unanimously.

- b) Shoreline erosion mapping and stabilization planning with invasive species mapping – Graef Engineering. Jim Pindel reported that he had completed the paperwork for reimbursement against ENUM-18 to Jim Ritchie and Jim Ritchie indicated that it was all in order. Jim Pindel pointed out that the project came in about \$1000 under budget. Therefore this item will be removed from future agendas. Francis Stadler asked if this was something we would do every year. And Jim Pindel responded that we did this once only for the main stem of the Fox River. If for some reason we think it would be beneficial to do an additional survey of some particular tributary of the river we would consider it. The main reason for doing the survey in the first place was to identify erosion and invasive species projects we could identify in upcoming annual budgets. Jim also stated that if and when we expand our boundary south to the Illinois border, it would make sense to survey from the dam in Waterford down to the Illinois border to see what problems there are. A hardcopy of the report was borrowed to Shelley Tessmer to take home and study.
Shelley Tessmer asked if each of our municipalities gets a copy of the GIS report and we said they do not, but it would be a good idea if it generated sponsors to head up projects that need to be done. Barb Holts suggested that the commissioners representing each of the municipalities inform them that this information is available. Tom Slawski and Dan Treloar pointed out that Graef provided .shp files to Alan Barrows of Waukesha County. The .shp files or layer can be overlaid on different county or municipality maps to identify who is the land owner, what municipality and county are involved. Chad Sampson added that with the .shp files Racine County would probably overlay the GIS data from Graef on their maps and allow people to see and investigate on individual computers in their offices, but would not put it on their website. Jim Pindel said that if any county or municipality wanted the

.shp file they should email him with the request and he would get it from Graef.

- c) Mukwonago River shoreline restoration at WE Energies Site. Neither Alan Barrows nor Dean Falkner was present at this point in the meeting. Jim Pindel stated that Alan had sent an email to Al Sikora, Jim Ritchie and himself stating that there was a problem. Apparently the individual landowner, Alex Seifert, would not sign the work agreement and so the design will have to be changed so that the work that has to be done can be accessed from the opposite side of the project. The change in design will require the project to be rebid and a new cost determined. Based on this information and the fact that we were going to pay for this project with ENUM-18, Jim Pindel requested an additional 6 month grant extension from the WDNR which Jim Ritchie granted. Now this project in whatever form it takes has to be completed by the end of this year. At this point the project is on hold.
- d) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler said that he had talked to the Village and the contractor and the work would be completed in a month or two. Jim Pindel said that he had stopped by the site and said that the fence was installed but was about 3.5 feet back from the retaining wall. It would be possible for anyone to walk along the edge of the retaining wall outside of the fence. He said he hoped that the plan was to plant some large thorny bushes between the fence and retaining wall to prevent anyone from walking there. Francis said that he has instructed the contractor to put something up at least to the second rail of the fence to prevent anyone (especially children) from going through and getting in a dangerous location. Barb Holtz reminded us that we specified that the vegetation had to be native.

New Business

- a) Wood Drive Erosion Control Project – Chad Sampson said that an unexpected thing has happened. The farmer (Paul Bauman) who owns the land where the project was supposed to be done has passed away. With this being the fact the project is on hold until he can identify whoever can make a commitment to allow the project to go forward. Chad did say that the home owners who use the gravel drive (Indian road) are anxious to get the job done. Chad said the project needs to be done with a grass swale all the way from highway 164 down to Indian Road. To get this done will require permission/cooperation from Kevin Malchine, who owns the land adjacent to highway 164 and the Bauman's who own the land from the fence line to Indian Road. Don Barron of the WWMD said that their special projects people had just walked through this area last week and said that they need to be kept apprised of what the County was doing so that we did not duplicate efforts.

At this point Dean Falkner just showed up and so we brought him up to speed on what was covered regarding the Mukwonago Shoreline restoration project. Dean

- seemed to agree with what was said. Dean asked if we had gotten an extension to ENUM-18 and we said that we had.
- b) Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that he did not know if the City of Burlington had voted on or generated a MoU to join the commission. He said he would follow up with them. Tom has not had any success with contacting the municipalities in Kenosha County but will work on it.
 - c) Consideration of how we operate with a larger membership base: Jim Pindel said that at the last meeting we discussed the term of appointment for commissioners and that he will add this requested change to the word document that lists all of our requested changes, so that when we are ready to go to the legislature to change our boundaries we have our requests documented. He also asked that as any of us think of changes we think would be appropriate they should email him and he would put them on the agenda for our next meeting.
 - d) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that the status is the same as last month. The environmental impact statement is being prepared and he didn't have a time frame on when it will be finished. Jim also advised the commission that the WDNR's regional water supply supervisor position has been vacant since last year and that position has now been filled. This is another local person who will oversee this effort. However the diversion is being handled by the staff in Madison.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois –Tom Slawski said that he has been trying to find a contact at the FWA to arrange a meeting with them.
- b) SEWFRC Website – Al Sikora was not present and we agreed that Al seems to have everything up to date on our website.
- c) Highway 164 Construction update: - Don Baron of the WWMD said that he had been in contact with Chad Sampson who advised there were federal programs that would help pay for some of the improvements that need to be done. During a recent site visit to the area where the erosion is occurring they noticed that the corn was planted in rows running east and west which allows the rain to run and washout between the rows. They will ask the farmer to plant in a north south direction to minimize the runoff. Additionally they will try to get the 85 foot vegetative buffer extended or add a berm to stop the runoff.
Don also announced to the commission that the WWMD is sponsoring a public outreach and informational meeting tomorrow 6/28/14 at the Waterford town hall to update everyone on the progress of the Ecosystem Restoration (ESR) Project

(dredging) in the Waterford impoundment. Don did say that Andres Peekna from the ESR committee did a study that shows that the sediment fill in rate is 0.56” per year. So in 10 to 20 years the impoundment will be nothing but marshland. Barb Holtz asked what was the source of the sediment. It was explained that some of it comes for the natural decay of leaves and weeds on a yearly basis since the impoundment was established in 1836. A large contributor was the flood of 2008 which flushed the Fox River out and deposited the silt in Conservancy Bay and the rest of the impoundment.

Correspondence –

- a) 6/6/14 Response from Jim Ladwig of Racine County stating that they would consider our request for funding
- b) 6/6/14 Response from David Craig thanking us for the update and requesting that we keep him apprised of our expansion progress.
- c) 6/11/14 Forward of an email from Graef Eng. to all commissioners with an attachment concerning a federal grant program. Jim Pindel said that he wished we had a lawyer on the commission who could study this program and see what if anything we should do. Don Barron of the WWMD said they had a lawyer who was investigating this program and would keep us apprised of anything we could do.
- d) 6/24/14 Email from Alan Barrows outlining problems which will delay the completion of the Mukwonago Shoreline restoration project; culminating in a request to Jim Ritchie for extension to ENUM-18 (as an attachment) for an additional 6 months.

Miscellaneous Issues –

Jim Pindel said that before our last meeting he had talked to Jim Ritchie saying that we really don't know how to measure water quality. There are probably biological, chemical and suspended solids involved in the rating. He asked that Jim Ritchie either find the information or provide someone from the WDNR who could explain it to us.

It was motioned by Bob Bartholomew and seconded by Randy Meier that the meeting be closed and the motion carried unanimously.

Meeting Closed at 2:14 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, August 8, 2014 at 1:00 PM. (Meeting Location: Town of Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI 53103.)

Commission members present:

Don Scott (Town of Vernon) (Vice-Chairman)
Doug Koehler (City of Waukesha)
Robert Bartholomew (Town of Vernon)
Randy Meier (Town of Waterford)
Randy Craig (Town of Vernon)
Francis Stadler (Village of Big Bend)
Alan Barrows (Waukesha County)
Chad Sampson (Racine County)
Dean Falkner (Village of Mukwonago)
Barb Holtz (Town of Mukwonago)
Jim Ritchie (Wisconsin DNR)
Tom Slawski (SEWRPC)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Al Sikora (Village of Waterford) (Chairman)
Shelley Tessmer (Town of Waterford)
Ron Peterson (Village of Big Bend)
John Marek (Town of Waukesha)

Also present: Don Baron and Dick Kosut of the WWMD, Karen Kuphall, Wayne Klopfer, Frank Godec from Hidden Lakes Subdivision and Dan Treloar of Kenosha County.

At 1:05 PM, Don Scott Vice-Chairman 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 27, 2014 meeting were reviewed. It was motioned by Bob Bartholomew and seconded by Francis Stadler that the minutes be approved. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Reports for Jun and July of 2014 was reviewed. In summary we started June with \$103,325.63 in our money market account. We received interest payments of \$16.99 in June and \$17.55 in July leaving us with a final balance of \$103,360.17 at the end of July. Francis Stadler asked if some of these grant funds could be used to purchase rock riprap. Jim Pindel responded by say yes it could be used for rock riprap if someone sponsors a project to use the riprap and that person or organization applies to the commission and meets our acceptance criteria and obtains a permit from the WDNR. Francis then asked if a municipality like the Village of Big Bend could apply and was told that they could apply. It was mentioned that the WDNR prefers the use of softer erosion control methods like biologs and vegetative plantings where possible. When Francis asked if some of the locations requiring erosion control work were within the village of Big Bend, Alan Barrows said that he could provide Francis with a map which overlays the Graef GIS map with the village of Big Bend, identifying

exactly where the problem areas are. Chad Sampson asked why the \$5,000 he requested for the Wood Drive project was not listed on the report. Chad said it had been voted on and was approved. Jim Pindel said that it should and will be listed from now on. It was motioned by Randy Meier and seconded by Bob Bartholomew that the Treasurers Reports be approved. The reports were approved unanimously.

Old Business

- a) Fox River Partnership Summit – Tom Slawski notified us that at the last summit the USGS made a presentation about the Water Smart Program. Tom received a report from Chuck Dunning saying that the Fox River was one of the seven finalists for the last three spots in the US in this program. The study has been expanded to include the entire Illinois Fox River Basin. This expansion would encompass many more stakeholders giving us more leverage to win one of the final spots. The expanded water use conflict would make us more competitive with the other applicants. Tom said he didn't know who or what the other six applicants were. Tom said that we need letters of support for our project and we the SEWFRC need to provide a letter of support. Tom is working with other organizations to get additional letters and will be working to provide an outline or even a draft of what our letter should look like. The letters of support are required by 8/29/14. Tom passed out copies of the Colorado River Basin Focus-Area Study, a project that was completed on the last or maybe first go around of the Water Smart Program. The hand out included an explanation of the Water Smart Program as well as the specifics of the Colorado River Basin study. The Water Smart Program addresses both surface and ground water. It is a very comprehensive study of all the aspects of water flow and the demand for its use as well as its quality with regard to recreation, wildlife, drinking water, industrial, agricultural and commercial use, etc. The possible divergence of waste water discharge away from the Fox River would certainly be an issue of concern. Tom asked how letters go out and are approved. Jim Pindel said that in the past he emailed drafts of some letters to all commissioners asking for comment or additions. Some comments and corrections came in and the letters were adjusted accordingly and sent out without any special meeting or vote. Francis Stadler asked if the GIS study conducted by Graef would be helpful and Tom said that it should be used to show that we are already investing in the management of the river. Chad Sampson asked if identifying specific projects like dredging and some of the other projects we completed would help and Tom said that the program is more concerned with understanding and quantifying water use in the area of concern. Don Barron of the WWMD stated that their lake management document spells out many aspects of water quality and use and could be a good reference for the support letter. Tom did point out that the WWMD should send a letter of support as well. The ultimate goal is to understand all the uses and demands for the water and then how to manage these demands.

- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that he has had recent discussions with both WE Energies and Byden Ecological Services and they are both interested in keeping this project moving forward. Right now the project is scheduled for September. There has been discussion about whether Mr. Seifert who owns 70 feet of the 400 feet involved in the project will be included. Alan said that he will discuss with Dean Falkner whether they should keep him in the project or just work around him. During the course of the deliberation, it was decided to eliminate Mr. Seifert's property from the project and add it as an option when getting the project re-quoted. Alan said that they would approach Mr. Seifert to see if they could have access through his property to do the rest of the work. Going from the other side of the project would be difficult and expensive. They would offer to repair or reestablish the property to its original condition or even better. There was a thought to try to improve the slope of the property at one point to improve it. Alan will contact all the bidders who quoted on the project and ask them to requote based on 330' instead of 400'. Alan asked if the village of Mukwonago was still interested in being the sponsor of this project and Dean Falkner said that they were. Right now the project is expected to be done in September or October of this year.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler said that the contractors are busy and can't get the job done. He asked that we keep this project on the agenda.

New Business

- a) Wood Drive Erosion Control Project – Chad Sampson said that he has made some progress and he had spoken and meet with Perry Bauman who is on board with this project. He had a bid from a contractor who wants \$12,000 to do this work. Chad expects \$5000 from the commission and will get the rest of the money from either the county or the residents involved. The area where the grass swale was to be installed was not planted this year. There is a bowl or basin in the subdivision next to the property and if they fix the 8" tile the water flow can be diverted underground instead of flowing on the surface. Chad has had contact with the five or six home owners who will lose access to their homes during the constructions phase which should only last a day or two. They will have to make arrangements to get to their cars and homes during this time period. Chad expects the project to be completed in September of this year. Chad said that there is another project on the adjacent Malchine property where a washout ravine runs through that property right into the Bauman farm which needs some work. His hope is that the two projects can be done together by one contractor to minimize time and expense.
- b) Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that he had contacted the town clerk of Wheaton and is working on making a presentation. Their town board meets on every second and fourth Monday of the month. Right now it looks like we will meet with them in

late August or early September of this year.

- c) Consideration of how we operate with a larger membership base: There was no new input on this topic this meeting.
- d) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that the status is the same as last month. The environmental impact statement is being prepared and he didn't have a time frame on when it will be finished. Jim hoped that he would be able to make a report at our next meeting.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois –Tom Slawski said that he had nothing to report. He said he would make an effort to contact them.
- b) SEWFRC Website – Al Sikora was not present and so no report was made.
- c) Highway 164 Construction update: - Don Baron of the WWMD said that the WDOT had installed a check dam along highway 164 just north of the gully on Kevin Malchine's property. This is the same property that abuts the Bauman farm where the Wood drive project is going to occur. Don said he was present when they installed the check dam and asked them to plant some tall grass to slow the runoff water velocity. Don asked Chad Sampson if he would ask Kevin Malchine to plant his corn in a north-south direction which would tend to slow the flow of surface water down the hill. Don also said that he talked to the owners of the ravine near Poplar road and both of them are interested in doing the work necessary to stop the erosion that goes into Tichigan Lake. Chad said that he and Don could investigate what needs to be done and bring it to our next meeting if funding from the commission is necessary. Don ended by saying that they were getting ready to submit the permit application for the dredging for the ecosystem restoration project. The cost of the engineering for this permit application has become extensive and he probably will come to us at our next meeting looking for funding assistance for this effort.

Correspondence –

- a. 7/03/14 Email from Jim Pindel to Michelle Hase and Alan Barrows with an attachment from the Clerk of the Town of Vernon concerning a possible dam failure in the Hidden Lakes subdivision.
- b. 7/05/14 Email response to above email from Michelle Hase stating that the dam is not failing but does require some repairs and the dam may have to be replaced in the future, since it is at its designed life.
At this point a discussion occurred with the attendees from the Hidden Lakes subdivision. Jim Pindel recounted that the response from Michelle Hase was that the dam is not failing, but needs some maintenance. She said some trees had to be removed and some other maintenance work was

necessary. She also pointed out that the dam would reach its design life in 10 to 15 years at which time it would have to be replaced or eliminated. Jim Pindel said that he forwarded the response from Michelle to the clerk of the town of Vernon and all our commissioners, so that everyone would be informed. Jim Pindel went on to say that if someone became a sponsor for the work that needed to be done, they could come to the commission and apply for grant funds on a 10% cost share basis. The project would then have to meet our acceptance criteria and be voted on by the commission. An attendee from the Hidden Lakes subdivision asked if they could apply for funding to remove or replace the dam. Jim Pindel stated that this event would be 10 or 15 years down the road and so the request for funding would have to come closer to that time. The representative from Hidden Lakes said that if the present repairs cost forty to fifty thousand dollars, the people in the subdivision might opt to just remove the dam right now. At the end of the discussion the representative of Hidden Lakes said that they are really just at the exploratory stage of trying to figure out what they need to do and what the costs might be. Jim Ritchie clarified this by letting all of us know that maintenance of the dam itself would not be allowed under the RBF (recreational boating facility) grant that we presently have. However he did say that any erosion control or restoration work which would prevent erosion could be considered. When the Hidden Lakes people were asked about the size of the lakes behind the dam they responded that the lakes covered about 22 acres. If the dam should fail all this water would flow down to the Fox River and might cause a liability issue. They also said there are about 30 homes on the lakes.

- c. 7/15/14 Emails between Chad Sampson, Jim Ritchie and Jim Pindel regarding the fact that Michelle Lehner is taking over Jim D'Antuono's position in the WDNR.
- a) 7/18/14 Email from Don Baron of WWMD stating that the WDOT considers this project completed and any complaints (problems) have to be addressed by the vendors who did the work.

Miscellaneous Issues –

Alan Barrows said that the Waukesha parks division is working on the design for a streambank restoration project on the outside bank of the river at Fox River Park. This is a project that the county will be coming to the commission for funding.

Jim Pindel said that at our last meeting he had talked about the fact that we really don't know how to measure water quality. There are probably biological, chemical and suspended solids involved in the rating. At that time he asked that Jim Ritchie either find the information or provide someone from the WDNR who could explain it to us. After the meeting Tom Slawski sent an email stating the SEWRPC had some information in this regard. And so Jim Pindel asked Tom to get together with Jim Ritchie and see if between them someone could provide a simple explanation of how to measure and rate

water quality. Jim Pindel also reminded everyone that he had sent out a scanned copy of an article from the Milwaukee Journal Sentinel in which the WDNR was asking the public what aspects of water quality people are most interested in, so that they could focus their efforts on these areas of water quality over the next three year period. Alan Barrows said there is a definition of pollution in the Clean Water Act, which gets very detailed going into such things as trash temperature and many other sources. Alan said he would email that portion of the Clean Water Act to Jim Pindel who would then forward it to all the commissioners. This act defines how the federal government sees water pollution.

It was motioned by Chad Sampson and seconded by Randy Meier that the meeting be closed and the motion carried unanimously.

Meeting Closed at 2:05 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,
September 26, 2014 at 1:00 PM. (Meeting Location: Town of
Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend,
WI 53103.)**

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Doug Koehler (City of Waukesha)
Robert Bartholomew (Town of Vernon)
Chad Sampson (Racine County)
Dean Falkner (Village of Mukwonago)
Barb Holtz (Town of Mukwonago)
Jim Ritchie (Wisconsin DNR)
Tom Slawski (SEWRPC)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Don Scott (Town of Vernon) (Vice-Chairman)
Randy Craig (Town of Vernon)
Ron Peterson (Village of Big Bend)
John Marek (Town of Waukesha)
Francis Stadler (Village of Big Bend)
Alan Barrows (Waukesha County)
Randy Meier (Town of Waterford)
Shelley Tessmer (Town of Waterford)

Also present: Don Baron and Dick Kosut of the WWMD, Karen Doyle of Waukesha County, David Burch of Waukesha county Dept. of Parks & Land use, Michael Schwarz a resident of the Town of Vernon, Brian Schneider of Graef and Dan Treloar of Kenosha County.

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 August 8, 2014 meeting were reviewed. It was motioned by Bob Bartholomew and seconded by Doug Koehler that the minutes be approved. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Report for August 2014 was reviewed. In summary we started August with \$103,360.17 in our money market account. We made the final payment of \$1,375 for the 2014 Fox River Summit to the Fox River Partnership. We received an interest payment of \$17.41 leaving us with a final balance of \$102,002.58 at the end of the month. The undedicated grant funds left in ENUMs 18 and 19 amounts to \$159,146.40. It was motioned by Dean Falkner and seconded by Barb Holtz that the Treasurer’s Report be approved. The reports were approved unanimously.

Old Business

- a) **Fox River Partnership Summit** – Tom Slawski notified us that he has reserved the Veterans Terrace in Burlington for March 20, 2015 for our next Summit. Tom

thanked all the municipalities, organizations and agencies that sent letters of support to the USGS in an attempt to pursue them to select the Fox River for the WaterSMART program. Apparently the USGS was impressed by the large number of groups that collaborated in support of the Fox Rivers bid for one of the three remaining spots available.

- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows was not present and Dean Falkner said that he believed Alan was working on getting permits for the project. Karen Doyle then made a report for Alan Barrows. Karen started by passing around a map of the project site. She explained that access to the project area is limited to coming off CTH 'ES'. The map identified a 15 foot wide access lane from the highway to the WE Energies property which was sent to Dean Falkner asking him to get permission from the land owner. The low bid contractor is anxious to get started. We still need to apply for permits, once the plans, specifications and quantities are finalized.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Neither Francis Stadler nor Ron Peterson were present to address this project. Jim Pindel said that he and his wife visited the site on the previous Wednesday and saw there has not been any progress. Jim said he talked to Francis who said he could not come to this meeting and would try to apply some pressure to get the job done.
- d) Wood Drive Erosion Control Project – Chad Sampson said that he still hopes to get the project completed this fall if the weather cooperates. He also pointed out that there is still a corn crop in the field. Once the crop is harvested they will have to go in there and see if it is dry enough to do the work.

New Business

- a) Ecosystem Restoration Project dredging permit presentation – WWMD. Don Baron of the WWMD started by passing out a map of the Waterford impoundment which highlighted the areas to be dredged and also indicated four locations where the dredge spoils might be deposited. Don said that Graef Engineering submitted the dredging permit application to the WDNR yesterday. The WWMD is looking to us for a 90% cost share of the \$56,000 cost for preparing and negotiating the Chapter 30 permit. Our 90% share comes out to \$50,400. Obviously some of the work has already been done and much of it still has to be completed. Don said that it will take the WDNR and the Army Corps of Engineers (ACOE) two to three months to review the permit application. After the review the WWMD and Graef will have to meet with both the WDNR and ACOE to hammer out details and make any required changes. At this point Don introduced Brian Schneider of Graef who provided a Power Point presentation homing in on all four of the potential dewatering and dredge spoils deposit sites. Brian said there is approximately 480,000 cubic yards of spoils to be taken care of. Homing in on site A, Brian said that they had taken soil borings and wetland

delineation study which showed that they were a little too tight on room at this location, so they didn't proceed any further with this location. Looking at location B, Brian pointed out that the two areas under consideration at this location are quite a long ways away from the river. Both areas are adjacent to wetlands which makes this part of the site off limits. There are two options for dewatering at this site, either making ponds or implementing geotextile dewatering bags. The ponds are the more economical solution. In both of these areas at this site we propose to leave the sediment at the site. They would strip off the top soil at each site and then deposit the sediment and then return the top soil over the sediment. Essentially this buries the sediment and overcomes the requirement of not farming the land for a year if the sediment is on the surface. One area would be turned into prairie and the other used for farming. Chad Sampson asked whose property this was and Brian said that it was owned by the WDNR. Jim Ritchie asked if the WWMD had permission from the property managers and Brian responded that the permit application was the formal request for use of the land. Brian then showed the next location and then showed exactly how the geotextile bags would work and be positioned on the land. Brian then went on to show the Malchine property on the SW corner of E River Bay Road and STH 164. Because of all the new soil on this property after the STH 164 project last year, they would not consider a pond for dewatering at this location, so it would definitely be used with geotextile bags. Site C is the Degrade property sand and gravel pit. This location is fairly straight forward to use. It has limited capacity but is easy to access. It will hold 45,000 to 50,000 cubic yards of sediment. Chad Sampson said that he had talked to several farmers in the area about using the sediment; in particular he mentioned Kevin Ranke and Don Baron said that John Bostrum from the WWMD had talked to Kevin several times. Jim Pindel asked if the four sites that were under consideration could hold the 480,000 cubic yards that needed to be handled. Brian said that they could absorb that capacity probably needing to utilizing geotextile bags. Don Baron asked about using the Rateike property and Brian said it looked promising after reviewing it from aerial photos, it has a lot of open space without any wetlands. Dean Falkner asked if adding polymers to the sediment could dewater the sediment sufficiently to not need the geotextile bags. Brian said the polymers could be used to increase the settling rate in the ponds but didn't indicate that it could be used to replace the geotextile bags. Tom Slawski asked if the different locations would be used at the same time and if they had considered the settling rates. Brian said that they had not gotten into settling rates because they were not sure of the feasibility of using each of the locations. At this point the commission reviewed the Project Acceptance Criteria form and the result was that the project was rewarded 46 out of a possible 55 points and met the criterial of points #1 and #8 and so the project was proved to be grant acceptable. Chad Sampson questioned if this project was already finished and now the WWMD was asking after the fact for funding and Brian explained that even though the grant application was given to the WDNR yesterday, plenty of work still had to be done. Jim Ritchie said that if construction type work had already be done it could not be granted after the fact but that engineering and planning work was an exception to that rule. Jim Pindel

motioned that we except this project for grant funding and Dean Falkner seconded the motion. The motion passed unanimously.

- b) Storm water abatement at Schuetze Playground – David Burch Dave introduced himself as the Manager of the Waukesha County Department of Parks and Land Use, but today he was representing the Waukesha Park Foundation which is a non-profit organization. This project has been under consideration for some years now and the total cost of the project is estimated at \$250,000. The existing playground is located in the flood plain and floods most often in spring. The purpose of the project is to remove a building and playground in the area that floods most springs when it is not useable to most people. At this point David passed out a paper copy of a Power Point presentation concerning this project. The removal of the asphalt and concrete surfaces will replace these impervious surfaces with a rain garden and storm water feature. There will be an overlook deck that can be used for environmental and educational purposes. This is a great place that is used by people of all ages. The goals of the project are protecting the river, reducing the impervious surfaces in the flood plain, reducing runoff and using this project to educate the public who use this facility. David enumerated several other organizations that are sharing in the cost of this project. The entire area will be accessible to anyone with any kind of physical challenges. The new playground will be built outside of the flood plain. David said they are looking for \$25,000 from the commission which would cover the rain garden, the overlook deck, interpretive signage and storm water feature. The commission expressed some concern with paying for the overlook deck and the placement of the deck in a flood plain. At the end of the day, at Chad Sampson's request, we asked that we be advised of exactly where our money was being spent, so that we could confirm that it was spent on items that address erosion prevention, storm water abatement and education. The expectation is that this project would be completed by the end of 2015. Jim Ritchie pointed out that EMUN 19 expires on June 30, 2015 but with an extension we could incorporate it in this grant. The project acceptance criteria was reviewed for this project and it scored 49 out of a possible 55 points and met the requirement of meeting #1 and #8 criteria and so the project was deemed acceptable. It was motioned by Chad Sampson and seconded by Barb Holtz that we accept this project not to exceed \$25,000 also stipulating that our funds be used for items that affect storm water abatement, erosion control and education regarding the river ecosystem. The motion passed unanimously.
- c) Town of Vernon farm field gully repair – Karen Doyle Karen started out by passing out copies of the "Waukesha County Environmental Education Activity Guide" to each of the commissioners present. Next she passed out a copy of the presentation materials. She explained the material in the handout the first sheet of which was an aerial view of the farm field and the surrounding area. It outlined a future county park "Fox Bend Park" and showed the Fox River off to the north. The second sheet of the presentation showed the trapezoidal cross section of the swale to be installed and detailed the dimensions of the channel. Karen noted that

initially the topsoil will be stockpiled and later respread on the waterway to facilitate the new vegetation that will be planted. She pointed out that the channel will be lined with geotextile mat and have stone at the outlet. Erosion mat will be placed on the bottom horizontal section of the channel. The buffer area on both sides of the channel will be planted with native grasses. The presentation materials included two photos of the present ditch in which the present erosion could be seen. The cost of the entire project is estimated at \$4,500 and Karen is asking for a 90% cost share from the commission which amounts to \$4,050. Maintenance would amount to mowing the grass waterway annually, which will be done by the Waukesha county parks staff. Karen explained that anytime the county gets into a cost share agreement they insist on a 10 year maintenance agreement. The Project Acceptance Criteria was reviewed for this project and it passed with a final score of 43 out of a possible 55 points and met the requirement of criteria #1 and #8. It was motioned by Chad Sampson and seconded by Barb Holtz that we accept this project for grant funding. The motion carried unanimously.

- d) Malchine Erosion Control Project – Chad Sampson: Chad projected his presentation slides on the fire house screen for us to view. The first slide showed the eroded gully with corn not growing very well in this location. The next slide was an aerial view where the gully could be seen as well as the Bauman farm where the Wood Drive project meets up to this Malchine farm field. The intent is to install a grass swale to eliminate the gully. There is a large drain tile that is blown out at a number of locations in this field. The drain tile will be replaced with a new 8” or 10” drain tile, that will hook up to an 18” drain tile in the Wood Drive project site. Chad said they will also install some rock riprap near the culvert under highway 164. The total cost of the project is estimated at \$20,000 and Chad has obtained some funding from the state and some federal programs and so he is asking the commission to fund \$6,000 of the project. Chad was asked if the drainage tile would be placed in the grass swale and he said it would not but it would likely follow the existing broken tile path. There are existing lateral connections to the old tile which will be hooked up to the drainage tile. Barb Holtz asked if Chad intends to use native grasses in the swale and Chad said he would not because the most important thing is to get the grass established fast so that it doesn’t get washed away. Barb then asked about a maintenance agreement and Chad said it would be a typical maintenance agreement which would include fixing any immediate concerns like small erosion sites and keeping brush out. The Project Acceptance Criteria was reviewed for this project and the Wood Drive project and it passed with a final score of 43 out of a possible 55 points and met the requirement of criteria #1 and #8. It was motioned by Bob Bartholomew and seconded by Barb Holtz that we accept this project for grant funding. The motion carried unanimously.

- e) Highway 164 Ravine Project – Chad Sampson: Chad projected an aerial view of the project site which is located between Poplar Circle and Birch Road just west of highway 164. Chad showed that a lot of water runs down from the farm field to the east of STH 164 through a culvert into the ravine which leads into Tichigan

Lake. Chad said that back in 2005 – 2007 the ravine was in a terrible shape sending a lot of sediment into Tichigan Lake. In 2007 the county did a project which provided a rock line channel all the way along the ravine. Grass was planted along the edges and everything seemed to stabilize after that. Chad said that for the most part the ravine still looks pretty good especially in the upper section. There are a few rocks out of place, but in the lower section the sediment has built up to the point that the rocks are covered and ineffective. Chad believes that manually removing the rocks in the lower portion of the ravine, digging out the sediment and the replacing the rocks will return the ravine to the condition it was in 2007 which was effective. Chad said he noticed another ravine which joins into this ravine about half way up and this ravine has no rock in it and shows signs of erosion. So part of the project will be to rock line this ravine as well. Initially Chad said he estimated the project to cost \$15,000 and he would be asking for half of that \$7,500 from the commission. Barb Holtz noticed in the photos Chad projected that there was the presence of a lot of invasive species, especially buckthorn. She then asked if it wouldn't be better to remove the buckthorn and plant native grasses as a buffer on the sides of the ravines. Chad said he had not considered doing it but it was a good idea and so after some discussion it was decided to remove the buckthorn and other invasive species and plant native grasses that now would be able to thrive because the buckthorn would no longer shade out the grasses. With this change in the scope of the project, Chad revised his request and now asks the commission to provide \$10,000. As a group we decided that this project would score exactly the same as the Malchine project with regard to the Project Acceptance Criteria and so we assigned it a score of 43 points and agreed that it complied with points #1 and #8 of the criteria. And so it was motioned by Dean Falkner and seconded by Doug Koehler that we approve this project for \$10,000 and that it would include the removal of the invasive species and planting of native grasses. The motion passed unanimously.

- f) Consideration of expanding the Commission's jurisdiction south to the Illinois border. Tom Slawski said that we were successful in getting a MoU from the Town of Wheatland and we were still waiting on a signed copy of the MoU from the City of Burlington. Tom has contacted the Village of Silver Lake and the Town of Salem and he is waiting to hear back from them. Tom said he will continue to pursue all three of these municipalities.
- g) Consideration of how we operate with a larger membership base: There was no new input on this topic this meeting.
- h) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that the status is the same as last month. The environmental impact statement is being prepared. Jim also mentioned that Eric Ebersberger who was the section chief for the group that is working on the impact statement is back to work after his illness.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois –Tom Slawski said that he had talked to Ron Barker and he is still the executive director. Tom talked to Ron concerning the Water SMART program and Ron had sent in a letter of support for us. Tom said that Ron has bad timing conflicts with Fridays, so that is why he has not been attending our meetings.
- b) SEWFRC Website – Al Sikora said he had not updates at this time.
- c) Highway 164 Construction update: - Don Baron of the WWMD said that the WDOT had installed some additional rock riprap on the east side of STH 164 just across the road from the ravine we just accepted as a project.

Correspondence –

- a. 8/26/14 Email from Tom Slawski with attachment “Draft Letter of support or USGS WaterSMART project”
- b. 8/27/14 Email with link to “Clean Water Act” from Alan Barrows which defines water pollutants
- c. 8/27/14 the actual letter of support for WaterSMART
- d. 8/28/14 Email with attachment from Kenosha News about SEWFRC presentation to the Town of Wheatland.
- e. 9/8/14 Email from Barb Holtz concerning the rising water level in the deep aquifer under the City of Waukesha
- f. 9/10/14 Email from Tom Slawski with attached signed MoU from the Town of Wheatland
- g. 9/10/14 Email from Tom Slawski advising us that Judge rules high cap well permits must consider cumulative effect
- h. 8/12/14 Email from Jim Pindel to Chad Sampson stating that we need to complete the project acceptance criteria form for the Wood Drive project.

Miscellaneous Issues –

There were no miscellaneous issues.

It was motioned by Bob Bartholomew and seconded by Barb Holtz that the meeting be closed and the motion carried unanimously.

Meeting Closed at 3:00 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,
October 24, 2014 at 1:00 PM. (Meeting Location: Town of
Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend,
WI 53103.)**

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Don Scott (Town of Vernon) (Vice-Chairman)
Ken Miller (Town of Waukesha)
Francis Stadler (Village of Big Bend)
Alan Barrows (Waukesha County)
Doug Koehler (City of Waukesha)
Robert Bartholomew (Town of Vernon)
Chad Sampson (Racine County)
Barb Holtz (Town of Mukwonago)
Randy Meier (Town of Waterford)
Jim Ritchie (Wisconsin DNR)
Tom Slawski (SEWRPC)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Randy Craig (Town of Vernon)
Dean Falkner (Village of Mukwonago)
Ron Peterson (Village of Big Bend)
Mary Pindel (Town of Waterford – Alternate)
Shelley Tessmer (Town of Waterford)

Also present: Don Baron and Dick Kosut of the WWMD, Michael Schwar a resident of the Town of Vernon.

At 1:04 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 September 26, 2014 meeting were reviewed. It was noted by Jim Pindel that David Burch's name was mis-spelled in the minutes and would be corrected. It was motioned by Barb Holtz that the minutes be approved as amended and seconded by Doug Koehler. The minutes were approved unanimously.

Treasurer Reports – The Treasurer's Report for September 2014 was reviewed. In summary we started the month with \$102,002.58 in our money market account. We received an interest payment of \$16.77 leaving us with a final balance of \$102,019.35 at the end of the month. The undedicated grant funds left in ENUMs 18 and 19 amounts to \$65,451.40 after adding the five new projects last month. Jim Pindel pointed out that one or several of the active projects must file for at least \$22,271.40 before the end of this year so that we can close out ENUM-18 by fully using it up. Tom Slawski pointed out that the 2015 Fox River Summit was missing from the Active Projects in the report and Jim Pindel said he would add it to next month's treasurer's report. It was motioned by Bob Bartholomew and seconded by Randy Meier that the Treasurer's Report be approved. The reports were approved unanimously.

At this time Ken Miller of the Town of Waukesha arrived and introduced himself as the newly appointed commissioner representing the Town. After being greeted by all, Jim Pindel presented Ken with a copy of the state statues that define our commission and a copy of the current Implementation Plan.

Old Business

- a) Fox River Partnership Summit – Tom Slawski notified us the USGS had not selected us for the WaterSMART program. Apparently the USGS was impressed by the large number of groups that collaborated in support of the Fox Rivers bid, but we were not selected this time around. Tom said he did not have any news concerning the development of the program for the 2015 Summit but it will be worked on in the future. Tom said that he is in the process of drafting an article for the Wisconsin Natural Resource Magazine, which will be published in January or February of 2015. This is good timing because it would come out just before the 2015 Summit. The article will describe what was done at the 2014 Summit and is limited to 2100 words plus some pictures.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that things have been quiet lately on this project. They have revised the plan to show how they will get access to the WE Energies property through the Seifert property, but the problem is that they have not been able to contact Alex Seifert to get approval to cross his land to do the construction. Alan has gone as far as to knock on the door of Seifert home (three different times), but no one was home. The low bid contractor is anxious to get started and do the work but we are at an impasse until we get permission from Alex Seifert. Alan said that he needs to contact Dean Falkner to see how he might get hold of Alex Seifert.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler said that he has been trying to get ahold of people to get a commitment on getting the project finished, but has had no luck. Francis said that he has been visiting the site looking for progress, but none has been made. He said that he intends to put more emphasis on getting a commitment or project completion soon. Francis asked that we keep this project on the agenda and Jim Pindel said that now that it is an approved grant project it will stay on the agenda until it is completed or comes to some sort of resolution.
- d) Wood Drive Erosion Control Project – Chad Sampson said that they have a design done but with the wet weather we have been experiencing he is not sure when he will be able to do the work. Chad said that as far as he knew the field was still full of crop and Dick Kosut advised him that the soybeans had been harvested. The emphasis will be on getting things ready this year for work to be done next spring. Chad said one thing that could be done this year and would be beneficial to get done is to replace the large drain tile on this Bauman property and the Malchine property adjacent to it. This would be a partial completion of both projects. Chad said that he has arranged for both farmers not to plant in the

- areas where they will be doing the work. Chad also noted that passing the Malchine farm field on the way to the meeting it was still filled with standing corn. Chad said that both farmers were on board with the projects and that he was having problems getting contractors to bid on projects at this time. Apparently everyone is busy.
- e) Malchine Farm field Erosion Control – Chad Sampson. This item was covered in the previous project report by Chad. Both projects will be worked on simultaneously and are adjacent to each other but because they had different owners we need to keep them separate.
- f) Highway 164 Ravine repair Project: - Chad Sampson. Chad said there has been more progress on this project. His staff was on site this last Wednesday and walked through the ravine and will put together a design plan for the work to be done. They noted that the new ravine that now joins into the existing ravine comes from a culvert which runs under Poplar circle. Chad said that down near the lake where the ravine meets the lake there is a wooden stabilization structure. The technician who viewed the site thought that the best thing to do would be to remove the structure line the gully with stone and then replace the structure over the top. The technician talked to Terry Betz and he seemed to be open and excited about the project. After the design plan is finished Chad expects to present it to both of the property owners to get their approval.
- g) Waterford Impoundment ESR Project Dredging Permit: - WWMD. Don Baron reported that he, his wife Barbara and Jim Pindel met with the WDNR the day before. The WDNR had responded to the initial Chapter 30 permit within the 30 day allotted time. The WDNR had dismissed the application without prejudice. The major difficulty was that they applied for a General Permit (GP) and the WDNR determined that they needed to apply with an individual permit (IP). The WDNR identified several other permits that needed to be applied for. The WDNR provided an eight page document (including about 50 line items) outlining points that needed clarification, needed additional detail or revision. The WWMD was given 30 days to respond but can apply for additional extensions if they are working on items that need additional time. The extension was agreed upon to extend to 1/15/15. Don pointed out that the IP could take up to one year to be processed by the Army Corps of Engineers (ACOE), which could delay the entire project. Francis Stadler asked why it is taking so long when the FWA in Illinois has been dredging for a long time and Jim Pindel responded that Illinois has a different set of rules with their DNR then we have here in Wisconsin. Don pointed out that this will be the largest dredging project ever done in southeastern Wisconsin with about 480,000 cubic yards of sediment to be removed. Don pointed out that the meeting started out on a positive note saying that it was a permit able project. Alan Barrows asked how the WWMD was doing on disposal sites and it was explained that they have already identified four sites with others under consideration. Chad Sampson said that he had tried to contact Kevin Ranke about using his property as a disposal site but had not heard back

from him. Barb Holtz asked if there had been any consideration of preventing the erosion that caused the sediment in the first place. Don pointed out that when the lake management district was formed the SEWRPC listed 12 sites that needed to be addressed and the WWMD had addressed all of them plus many others since. It was also pointed out that our commission had taken on many erosion control and storm water abatement projects in the impoundment and upstream of the impoundment. The idea was to stop the silt from coming in before we bother to clean out what is already there. It should be noted that the impoundment was created in 1836 and so the sediment that is there has collected over that many years. Jim Pindel pointed out that the GIS survey we commissioned Graef Engineering to do identified 19 sources of erosion north of the impoundment and that when we address these sites it will eliminate additional sediment buildup in the river and Waterford impoundment. Also Graef had not found any sites within the impoundment. Barb then asked if there was a natural or normal amount of sediment buildup in the impoundment. Jim Pindel said that the WWMD had determined that the silt increased at a rate of ½ inch per year, which when you think about it amounts to 5” every 10 years. Jim also explained that Graef Engineering was working on their own estimate of silting to see how long the dredging would last. Don Baron pointed out that the intention is to obtain a maintenance dredging permit once the main project is completed to keep the impoundment clear and navigable.

At this point Alan Barrows brought up the fact that at a previous meeting Francis Stadler asked if he could identify which erosion locations identified in the Graef survey were within the Village of Big Bend. Alan reported that only one of the locations was in the Village and that one was at the Village Park (owned by the Village) just downstream of the rock riprap where about 50’ of shoreline was eroding. Alan said he did the same thing for the Town of Vernon and it turns out that most of it is on land owned by Waukesha County. Alan said that he had talked to Mike Schwar, who attends many of our meetings, and because he is a civil engineer he will consider using Mike to address some of these situations.

- h) Schuetze Playground Storm Water Abatement: - David Burch. David was not in attendance and Jim Pindel said that he had communicated with David via email and told him it was not necessary for him to attend today’s meeting but that he was responsible to make periodic status reports to the commission, either in person or by email. Jim went on to say that the responsibilities of the sponsors are outlined in the Cost Share Agreement, but it doesn’t seem people notice it. Therefore he will cut and paste the outline in an email and send it to David and other sponsors as appropriate. Doug Koehler added that he had talked to David as well and that next spring when work is being performed he would make progress reports if needed.
- i) Town of Vernon Farm field Gully repair: Alan Barrows said that he was glad to report that this project should be completed next week. He said that they had their pre-construction meeting on Wednesday and they are ready to go. He will go to site on Monday and re-stake out the project site. The project should only take a

few days and they have adequate resources to get it done. Alan said he will stay involved in the project and take before and after pictures. The project is on the north side of Janesville Road on land that is intended to be the future Fox Bend Park. Alan reported that the condition of the gully has worsened a lot over the last year so the work is needed ASAP. The gully is now five or six feet across and at least waist deep. Alan then passed out the maintenance schedule for the project after it is completed. The document landed with Jim Pindel who will file it in the project folder.

New Business

- a) Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that we were successful in getting a MoU from the City of Burlington. Tom has contacted the Village of Silver Lake and the Town of Salem and he is waiting to hear back from them. Tom said he will continue to pursue these municipalities after the elections are over.
- b) Consideration of how we operate with a larger membership base: Jim Pindel brought up the thought of adding to the new statutes that we are required to have an annual financial audit. There was considerable discussion for and against with the final consensus that we should find out how much it would cost and make it contingent on having operating funds available to pay for it. Presently we have sufficient non-grant funds but this may not always be the case. Jim also said that he was appreciative of the fact that Jim Ritchie of the WDNR regularly double checked his figures especially at budget time. Jim Ritchie agreed that he felt confident that our Treasurer's Reports and Budget Reports were accurate.
- c) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that the status is the same as last month. The environmental impact statement is being prepared. Jim also pointed out that there is an extensive amount of information regarding the diversion on the WDNR's website. The information includes the history, key application documents and a listing of the Great Lakes Compact. Also included are the steps in the application process and notifications for public input.

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) SEWFRC Website – Al Sikora said he had no updates at this time.

Correspondence –

- a. 9/29/14 "Mark your calendars" notice from Jim Pindel to all commissioners. This will happen every month from now on.

- b. 10/3/14 Tom Slawski volunteered to make the presentation to the Waukesha County Agri-business Group. Tom added at this time that his presentation will be on November 19, 2014. Barb Holtz asked who the Agri-business group was, and Tom said that he was told it was a group of farmers and growers.
- c. 10/3/14 Progress report from Tom Slawski regarding the MoU from the City of Burlington
- d. 10/7/14 Email from Jim Pindel notifying everyone that we received payment of \$26,059.95 from WDNR against ENUM – 18.
- e. 10/20/14 Email from Jim Pindel to David Burch stating he doesn't necessarily need to attend today's meeting, but he has to make periodic status reports.
- f. 10/23/14 Email from Jim Pindel to David Burch stating that we did approve grant funds of \$25,000 for his project with an excerpt from the 09/26/14 meeting minutes stating such.
- g. 10/24/14 Email from Jim Pindel to Craig Workman of the City of Burlington advising him that he cannot make an appointment to the commission until the state statues are amended.

Miscellaneous Issues –

Chad Sampson advised the commission that we have been included in the new Racine County Budget. We are a line item in the budget and have been allocated \$10,000. The budget is due to be approved on Monday November 3, 2014. Chad said he will look into how we get the funds and what they can be used for.

Alan Barrows stated that he is working with a Town of Vernon resident who has a navigable tributary to the Fox River and pond on his property. The pond was put in about 30 years ago and now the owner wants to remove the pond. At this time the owner is working on a design to dewater the pond. Alan said that he made the owner aware of our commission and we likely will receive a presentation from him at our next meeting in which he will be seeking some cost share from us.

It was motioned by Francis Stadler and seconded by Don Scott that the meeting be closed and the motion carried unanimously.

Meeting Closed at 2:02 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,
December 5, 2014 at 1:00 PM. (Meeting Location: Town of
Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend,
WI 53103.)**

Commission members present:

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

Commission members absent:

Randy Meier (Town of Waterford)
Ken Miller (Town of Waukesha)
Ron Peterson (Village of Big Bend)

Also present: Paul Kling of the WWMD, Rebeca Ewald, Barb Messick of the Village of Waterford, Dan Treloar of Kenosha County and Michael Schwarz a resident of the Town of Vernon.

At 1:04 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 October 24, 2014 meeting were reviewed. It was motioned by Bob Bartholomew that the minutes be approved and seconded by Don Scott. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Report for October 2014 was reviewed first. In summary we started the month with \$102,019.35 in our money market account. We made a deposit of \$26,059.95 and received an interest payment of \$20.75 leaving us with a final balance of \$128,100.05 at the end of the month. The undedicated grant funds left in ENUMs 18 and 19 amounts to \$65,451.40. Jim Pindel pointed out that one or several of the active projects must file for at least \$22,271.40 before the end of this year so that we can close out ENUM-18 by fully using it up. Jim Ritchie asked if the WWMD would have sufficient invoices within this calendar year to cover the \$22,271.40. Jim Pindel said that he had a phone conversation with Don Baron of the WWMD who said that they had received the invoices for October and November for Graef Eng. and that they amounted to about \$15,000. With that and the \$4050 Waukesha County will apply for the farm field gully repair in the Town of Vernon, we will be close. If necessary we may have to ask the WWMD to submit the December invoice from Graef Eng. to cover the

entire amount. The November 2014 Treasurer's Report was then reviewed with the only change being the additional interest income of \$21.06 leaving a ending balance of \$128,121.11. It was motioned by Francis Stadler and seconded by Shelley Tessmer that the Treasurer's Report be approved. The reports were approved unanimously.

Old Business

- a) Fox River Partnership Summit – Tom Slawski said that he attended the Fox River Partnership committee meeting in mid-November. In attendance was Jeff Barzan part of the international crane foundation, who will be a speaker at the Summit. He makes the connection between birds, water, plants and people which forms the international crane foundations approach to conservation around the world. Applying these principals he had performed conservation projects around the world and wetland and farmland projects here in Wisconsin. In the US he has worked with farmers to address crop damage from sand hill cranes. He has been instrumental in reintroducing whooping cranes in Wisconsin. Tom enumerated Jeff's academic credentials and said he expects him to be a very informative speaker. The clear choices – clean water program which came up at the last summit is not dead and they are working toward a watershed wide program for our Fox River. Tom pointed out that we have not done very well at getting attendance from the local municipalities and that we need to target them this coming year. Tom made a presentation to the Waukesha County agri-business group which Commissioner Randy Craig is a member of. Tom said that he had interesting discussions with some of the farmers in attendance and realizing that they are the major land owners within the watershed we need to address them. Tom then passed out a descriptive brochure of the Farmer-led watershed council for the St. Croix/ Red Cedar River basin as an example of what could be done in our watershed if we got the right farmers involved. Tom asked the commission for any ideas on how to involve the farmers within our watershed in the Summit and/or a watershed council. Tom also mentioned that he submitted an article to the Wisconsin Natural Resources magazine concerning the past summit. When Shelly Tessmer asked if the farmer watershed council was concerned primarily with phosphorus pollution, Tom pointed out that the intent of the councils was to address the overall effects of nonpoint water pollution. Randy Craig and Bob Bartholomew stated that the major concern of the farm community was flooding. Regarding phosphorus Bob Bartholomew pointed out that the phosphorus stays within the soil, so if soil is washed into the river than the phosphorus goes with it.

- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that things have been quiet on his side. Dean Falkner said that it appears that there is a problem going across Alex Seifert's property and asked of Waukesha County had any contact with him. Alan said that he knocked on his door a number of times but got no response. It appears that the situation is hopeless and Dean is looking into any possible alternatives to crossing Seifert's property. Alan said that the problem seems to be that because of the overhead power lines they

cannot plant trees so the plantings (grasses, sedges and shrubs) are only about 5' high. Apparently Alex Seifert doesn't like the way that may look. Alan expresses some concern that the native plantings they intend to use will not stop the undercutting of the shoreline and be an effective shoreline stabilization control. Jim Pindel asked when we will get a firm cost for this project and Alan said that if we get permission from Seifert the changes to the project as quoted would not change much, except in the quantity of items not the content of the project. Therefore the project will not need to be rebid, unless the scope of the project changes. Most likely this project will not be settled until next spring.

- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler said that there has not been any progress on the project. It appears that this small price project cannot get any attention because the contractor has bigger fish to fry.
- d) Wood Drive Erosion Control Project – Chad Sampson said that he is lumping this project and the Malchine Farm field project below into one project as far as getting things done. He has one contractor who is interested in the job but has not received a paper quote from him so far. He has considered putting in one tile that could drain the entire area and make it workable. Chad asked if he could get cash advances against these projects to help out with using up the funds in ENUM-18 and it was explained that the cash advances had to be for work already accomplished, which would not be the case here.
- e) Malchine Farm field Erosion Control – Chad Sampson. This item was covered in the previous project report by Chad. Both projects will be worked on simultaneously and are adjacent to each other but because they had different owners we need to keep them separate.
- f) Highway 164 Ravine repair Project: - Chad Sampson. Chad said that this project has been designed and is out for bid. It is expected that the work will be accomplished between May and July next year.
- g) Waterford Impoundment ESR Project Dredging Permit: - WWMD. Jim Pindel reported that he had a phone conversation with Don Baron of the WWMD and said that Graef Eng. has billed for the work they did during October and November to the tune of about \$15,000. Considering that the project will cost about \$50,000, it shows that progress is being made. Jim went on to say that the WWMD through Graef Eng. submitted its Chapter 30 dredging application to the WDNR and the WDNR had 30 days to respond. The WDNR responded with a list of questions and concerns within the time limit. A meeting was held among the WNDR, the WWMD and Graef after which the WWMD and Graef have until January 15 to respond to all the different points. The major problem or point of contention is whether a general or individual permit is required. It is many times more involved and difficult to obtain an individual permit, which is what the WDNR thought was necessary. The WWMD and Graef responded by addressing all the points required for a general permit and has asked the WDNR to

reconsider. This is the major issue which has to be resolved.

- h) Schuetze Playground Storm Water Abatement: - David Burch. Alan Barrows said that he had a conversation with David Burch who told him that they have been getting a lot of donations to help pay for the project. David asked us to provide \$25,000 toward the project and Alan said he thought that total cost would be somewhere in the neighborhood of \$200,000. David said they intend to approach some clubs, like the rotary club, as well as do some fund raisers.
- i) Town of Vernon Farm field Gully repair: Alan Barrows passed around some before and after pictures, so we could see what it looks like now. The project was completed in early November and Alan said that the paperwork should be completed this year. The project worked out very well and is a clean fix with the gully being moved out away from the woods. This field is farmed under contract and Waukesha County has taken one acre around this gully out of the contract so that the native plantings can continue to grow. The Parks Department will be responsible for maintaining (cutting the grass) the gully. The project came in close to budget, but was a little over. We had committed \$4,050 but the actual 90% cost share will come out to \$4,696 and we agreed that we will cover this small overrun. Bob Bartholomew asked if the swale had been seeded and Alan said that it was, but because of the cold weather it did not come up. So the county covered the swale with coconut erosion mat, which should hold the ground in place until the native plantings get a chance to grow.

New Business

- a) Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that he had nothing new to report. Dan Treloar said that the bid to unincorporate Silver Lake failed so we have to address this municipality as well. So this leaves us with just two more municipalities to get MoU's with, they being Silver Lake and the Town of Salem.
- b) Obtain designation as a "National Water Trail" - Village of Waterford. Rebecca Ewald made a power point presentation assisted by Barb Messick. The presentation outlined what the Village envisions for the Fox River Water Trail which is a canoe/kayak travel trail from the head waters in Waukesha County to the Illinois chain of lakes. The intent is to reap economic benefits for the river communities including the Village of Waterford. Rebecca pointed out that many of the local residents have never been on the waterway and she feels that promoting the water trail will help encourage them to benefit from this great resource. Presently the Village is working on improving accessibility and streambank stabilization of this under- utilized and under- appreciated waterway. Rebecca focused on a streambank stabilization project the Village accomplished in Whitford Park showing pictures after the completion of the project. They have received a stewardship grant to match 50% of the cost to build canoe/kayak launches. They have also applied for grant funds for the balance of the launch

costs to the Racine County Foundation. The Village is also working on a riverfront redevelopment project at the 10 Club Park, which will beautify the riverfront and gain additional access to the river. The Village is working with 'Real Racine' which places the Fox River Water Trail on the priority list in promoting Racine County. Now the question comes down to how to get the National Water Trail Designation. Rebecca cited a number of other water trails especially the Rock River Water Trail which received national designation in 2010. The National Water Trail designation is granted by the Secretary of the Interior. The National Park Service is the primary administrator working in partnership with a local group. There are four major criteria for National Water Trail designation. The trail and access points must be open to the public. The trail must be in compliance with land use plans and environmental laws. The trail must be open to public use for at least 10 years. The trail must be supported by all the land owners at all of the access points. Besides these criteria the water trail must incorporate recreational opportunities, education and conservation. This requires community support, getting the information out to the public, trail maintenance and planning. The Village is doing this to obtain nation promotion and support as well as getting the opportunity to obtain technical assistance and funding. National designation should provide a positive economic impact increase protection and sustainability of the water trail as well as contribute to public health and quality of life. Rebecca finished up by pointing out that their efforts are aligned with the mandates stated in our implementation plan. Our implantation plan dictates that we work toward improving water quality, protect and enhance recreational use of the river which is expected to increase over the next decade. When Rebecca mentioned that they would like to put mile markers along the river so people had some idea of where they were and how much farther they had to travel to get to some location, like a launch site or restaurant. Shelly Tessmer suggested that the mile markers be put on Wood Duck houses. Jim Ritchie pointed out that the WDNR owns many boat launches throughout the state which are primarily concerned with motor boats. They have received considerable feedback that people would like to see canoe/kayak launch sites incorporated at these locations and provide car parking without trailer space and areas at the pier for non-motorized vehicle use. There was considerable discussion about the fact that there is an identity crisis because there are two Fox Rivers in Wisconsin and we need to somehow identify ourselves separately from the Green Bay Fox River. Chad Sampson said that it appears that the Village is not asking for funding from us at this time but expects that they will approach us in the future. Rebecca said they might come to us for funding of specific items in the future but her real intent at this time was to make us aware of what they are up to in this regard and asked if we really wanted to be kept updated. The consensus was that we were interested and would like to be kept abreast of their progress.

- c) Consideration of how we operate with a larger membership base: Jim Pindel said that he had nothing new to bring up at this time. Al Sikora summarized some of the items we have already agreed upon like one commissioner and one alternate commissioner for each member entity. Jim Pindel added that we would

consider an annual audit of our finances if we had a way to pay for it and if it was considered appropriate. Dean Falkner asked if the WDNR audited us because we were using their funds. Jim Ritchie said that the only auditing was of the grant process on each individual ENUM basis. No one checks our non-grant funds.

- d) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie pointed out the fact that an article from the Milwaukee Journal Sentinel was forwarded around from Barb Holtz which stated that the City of Waukesha will have to ask for an extension because they cannot meet the reduced radium level by 2018 as required. Jim also said that he talked to Eric Ebersberger, who is in charge of the group that is developing the environmental impact statement (EIS), the review process is moving along. The WDNR has asked for additional information from the City. Eric told Jim that the EIS is expected to be completed by the end of March 2015 at that time public comment will be solicited and public hearings will be held. After that the bid for diversion will have to go through the Great Lakes Compact scenario.

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) SEWFRC Website – Al Sikora said he had no updates at this time.

Correspondence –

- a. 10/28/14 Email from Jim Pindel to Jim Ladwig thanking him for including a \$10,000 allocation for the SEWFRC in the new Racine County budget.
- b. 10/28/14 Email from Jim Pindel to Craig Workman of the City of Burlington advising him that the City will have to wait for legislative action changing our boundaries before the make an appointment to our commission.
- c. 10/27/14 Email from Jim Pindel to all commissioners and friends of the commission advising to mark their calendars for the 12/5/14 SEWFRC meeting.
- d. 11/20/14 Interesting article concerning the City of Waukesha's request for Lake Michigan water provided by Barb Holtz.
- e. 11/19/14 Email notification that we were not selected for the WaterSMART program.
- f. 11/20/14 Email forwarded by Jim Pindel Interesting article concerning the City of Waukesha's request for Lake Michigan water provided by Barb Holtz.
- g. 12/01/14 Email with attachments from Jim Pindel to all commissioners providing the November 2014 Treasurer's report and the advised agenda for today's meeting.

Miscellaneous Issues –

Alan Barrows said that he has been working with Michael Schwar an engineer who has been attending many of our meetings. They have selected one of the erosion

sites in Waukesha County that was identified in the Graef GIS map that we had generated last year. Michael will do the engineering to stabilize this location and at that time Alan will come to us for cost share funding. This is a 300 foot section on county land near Bob Bartholomew's land.

Chad Sampson announced that Jim Ladwig is stepping down as Racine County's County Executive as of January 1st. From then to the election which will be next April, Peter Hansen the County board chairman will act as county executive.

Jim Pindel brought up the point that Citizens Bank of Mukwonago (with whom we do our banking) has sent us an application for a small business credit card. The card has no annual fee and does pay back some small percentage of what money is processed through the card. Jim went on to say that there has only been a few instances where a credit card would have been helpful. After considerable discussion it was motioned by Francis Stadler and seconded by Dough Koehler that Jim Pindel goes ahead and apply for the credit card. The motion passed unanimously.

It was motioned by Bob Bartholomew and seconded by Dean Falkner that the meeting be closed and the motion carried unanimously.

Meeting Closed at 2:50 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,
January 23, 2015 at 1:00 PM.** (Meeting Location: Town of
Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend,
WI 53103.)