

Commission members present:

Al Sikora (Village of Waterford) (Chairman)
Don Scott (Town of Vernon) (Vice-Chairman)
Francis Stadler (Village of Big Bend)
Ron Peterson (Village of Big Bend)
Alan Barrows (Waukesha County)
Doug Koehler (City of Waukesha)
Robert Bartholomew (Town of Vernon)
Barb Holtz (Town of Mukwonago)
Randy Craig (Town of Vernon)
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)
Dean Falkner (Village of Mukwonago)
Chad Sampson (Racine County)
Ken Miller (Town of Waukesha)

Also present: Dan Treloar of Kenosha County and Michael Schwar a resident of the Town of Vernon.

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 December 5, 2014 meeting were reviewed. It was motioned by Bob Bartholomew that the minutes be approved and seconded by Randy Craig. The minutes were approved unanimously.

- a) **Treasurer Reports** – The Treasurer’s Report for December 2014 was reviewed first. In summary we started the month with \$128,121.11 in our money market account. We received an interest payment of \$20.76 leaving us with a final balance of \$128,142.87 at the end of the month. The undedicated grant funds left in ENUMs 18 and 19 amounts to \$59,305.40. Jim Pindel pointed out that the WWMD dredging permit application had incurred over \$50,000 in expenses in 2014 and that Don Baron of the WWMD assured him that the project would be closed out about the end of the first quarter of 2015. So this project will be used to completely finish off all the ENUM-18 and start the deductions against ENUM-19. Jim Pindel said that he received a phone call and confirming email from Chad Sampson stating that he had a conversation with Julie Anderson of Racine County asking her how our commission would go about getting the \$10,000 allocation that was included in the 2015 Racine County budget. Julie told Chad to have us send a letter to

the interim County Executive Peter Hansen. Jim said he would send this requesting letter.
Old Business

a) Fox River Partnership Summit: Tom Slawski or SEWRPC Tom said that he would need help putting the information materials and registration application, using PayPal, on our website as we did last year. Al said that he would help him get it done. Then Tom asked if anyone would volunteer to make a presentation at the Summit about our commission and what we have accomplished in the last year. Since no volunteers came forward, Tom said he would make the presentation. Tom said he was prepared to send out a blast of invitations to all past attendees as well as all municipalities along the river, legislators and affiliated organizations. Shelly Tessmer asked if it would be appropriate for us to invite Scott Gunderson to be a speaker or at least be an attendee. It was pointed out that Scott Gunderson was one of the original founders of our commission and that he might want to present how and why we were commissioned. Tom went on to enumerate some of the presentations and authors as listed here:

- The fox Chain O'Lakes Health Report for 2014 by Kathleen Paap
- Meeting municipal EPA responsibilities with students & social media Gary Swick, Friends of the Fox River and Deb Perryman
- Fox River Water Action Volunteer Monitoring Program in Wisconsin by Jayne Jenkins Program coordinator, Waukesha County Parks and land Use
- How we did it to develop the National Rock River Water Trail in WI & IL by Frank Schier Rock River Trail initiation Founder & Coordinator
- How to talk to and engage Farmers The ST. Croix/Red Cedar River Basin Farmer-Led Watershed Council Project by Julia Olmstead UW-Extension Watershed Project coordinator.
- Birds, waters, landscapes & People, with the potential application in the Fox River basin by Jeb Barzen International Crane Foundation, Director of Field Ecology

Francis Stadler asked where the Summit would be held and he was advised it will be at the same location as the last two years.at the Veterans Terrace in Burlington. All commissioners were encouraged to attend and learn from the event.

b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that after our last commission meeting he met with Dean Falkner and they decided to go approach WE Energies and do that portion of the project only. They can use Villages trail to gain access to the property. Alan said he hoped that when Alex Seifert sees what the completed project looks like on the WE Energies property he will want to get on board and do his property. Jim Pindel asked what portion of the entire project the WE Energies property amounted to and Alan said it represented about 75% of the project shoreline.

c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler said that it was the same as last meeting. We will have to wait till

things thaw out next spring to get some work done.

- d) Wood Drive Erosion Control Project – Chad Sampson was not present. Jim Pindel said that he received an email from Chad saying that there was nothing to report on any of the three projects that he is working on. All three projects will have to wait until spring when things thaw out and work can be done.
- e) Malchine Farm field Erosion Control – Chad Sampson was not present see item (d) above.
- f) Highway 164 Ravine repair Project: - Chad Sampson was not present see item (d) above.
- g) Waterford Impoundment ESR Project Dredging Permit: - WWMD. Jim Pindel reported that there has been communication back and forth between the WDNR and the WWMD represented by Graef Engineering. Many items have been resolved but a few need to be negotiated and resolved. The main issue still seems to be whether a General Permit or Individual Permit is required. Jim said there is a meeting scheduled for 1/29/15, to hopefully resolve these issues. So there will be more to report next month.
- h) Schuetze Playground Storm Water Abatement: - David Burch. Doug Koehler said that he had talked to David Burch and that we were only a part of a larger scale overall project. They had obtained funding from other organizations and that funds have been transferred to the Parks Department. The expectation is that the project will go forward this coming spring.
- i) Town of Vernon Farm field Gully repair: Alan Barrows said that he turned in the paperwork for this project just before the meeting started. The only items that still need to be completed to finalize the project is proof of payment to two of the contractors. As soon as Alan has this proof he will scan and forward it to Jim Pindel and Jim Ritchie, at which time the project will be closed out. The one thing Alan does not have at this point is a good after picture showing the swale fully planted and grown, which will not be available until sometime next summer.

New Business

- a) Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that he successfully had a date to make a presentation to the Town of Salem, which is 2/9/15 at 7:00 PM, he said that Jim Pindel has agreed to accompany him for this presentation. Tom said he has not received a response from Sue Gerber of Silver Lake concerning our presentation to them. Tom asked Dan Treloar of Kenosha County if he had any suggestions of how to reach Sue. Dan said Tom should call her and offered to give Tom her phone number.

- b) Consideration of how we operate with a larger membership base: Jim Pindel said that he had nothing new to bring up at this time and added that anyone who has an idea should write it down and bring it to the commission at our next meeting.
- c) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that it is the same as last month. The WDNR has received clarifications from the City on some items. It is expected that the Environmental Impact Statement will be ready late this spring. At that time it will be open to public comment and discussion.

Reports and Updates

At this point Francis Stadler brought up the fact that we have over \$59,000 available in ENUM-19 and he asked why we couldn't select some areas shown in the GIS map provided by Graef Engineering where we needed to stop erosion from coming into the Fox River. Francis asked why we couldn't just come up the river and shore up the shoreline wherever it needed it. It was pointed out to Francis that wherever the erosion exited, we needed to identify the landowner involved and get permission to do the work there. Although not mentioned, we would also look for a 10% cost share from the landowner. Francis was commended for his initiative in this regard and it was mentioned that all the river municipalities should be thinking the same way he is. Jim Pindel pointed out that there were 19 sites identified in Waukesha County that need erosion control addressing. At this point Alan Barrows said that he wanted a hard copy of the GIS mapping study to keep on file for the County. Jim Pindel said he had one with him and gave it to Alan after the meeting.

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois –Tom Slawski said that he had nothing new to report and he would make sure that they were invited to the Summit.
- b) Progress toward designation as a “National Water Trail” – Village of Waterford. Al Sikora said that he knew that the Village was very excited about this program but had nothing to report at this time. Jim Ritchie added that the Village had applied for grants from the WDNR for canoe/kayak launches, one to be located at the Waterford Dam and the other to be located at the Rochester Dam. He said that the Village was awarded a Stewardship grant for both of these launches. This was done in cooperation with Racine County who owns the location at the Rochester Dam. Tom Slawski said that he had encouraged them to at least provide a booth and display at the Summit to show their intentions and progress.
- c) SEWFRC Website – Al Sikora said he had no updates at this time.

Correspondence –

- a. 12/7/14 Mark your calendars notification from Jim Pindel to all commissioners and friends of the commission.

- b. 12/10/14 Email forwarded by Al Sikora regarding Update: FEMA floodplain maps for the Upper Fox Watershed
- c. 1/7/15 Email from Tom Slawski to the Village of Silver Lake requesting to be put on their agenda for us to make a presentation. Also included a draft MoU.
- d. 1/7/15 Email from Tom Slawski to the Town of Salem requesting to be put on their agenda for us to make a presentation. Also included a draft MoU.

Miscellaneous Issues –

Shelly Tessmer announced the upcoming annual Fox River CAUSE sheephead tournament which will be held at the Tichigan Lions Club on February 28, 2015. There will be food and door prizes. There is a \$20 admission fee all of which is used to support fish stocking in the Waterford impoundment. Last October the Fox River CAUSE provided \$4000 worth of fish (1500 fish in all) stock to the impoundment. The WDNR selected the varieties to be stocked and they choose large and small mouth bass.

Al Sikora pointed out that the WWMD was holding a meet and greet affair at the Cruise Inn tomorrow night from 4:00 to 6:00 PM. All are invited to attend and meet the WWMD staff and fellow riparian owners.

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

Meeting Closed at 1:50 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, February 27, 2015 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)
Francis Stadler (Village of Big Bend)
Alan Barrows (Waukesha County)
Dean Falkner (Village of Mukwonago)
Chad Sampson (Racine County)
Doug Koehler (City of Waukesha)
Robert Bartholomew (Town of Vernon)
Barb Holtz (Town of Mukwonago)
Randy Craig (Town of Vernon)
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:

Don Scott (Town of Vernon) (Vice-Chairman)
Ron Peterson (Village of Big Bend)
Randy Meier (Town of Waterford)
Ken Miller (Town of Waukesha)

Also present: Don Barron, Barbara Baron, Gary Hansen and Margaret Shoptaw of the WWMD, Geof Parish and Brian Schneider of Graef Eng., Dan Treloar of Kenosha County and 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 January 23, 2015 meeting were reviewed. It was motioned by Bob Bartholomew that the minutes be approved and the motion was seconded by Francis Stadler. The minutes were approved unanimously.

- a) **Treasurer Reports** – The Treasurer’s Report for January 2015 was reviewed. In summary we started the month with \$128,142.871 in our money market account. We received an interest payment of \$21.77 leaving us with a final balance of \$128,164.64 at the end of the month. The undedicated grant funds left in ENUMs 18 and 19 amounts to \$59,305.40. Jim Pindel pointed out that all of this money needs to be spent by 6/30/15, although we can apply for a six month extension, but even then we should have the projects on the books before June 30th. It was motioned by Dean Falkner and seconded by Francis Stadler that the treasurer’s report be accepted. The motion carried unanimously.

Before Old Business was addressed we jumped ahead in the agenda to allow Brian Schneider and Geof Parish of Graef Eng. to make their presentations, so that they could leave early without waiting through the rest of our regular agenda.

Report on Upper Midwest Stream Restoration Symposium – Graef Eng. Brian Schneider made the presentation covering three main topics, Precision Conservation, Precision Agriculture and Better Ditches. Brian provided a single double sided handout that covered a graphic and picture regarding better ditches. Concerning Precision Conservation Brian stated that the 80/20 rule seems to apply in that 20% of farms produce about 80% of the pollution. The champion for this effort is Peter Nowak of the University of Wisconsin. A trial study is underway using two watersheds in the Pecatonica watershed, which is a tributary of the Rock River. In one watershed they will be applying Precision Conservation practices focused only on the sites with the highest pollutant runoff. This will be a multiyear study. Regarding Precision Agriculture the intent is the use technology to more efficiently apply fertilizer and water to save farmers money and reduce pollution. One of the tools employed is the Soil Nutrient Application Planner (SNAP+) management software. The software provides recommendations for fertilizer based on soil types, crop types and tillage practices. Information and tutorial videos are available at www.snapplust.wisc.edu/ and www.pcm.wisc.edu/. Multi-wavelength imaging is used to assess' crop health using aerial photographs and GPS based fertilizer application. Photographing fields at different wavelengths analyzes the moisture levels, chlorophyll content and biomass of the soil. Using GPS equipped tractors farmers can precisely place nutrients and water where needed. Commercial application of this method is already underway in Europe. The objective is less production costs and less pollution. Regarding Better Ditches Brian provided a graphic which showed the advantage of a two stage ditch over a normal single stage ditch. The two stage ditch can reduce turbidity and retains sediments while optimizing nitrogen removal and allowing for the establishment of vegetation. At the conclusion Brian showed a photograph of a ditch employing two stage methodologies.

A technique implemented on tiled farm fields to manage water levels, increase crop yields and reduce nutrient loads out of their tile systems. Geof Parish started out by showing a slide that showed old fashioned drain tiles made of cement that allowed water to come in between the cracks between the tiles and direct the water flow down the center of the tiles. Modern tile are corrugated plastic with holes on the sides to allow the water to get in. The point of Geoff's presentation was the method of controlling the water depth in the drainage tiles to increase crop yields and improve water quality. The costs associated with the improvement have a payback time of less than ten years and as low as three to five years depending on weather conditions. Geof showed photos of a field before the drain tiles were controlled, where you could see a grassy field where the vegetation was significantly greener where the main tile ran through it. The second photo showed the same field as an open water expanse as a wetland restoration. The benefits of agricultural drain tiles are allows early planting, improves access, longer growing season, more crop area and reduced runoff. The disadvantages of drain tiles are the removal of water when unnecessary, decrease soil moisture storage, transfer of excessive nutrients to the waterway, soil oxidation and loss of habitat. Francis Stadler asked if the slits in the

sides of the plastic tiles allow slit to enter the drain tile sending sediment down the tile. Geof said that depending on the soil the tile may be covered with a geotextile sleeve which keeps the sediment outside of the tile. Geof went on to say that the idea is to control the water level in the tile. This is accomplished by introducing water level control stations along the way on the main water carrying tile. This method works best on fields of less than 2% slope and typically one structure for every 10-20 acres of field. Geof then showed graphics that displayed that the level in the main tile is adjusted according to the time in the crop cycle. The water level is allowed to be high in winter when no crops are in the field, lowered during the planting season, increase during the growing season and lowered again during the harvest season. There was a three year study done in Canada which showed a 3% crop yield increase for corn and a 4% crop yield increase for soybeans using this methodology. The study showed a control structure cost of between \$500 and \$2000 per structure and a cost of \$84 per acre with a 25 year life expectancy. US studies show a cost of \$20 to \$110 per acre. The cost of structures increases with depth and diameter of the tile. Other studies in South Carolina showed a 5% increase in yields and that yields were dependent on weather where yields were better during normal or dry years. Chad Sampson said that this practice seems to be more prevalent in Iowa and Illinois and hasn't been implemented here in Wisconsin as far as he knew. Chad has applied for grants to try out this method in eastern Racine County but has not been able to find funding so far. Chad said that he believes that this method will become popular once some farmers try it out, especially during dry years, and get the word out to others. Jim Pindel pointed out to Chad that he knows a place on the Waterford impoundment where drain tiles come right down to the water line from farm fields uphill. Jim also pointed out that if no one else used up the available grant funds we have, that we could provide grant money for this potential project. Shelley Tessmer asked if the price per acre could be reduced if several farmer banded together to get the work done at the same time and it was agreed that there would be some economies of scale cost reductions. Chad Sampson asked about how to handle the riparian buffer along a waterway where the drain tile comes down to a waterway. Geof said that the practicality was to put the control structure above or before the riparian buffer to accommodate the ease of access for the farmer. Geof also pointed out that there are positive value to the riparian buffer zone. Francis Stadler asked for the websites that would be available to further study this methodology. Brian Schneider said that he would email all the websites to Jim Pindel who would forward this information to all the commissioners. Don Baron asked Chad Sampson if some of the money made available from the new federal farm bill couldn't be used for this method and Chad said it could not be used at this time.

Old Business

- a) Fox River Partnership Summit: Tom Slawski said that the program is finally finished and passed around a copy for all to see. Tom also said that he emailed the program to Jim Pindel today and that he forwarded it to all the commissioners. Tom asked that everyone forward this program and invitation to anyone and everyone they knew to hopefully increase attendance. At this point there are only about 25 people registered. Tom said that it has been distributed to interested

parties in Illinois and now he is waiting for responses.

At this time it was pointed out that in previous years the commission compensated commissioners who attend by covering their attendance fee. It was motioned by Francis Stadler and seconded by Dean Falkner that we reimburse commissioners who attend the summit. The motion passed unanimously.

- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that he had sent an email to WE Energies saying that we were working on our next year's budget asking them for a commitment that they are going ahead with the project. Alan said that the goal is still to accomplish the project this year. Dean Falkner asked if this was truly a single parcel, single agreement project without the Seifert property involved and Alan confirmed this fact.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler said that it was the same as last meeting. We will have to wait till things thaw out next spring to get some work done.
- d) Wood Drive Erosion Control Project – Chad Sampson said that there was not much going on and that he would approach the land owner here and on the Malchine project below to not plant crops next spring too close to where the work has to be done. This will give the county time and space to get the work done.
- e) Malchine Farm field Erosion Control – Chad Sampson was not present see item (d) above.
- f) Highway 164 Ravine repair Project: - Chad Sampson said that he was surprised by the fact that he has not received a bid on the project so far.
- g) Waterford Impoundment ESR Project Dredging Permit: - WWMD. Don Baron said that the WWMD has applied for an Individual permit which the WDNR required. They are scheduled to get WDNR approval of the permit application by the end of March. They have until 3/6/15 to apply for an additional extension if necessary if they cannot get all the required easements and permissions from farmers and landowners along the way. A public hearing is tentatively scheduled for April 16th for public input. Don asked when the WWMD can submit a request for funds against the \$50,400 we have committed to the permit application. Jim Pindel explained that they can request a partial cash advance at any time. However to get the entire \$50,400 they would have to provide invoices and proof of payment along with the usual reimbursement forms. At this point Jim Pindel said that he wanted to make a clarification. At previous meetings he told the commission that he was against applying for an individual permit versus a general permit because the Army Corps of Engineers said that the process a general permit in about one month and that an individual permit would take over a year. It was finally clarified that even though we are applying to the WDNR for an individual permit the application to the Army Corps can still be a general permit.

At this point Barbara Baron stated that the WDNR said that this was the largest project that they have ever been involved in. Barbara said that she has been very happy with the effort and cooperation that they have received from the WDNR. She also said that at the onset of the last and major meeting they had with the WDNR, the WDNR started by stating that they wanted to get this project permitted. A public hearing is tentatively scheduled for 4/16/15 at which time the public is welcome to comment for or against the project. This event is not intended to be a debate all input or questions are taken under consideration.

- h) Schuetze Playground Storm Water Abatement: - David Burch. Jim Pindel said that just before the meeting started he received an email from David Burch which stated that they are in the fund raising mode and have obtained \$90,000 of the \$125,000 goal. The city is finalizing plans for the new play area which includes the storm water abatement and rain gardens aspects of the project. David said that he will provide another status report for our next meeting. All indications are that the project will be accomplished this year.

New Business

- a) Review of Preliminary Proposed 2016 budget for Counties: Jim Pindel provided an Excel spreadsheet to all commissioners, which was reviewed in detail. Regarding non-grant funds we started 2015 with \$28,142.87, we gain real and estimated income (including a \$10,000 allocation from Racine County) bringing us to a final income of \$38,643.70. Taking off the estimated 2015 & 2016 expenses of \$876.09 we are left with an expected non-grant balance of \$37,767.91. In the realm of grant funds we have the \$400,000 from ENUM-18 and ENUM-19 with total grant expenses for 2012 through 2015 of \$240,694.60 resulting in \$59,305.40 of grant funds still available for projects. At the end of the day we have \$438,643.70 in total (grant and non-grant) income and the same \$438,643.70 in total (grant and non-grant) expenses, thus ending up with a balanced budget. The expenses include \$97,073.01 in Future Project Reserve, which is all the grant and non-grant income theoretically available for projects. The spreadsheet itemized completed, active and projected expenses (projects) for Racine and Waukesha counties. At this point Jim reviewed the final version of the 2015 budget, stating that the 2016 budget will have the same format and will be available for review at our next meeting. At the end of the 2015 budget was a list of Anticipated Potential Grant Fund projects by county. Jim asked all present to advise him in the next two weeks of any additions to this list. All that is needed at this point is a name for the project, its location and a cost estimate. At the end Jim pointed out that he had not included for a 2016 Summit and asked Tom Slawski if he expected there to be one and Tom said yes and indicated that \$5500 would be a reasonable cost for it. Jim said he will add it to the budget.
- b) Request for funding for WWMD Eco-System Restoration (ESR) Dredging stage: Gary Hansen of the WWMD made the presentation. Gary introduced himself as the Chairman of the Finance Committee of the WWMD and provided a three page handout to the commissioners. Gary started out by saying he is requesting

\$2,000,000 from the commission over the state's 2015-17 biennium budget and will request the same from us in the next several upcoming state biennium budgets. Gary said that the waterway is facing a major problem. The waterway is filling in with silt at a rate of 0.6 to 0.7 inches per year. So in a matter of 10 to 15 years the impoundment will be unnavigable and useless for recreational purposes. This is the fill in rate since the 2008 flood during which a greater amount of silt was deposited in the impoundment. Gary said that after review with the Town of Waterford assessor and others the negative economic impact would be in the range of about \$100,000,000 for this region. This includes the lost property values, lost business income and lost personal income. In going through their research they found that there is a law from 1984 listing our Fox River, the Green Bay Fox River and a portion of the Rock River as Scenic Urban Waterways. A copy of the law was included in Gary's handout and shows the legislative intent and charges the WDNR to manage and maintain these three waterways for the use of Wisconsin citizens. When bringing this issue up to the WDNR, the WWMD was advised by Eric Nitschke a direct report to Kathy Stepp the secretary of the WDNR that they fulfill their obligation under this law by funding the our commission the SEWFRC. With this logic in mind, Gary is asking the commission to increase its request for funding from the state to include the money it will take to manage and maintain this Scenic Urban Waterway by providing funds that will significantly offset the cost of dredging the impoundment. This rehabilitation project will make the impoundment a navigable, recreational and sporting waterway for many years to come. Gary pointed out that also in the handout is sheet concerning the amount of land the WDNR has purchased. Gary said that Wisconsin is ranked tenth in the nation in the amount of land it owns. Over the last 8 years the WDNR has purchased over \$20,000,000 per year in land acquisitions. This does not include rents or interest payments but just purchase of prime real estate. The WWMD feels that they could fund the dredging project by simply postponing (by even 10%) some of these acquisitions for a few years. Funding the dredging project in this manner will not cost the Wisconsin tax payers any money or increase the state's deficit. Shelley Tessmer asked if there were any other parts of the Wisconsin statutes that pertained to clean waters or environmental issues that would also lead to funding from the state. Gary responded that he was not sure how our commission obtained or qualified for grant funds but that the Scenic Urban Waterway law was very specific in its focus of managing and maintaining the Fox River Waterway. When Shelley asked if the funding request would be made annually, Gary said that the exact cost of the project is still not determined and will not be known exactly until the dredging permit is obtained and contractors are allowed to bid on the project. Even at that the cost is expected to be adjusted up and down as the work moves forward. Gary said that they realize that the project will be expensive and take probably on the order of five years to complete. Francis Stadler asked if the WWMD had a plan for the dredging and was told that the dredging permit was the plan including what was to be dredged, where, when and where it would be dewatered and where it would be deposited. Jim Pindel pointed out that at this time we cannot approve the dredging project as an active project because we do not have the money to

fund it. At this time we should only consider approving it as an "Anticipated Potential Grant Fund Project" listed at the end of the proposed 2016 budget. Jim pointed out that we have funded several aspects leading up to the permit application, such as sediment sampling, sediment volume determination, a public outreach to educate the riparian owners and most recently funding the cost of the permit application. So since these activities met our project acceptance criteria, we most certainly will be able to accept the fulfillment stage of the dredging as an official project. It will take work and communication with our legislators to get this funding considered. Francis Stalder expressed a concern that the legislature or the WDNR will say that we should fund the dredging out of the usual amount we are allocated in each biennium budget leaving us little else to work with. Shelley Tessmer asked if some of the sediment could be sold to offset the cost and Gary said that we are not allowed to package it for sale but sale in bulk might be permitted. In any case any income would be used to offset the cost of the project. The discussion then turned to who and how to approach out state legislators and Barbara Baron said that in previous discussions with them, they felt that it was important that the local residents pay a portion of the costs. And so Barbara said that the WWMD would expect to have the membership that is the riparian owner to provide some portion of the costs. Obviously the smaller the portion of the costs the more acceptable it will be to the riparian owners. Jim Ritchie said that the WDNR has to operate within the programs that the state, residents and legislature dictate and dredging is not something that has been identified as something that is eligible for funding. Barbara Baron said that not using the word dredging but instead referring to it as maintenance helps. Gary Hansen also pointed out that in the last seven years the WDNR funded the entire cost of dredging Mirror Lake near the Wisconsin Dells. Barbara Holtz asked if anything has been done to keep the impoundment from filling back up with silt in the short term. Jim Pindel responded by stating that there is a natural silt trap at the north end of Conservancy Bay. The WWMD is intending to dredge some 80,000 cubic yards of sediment from this area to trap silt as it comes down from up river. Jim pointed out that the impoundment has existed since 1836 and over this time period the natural silt trap has completely filled up. Now with all the storm water abatement work and erosion control measures that have been made up stream it would seem that it would take even a longer time for this silt trap to be saturated again. Chad Sampson, who goes back to the beginning of the commission, said that when the SEWFRC was conceived it was done so to eventually dredge the Waterford impoundment. Shelley Tessmer motioned that we include the \$2,000,000 funding request to the Anticipated Potential Grant Fund Projects portion of the proposed 2016 budget and the motion was seconded by Jim Pindel. The motion passed unanimously. Gary Hansen thanked the commission for accepting his proposal.

- c) Report on Upper Midwest Stream Restoration Symposium – Graef Eng. This item was covered earlier before Old business, see above.
- d) A technique implemented on tiled farm fields to manage water levels, increase crop yields and reduce nutrient loads out of their tile systems. Graef Eng. This

item was covered earlier before Old business, see above

- e) Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that we have perfected our presentation. The Town of Salem immediately after our presentation motioned and approved the MoU, which has since been forwarded to us via email. With regard to the Village of Silver Lake we made our presentation last week and it is possible that they will sign the MoU in time for us to announce at the Summit that we have all the municipalities and counties on board for our expansion down to the Illinois border. Jim Pindel pointed out that during our visits to the new municipalities, twice the issue of flooding came up and at the last presentation at Silver Lake two board members brought up the fact that there is a stretch of the river near highway 50 where the silt is so bad that it becomes unnavigable in late summer. Tom Slawski added that each of the communities had issues that they hoped we could help fund for them

- f) Consideration of how we operate with a larger membership base: Jim Pindel said that he had nothing new to bring up at this time and that as soon as we officially have all the municipalities on board, he will have to summarize our request for changes that we can pass onto the legislature. Shelley Tessmer asked how many municipalities were involved and so Jim Pindel gave her a copy of the spreadsheet from several meetings back that listed all the present and new municipalities with one commissioner and one alternate commissioner from each.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois –Tom Slawski said that he had nothing new to report and he sent invitations to the Summit to all the board members of the agency. In the past they have provided one or two attendees to each Summit.

- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that the last he had heard is that the WDNR expects to complete the Environmental Impact Statement sometime after March of this year. At that point it will go out for public comment. Jim said he would report to the group when this happens.

- c) Progress toward designation as a “National Water Trail” – Village of Waterford. Rebecca Ewald was not present and Al Sikora said that he had nothing to report but Rebecca would be at the Summit so we might hear something there.

- d) SEWFRC Website – Al Sikora said he had put everything Tom Slawski gave him concerning the Summit.

Correspondence –

- a. 1/27/15 Email from Brian Schneider with attachment with links to SnapPlus software.
- b. 1/28/15 Email from Dean Falkner concerning approaching wastewater plants to reduce phosphorus.
- c. 1/28/15 Email from Alan Barrows stating that he has been attending seminars regarding adaptive management, water quality and the associated implementation methods. Alan said he could be our point of contact in this regard.
- d. 1/29/15 Email from Jim Pindel sent to Racine County Executive requesting the \$10,000 allocation in the County's 2015 Budget. Also attached was the response from Lorna George stating that she will send a MoU to me to sign before sending the check. Jim said that he received the MoU from Lorna explained what was involved to the commission and said he would US mail the MoU's back to Lorna.
- e. 2/2/15 Email from Alan Barrows with two proofs of payment attached for the Town of Vernon Farm Field Gully Repair project.
- f. 2/3/15 Email from Tom Slawski with article published in the Wisconsin Natural Resources Magazine.
- g. 2/3/15 Email from Tom Slawski requesting a \$4,125 cash advance for the 2015 Summit.
- h. 2/9/15 Email from Shelly Tessmer stating that she talked to Scott Gunderson and that he would not be able to present or attend the Fox River Summit.
- i. 2/12/15 Correspondence concerning the Wind Lake Drainage Canal.
- j. 2/12/15 Email from Jim Pindel to all commissioners with attached preliminary 2016 Budget for Counties.
2/27/15 Email from Tom Slawski with a link to register on-line for the 2015 Summit.

Miscellaneous Issues –

Dean Falkner said that he was in the process of drafting a permit regarding the part per million acceptance level for phosphorus. They are in the early stages of drafting a management plan for phosphorus control. Dean said he has to get rid of about 2000 lbs. of phosphorus per year. Dean said that the Village will be looking to the commission for financial help in projects they will have to initiate to achieve the phosphorus reduction. Dean said that the presentation by Graef concerning water tile control brings up an interesting point because nothing is being done in this regard. He wondered about the relative impact of phosphorus dispersion from surface water runoff versus water tile output.

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

Meeting Closed at 3:00 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, March 27, 2015 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)
Alan Barrows (Waukesha County)
Dean Falkner (Village of Mukwonago)
Chad Sampson (Racine County)
Doug Koehler (City of Waukesha)
Robert Bartholomew (Town of Vernon)
Barb Holtz (Town of Mukwonago)
Randy Craig (Town of Vernon)
Shelley Tessmer (Town of Waterford)
Don Scott (Town of Vernon) (Vice-Chairman)
Jim Ritchie (Wisconsin DNR)
Tom Slawski (SEWRPC)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Ron Peterson (Village of Big Bend)
Francis Stadler (Village of Big Bend)
Randy Meier (Town of Waterford)
Ken Miller (Town of Waukesha)
Mary Pindel (Town of Waterford – Alternate)

Also present: Paul Kling of the WWMD, , Dan Treloar of Kenosha County, Michael Schwar a resident of the Town of Vernon and Tom Day and John Mann of the Eagle Springs Lake Management District.

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 February 27, 2015 meeting were reviewed. It was motioned by Bob Bartholomew that the minutes be approved and the motion was seconded by Doug Koehler. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Report for February 2015 was reviewed. In summary we started the month with \$128,164.64 in our money market account. We had a payment of \$4,125 as a cash advance to the SE Fox River Partnership for the Summit and a payment in full of \$4,696 to Waukesha County for the Vernon Farm Field gully repair. We received an interest payment of \$19.11 leaving us with a final balance of \$119,362.75 at the end of the month. The undedicated grant funds left in ENUMs 18 and 19 amounts to \$59,305.40. It was motioned by Shelley Tessmer and seconded by Randy Craig that the treasurer’s report be accepted. The motion carried unanimously.

Old Business

- a) **Fox River Partnership Summit:** Tom Slawski said we had 126 registered attendees and by all accounts it was a success. Tom especially thanked Al Sikora for the help he provided on our webpage with the PayPal ability to register. Tom

said that the Fox River Trail idea is gaining momentum and the Clear Choices Clean Waters initiative is also growing. Tom said that he hoped we could help to support this program financially. Tom also said that it looked like the Summit will come in under budget because of the income from the attendee registration fees. He expects that the \$4,125 cash advance was more than needed, so he will probably be sending us a check for the balance. Many of the Speakers donated their time and presentations, so the expenses were down. Jim Pindel said that he thought that it was the best Summit, because it was more understandable. The previous Summits were more highly technical and so not as understandable to the lay person. Tom said that he has received similar feedback and there was considerable enthusiasm about the Summit. Additional feedback from people who attended before was that they were surprised that it was not a repeat performance and it had a lot of new and interesting information. Alan Barrows made the comment that the presentation by Andy Selle on Geomorphology in Stream Assessment and Restoration was especially good because Andy covered a very theoretical and technical topic in an interesting and understandable way. Tom commented that Andy is a very good speaker with one foot in the biology camp and the other in the engineering camp.

- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that he had a couple communications with WE Energies recently and there are a few details that need to be ironed out regarding their in-kind contributions from the contractor they are providing. Also there are details about the long term maintenance that need to be worked out. The application for the Chapter 30 permit should be sent in soon. So time is on our side because there could be issues with the geese nesting and the number of clams and mussels that exist in this area.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Neither Francis Stadler or Ron Peterson were present. It was assumed by the commission that with the ground still frozen, no work has been done. We will have to wait till things thaw out in spring to get some work done.
- d) Wood Drive Erosion Control Project – Chad Sampson said that he contacted Peter Bauman this last week and will meet with him to flag out an area that he should not plant, so that he can get his work done.
- e) Malchine Farm field Erosion Control – Similarly Chad Sampson contacted Kevin Malchine this last week and will meet with him to flag out an area where he doesn't want Kevin to plant so that he can get the work done.
- f) Highway 164 Ravine repair Project: - Chad Sampson said that he has not received a bid on the project so far. Chad will send out more requests for bid in the next week or so to contractors who do this sort of work. Dean Falkner asked what kind of work needed to be done and then said that he would give Chad the name and contact information of a contractor in Mukwonago who might do the work.

- g) Waterford Impoundment ESR Project Dredging Permit: - WWMD. Paul Kling of the WWMD provided a handout to all the commissioners that was prepared by Don Baron and himself. Paul explained that back in September the WWMD applied for grant funds to cover 90% of the cost of preparing an application for dredging the Waterford impoundment to the WDNR. Since then changes have come about like changing from a general permit to an individual permit and requests from the WDNR for additional information and engineering. The course of events caused the WWMD utilizing Graef Eng. assess several new dewatering and sediment disposition locations which cost time and money. Most recently the WWMD with Graef's assistance has been looking into the possibility of using two gravel pits owned by Super Aggregate as dewatering and disposal sites. This additional work and engineering has been quoted by Graef Eng. to the WWMD as Phase 4 Addendum #1 for \$20,900. Paul asked the commission to consider covering 90% or \$18,810 of this additional expense toward the dredging permit. Shelley asked if after this work is done, would a permit application be submitted and Paul responded that was their intention and expected it to be done by the end of April. Paul further elaborated that once the WWMD made their initial application last September, the WDNR looked into the application in great detail resulting in requests for further information and engineering detail. Jim Pindel suggested that to hold down our own costs, we apply \$3000 to \$4000 of the Racine County allocation toward this project increase. It was motioned by Shelley Tessmer that we provide grant funds to cover these increases applying \$4000 of Racine County's allocation. The motion was seconded by Chad Sampson and the motion carried unanimously. Chad Sampson pointed out that he has been approached by Graef Eng. a number of times to obtain information regarding the different properties that were being considered for dewatering and/or deposit sites. He agreed that a considerable amount of work has been done by Graef Eng.
- h) Schuetze Playground Storm Water Abatement: - David Burch was not present and had not made an email report. Alan Barrows and Doug Koehler said that they had not heard from David and expected that he was still working on getting financing for the project.

New Business

- a) Potential New Project (within our area of jurisdiction) Tom Day of the Eagle Springs Lake Management District(ESMD). John Mann of the ESMD accompanied Tom. Tom started out by saying he had two small projects to be considered. The first being probably less than \$1500 and the second somewhere in the range of a couple hundred to a few thousand dollars. Back in 2004 the ESMD and the Phantom Lakes Management District received a River Protection grant from the WDNR to sample the Mukwonago River watershed. The grant provided 75% grant funds with the remaining 25% provided by local contributions. The samples were concerned with base flow, chemical and runoff data. Tom then passed out a copy of the report "Mukwonago River – Watershed

Nutrient Study” that was made at the end of the three year sampling program. A single copy of the report was retained by Jim Pindel for our records. Tom provided a handout to the commission which included a map on page 1 which showed 11 sampling site locations where they have been taking water samples since August 2004 through October of 2007. They then took additional samples in April 2012. Two of the eleven sites are within the SEWFRC area of jurisdiction. All of the samples were sent to Steven’s Point, a certified lab, where they were submitted to a River Sampling diagnosis testing which covers about 8 to 10 different parameters covering suspended solids and chemical composition. Turning to the handout again, Tom explained the graphs measuring the chloride and phosphorus content in the water. Three different locations were graphed, the Jericho Creek, the Mukwonago River and the combined Jericho and Mukwonago waters. Page 2 of the handout showed the phosphorus content in the combined rivers and page 3 showed the chloride content of Jericho Creek. The graphs pointed out a decrease on chloride and an increase in phosphorus from 2007 to 2012. Tom did state that all the levels measured were within acceptable limits. Recently the Mukwonago River Initiative decided that another sampling of this system would be appropriate. And so Tom is looking to us for funding, it was explained to Tom that we are restricted to funding projects that lay within our boundaries of jurisdiction. So Tom said he will come back to us at our next meeting with exacts costs, \$85 per sample test plus shipping and other miscellaneous expenses. The sampling would cover the two sites in our jurisdiction as well as additional 2 or 3 sites downstream of the Phantom lakes. It was motioned by Shelley Tessmer and seconded by Alan Barrows that we add this potential project as new business to our next meeting agenda so we consider whatever Tom brings to us for funding. The motion carried unanimously.

The second project Tom wanted us to consider was a means of concentrating all the information of what has been done and is being done in all the different locations (lakes, streams, rivers, creeks) within their watershed. This could likely take the form of an umbrella website linked to all the individual websites and information depositories in their area. Tom said he thought that the cost could be anywhere from a few hundred to a few thousand dollars to implement. Tom passed out a hand out of the summary of projects and studies listed by location that he put together in August 2013. Much of this data pertains to locations outside of our area of jurisdiction but feeds into our jurisdiction. Tom approached a professor at UW- Gateway who lives on Eagle Springs Lake to see what it would take to put together a website or whatever computer system necessary to implement this informational hub. The professor said he would have to start with some software which might cost in the area of about \$500. The Mukwonago River Initiative does not have these funds available. Tom said that he has already talked to Alan Barrows and Al Sikora about this project and received some good input. Tom said that this project amounts to organizing an electronic library of everything that is going on in his watershed or possible in our watershed as well. Alan Barrows said that when he discussed this project with Tom he thought in terms of a website which would have to accommodate multiple counties,

municipalities and organizations which complicates the issue. Alan said he thought that they could consider a nicely put together .pdf document with built in links to all the different projects, events and studies. This .pdf could be sent to all the member organizations and put on all their different websites. Thinking off the top of his head, Alan thought that maybe the best implementation would be a map with built in links from each of the interested locations that would take you to all the pertinent data related to that site. This would be similar to the interactive maps application that the WDNR has in place. Al Sikora said that his discussion with Tom had been mostly on the technical side whether it should be a static website, information that was searchable, database work, and then he advised Tom to discuss it with Alan in case there was already something in place that served his purposes. At the end of the discussion it seemed like Alan Barrows would investigate what options could be provided by Waukesha County and everyone involved needed to think about how to implement this knowledge library.

- b) Review of Preliminary Proposed 2016 budget for Counties: Jim Pindel provided a Word document to all commissioners, which was reviewed in detail. Our joined Revenue in grant and non-grant funds amounts to \$440,803.70. The expenses for Racine County amounted to \$153,467.74 for expenses that we incurred in 2013 and 2014 and projected expenses in 2015 and 2016. The expenses for Waukesha County came to \$192,726.86 from expenses incurred in 2012 through 2014 and projected expenses in 2015 and 2016. Operating expenses such as website hosting and office expenses came to \$876.09. The Future Project Reserve Balance came to \$93,733.01 which includes all the available grant funds plus all the non-grant funds. This gives us a total expense of \$440,803.70 resulting in an overall balanced budget. There are anticipated grant fund projects of \$2,362,000 for Racine County, which include an extraordinary amount of \$2,000,000 for dredging the Waterford impoundment. This unusual project must be highlighted in our request to Racine County and the Wisconsin legislature as an extraordinary project that falls upon our commission because the WDNR has identified us as the means for the WDNR fulfilling their responsibility to manage and maintain the Fox River in accordance to State Statute 30.275. There are anticipated grant fund projects of \$348,000 in Waukesha County aimed at eliminating the five highest priority erosion control sites identified in the GIS mapping project accomplished in 2013. The only change to the budget was that it needs to be modified to include the additional \$18,810 we agreed to cover toward the WWMD's dredging permit application. It was motioned by Chad Sampson and seconded by Shelley Tessmer that the preliminary budget with the additional \$18,810 for the WWMD's dredging permit be approved for publication and approval at our April 24, 2015 meeting. The motion passed unanimously.
- c) Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that the last required MoU from the Village of Silver

Lake was approved unanimously at their March 18th board meeting. Tom said he was not sure how we would proceed from here, but that he agreed with Jim Pindel that a letter to our present legislators Senator Mary Lasik and Representative David Craig advising them of our intentions and asking them to advise Representative Robin Voss who is involved in the expansion territory would be a good starting point. Jim Pindel added that our initial contact letter should ask the legislators how we should proceed to get this done and then follow their lead. Chad Sampson thought that they would be looking for us to show them on maps exactly what we wanted to do as well as provide a written statement of what changes we want to the state statutes. The legislators would then turn this information over to the Legislative Fiscal Bureau who will provide a draft of the new proposed statutes which the legislators and we need to approve.

- d) Consideration of how we operate with a larger membership base: Tom Slawski brought up the point that the Village of Silver Lake asked if they could opt out of the commission at a future date if they decided that they wanted to. As a group we agreed that we didn't want anyone to opt out because that would interrupt our contiguous flow of participants from the top of our boundaries to the Illinois border. Tom did mention to them that from time to time a municipality has opted to not participate in the commission by not having an appointed commissioner. This action essentially puts them out of the commission without breaking our chain of membership.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Tom Slawski said that he had nothing new to report and that he hadn't had a chance to meet with Mike Shields of the FWA who was in attendance at last week's Summit.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that the last he had heard is that the WDNR expects to complete the Environmental Impact Statement sometime after March of this year. At that point it will go out for public comment. Jim said he would report to the group when this happens.
- c) Progress toward designation as a "National Water Trail" – Village of Waterford. Rebecca Ewald was not present and Al Sikora said that he had nothing to report.
- d) SEWFRC Website – Al Sikora said he had put everything Tom Slawski gave him concerning the Summit on our website including PayPal which was active and used. This all worked very well. Al brought up the point that Jim Pindel asked about putting our agendas on the website because of a request from the Village of Big Bend and after considerable discussion it was decided that having all our approved meeting minutes on the website was sufficient to let everyone know what we were doing. Al was asked to put the agenda on the website with a note that states that agendas are subject to revision up until the time of the meeting

itself.

Correspondence –

- a. 3/02/15 Email from Jim Pindel to Brian Schneider and Geoff Parish of Graef Eng. thanking them for the presentations they made at our February meeting.
- b. 3/02/15 Email from Jim Pindel to all commissioners and friends of the commission, to mark their calendars for the March 27, 2015 Meeting
- c. 3/04/15 Forward of Emails from Brian Schneider and Geoff Parish with their presentations attached.
- d. 3/09/15 Email from Jim Pindel to all commissioners reminding them to sign up for the Summit, with included link to sign up electronically
- e. 3/11/15 Email from Jim Pindel to all commissioners asking for help with proper wording and terminology for last slide of his presentation for the Summit
- f. 3/16/15 Email from Tom Slawski with his response to questions/concerns emailed to him from the Village of Silver Lake.
- g. 3/18/15 Email request for possible funding sent to Al Sikora from Eagle Springs Lake Management District
- h. 3/19/15 Email from Tom Slawski stating that the Village of Silver Lake signed the MoU wanting to join the commission
- i. 3/23/15 Email response from Lorna George of Racine County acknowledging our Thank You message for the \$10,000 allocation

Miscellaneous Issues –

Shelley Tessmer brought up the fact that there were presentations at the Fox River Summit that covered the USEPA 9-Key Elements Watershed Management Planning program. She wondered if we needed to obtain this certification as a commission and if this would help us and the WWMD to obtain federal funding. Jim Pindel added that it was stated that in order to obtain federal 319 grant funds a watershed would be required to have a 9-Key Element plan in place. Jim passed around a Wisconsin state map from one of the presentations that showed which areas (watersheds) were 9-key elements approved, those that were not and those who were about to expire. Alan Barrows noted for the group that our watershed was listed as going to expire in 2016. Jim also passed around 3 slides from one of the presentations that listed the 9 key elements. Chad Sampson asked if our implementation plan already qualified as a 9-Key Elements Plan and Tom Slawski said that it definitely does not. Tom said it did not do anything to define maximum loads (Total Maximum Daily Loads -TMDL's) for the river or specify exact projects that needed to be done to improve the loading. Jim Pindel pointed out that we have never applied for any federal funding but our motivation for extending our jurisdiction down to the Illinois border was to apply in concert with the Fox Waterway Agency(FWA) of Illinois for federal funding on large scale projects in the future. If we are not eligible then we wasted our time extending south. This also implies that we need the FWA to obtain 9-Key Elements certification. Shelley Tessmer brought up the fact that in Illinois there is a dredging project going on that is being partially funded by the federal government on the Nippersink Creek. They were required to obtain 9-Key

Elements certification to obtain this funding. Jim Pindel added that during the presentations it was mentioned that SEWRPC was working on two 9-Key Elements plans as it turns out they are for the Milwaukee River and the Root River. During considerable discussion it was pointed out that this is no little feat. The Root River project plan is over 1000 pages long and cost more than \$100,000 taking over 4 years to complete. Chad also added that the Root River plan included over 100 environmental projects that had to be identified as to what the problem was, what was the cost, who was responsible for fixing it and when it would be done. Tom Slawski pointed out that it would take about 20 plans within the Wisconsin portion of the Fox River requiring 9-Key Elements certification. The question of whose responsibility it is to obtain the certification and who will do the work came up without resolution. Tom Slawski said that SEWRPC as a regional planner with regional responsibility would have to be a key player in developing the plan. Dan Treloar suggested that we review the Pike River Watershed Plan which is a 9-Key Element plan that has just recently been completed. He said it was a good example of what it must look like. In the end it was decided to let everyone think about this issue and bring it up again at our next meeting.

It was motioned by Chad Sampson and seconded by Bob Bartholomew to close the meeting and the motion passed unanimously.

Meeting Closed at 3:05 PM

**THE NEXT OFFICIAL MEETING (with public hearing)
WILL BE Friday, April 24, 2015 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)
Dean Falkner (Village of Mukwonago)
Chad Sampson (Racine County)
Doug Koehler (City of Waukesha)
Robert Bartholomew (Town of Vernon)
Barb Holtz (Town of Mukwonago)
Randy Craig (Town of Vernon)
Shelley Tessmer (Town of Waterford)
Jim Ritchie (Wisconsin DNR)
Tom Slawski (SEWRPC)
Francis Stadler (Village of Big Bend)
Randy Meier (Town of Waterford)
Ken Miller (Town of Waukesha)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Ron Peterson (Village of Big Bend)
Al Sikora (Village of Waterford) (Chairman)
Alan Barrows (Waukesha County)

Also present: Don Barron of the WWMD

At 1:06PM, 4/24/15, Vice Chairman Don Scott called the Public Hearing to order.

The only order of business was the review of the Southeastern Wisconsin Fox River Commission Proposed Budget for 2016. The proposed budget was read for the record. Shelley Tessmer asked if the \$69,210 expense for the WWMD Eco-system Restoration Dredging Permit included the cost overrun we agreed to cover at our last meeting. Jim Pindel said that this figure was \$50,400 before we included the cost overrun of \$18,810 resulting in the now total of \$69,210. Chairman Don Scott then asked the non-commission members present (it turned out that this was only Don Barron of the WWMD) if they had any questions or comments. Don then asked the public a second and third time if anyone wanted to speak in favor or against the proposed budget. There were no comments from the Public concerning the budget. It was then motioned by Dean Falkner and seconded by Shelley Tessmer that the public meeting be closed and so the meeting was closed.

The Public Hearing was closed at 1:19 PM.

At 1:20 PM, 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.

Don Scott then asked for a motion concerning the Proposed 2016 Budget and Dean Falkner motioned to accept the budget as presented, the motion was seconded by Randy Meier. The motion carried unanimously.

Minutes The minutes from the March 27, 2015 meeting were reviewed. It was motioned by Bob Bartholomew that the minutes be approved and the motion was seconded by Dean Falkner. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Report for March 2015 was reviewed. In summary we started the month with \$119,362.75 in our money market account. We had a payment of \$210 as a reimbursement to six of the commissioners who attended the SE Fox River Partnership Summit. We had a deposit of \$10,000 which was the allocation from Racine County for 2015. We received an interest payment of \$20.92 leaving us with a final balance of \$129,173.67 at the end of the month. It was noted during the review that the title for the \$10,000 deposit from Racine County was wrong listing the Vernon Farm Field. The undedicated grant funds left in ENUMs 18 and 19 amounts to \$44,495.40. It was motioned by Shelley Tessmer that the treasurer’s report with the required correction to the title for the Racine County deposit be accepted and it was seconded by Randy Meier. The motion carried unanimously.

Old Business

- a) **Fox River Partnership Summit:** Tom Slawski said he has finalized the attendee list, we had a few walk ins at the last minute. Tom said that he would be working with the UW extension to get all the presentations posted. There has been a problem with a lack of memory on the UW website, so they had to remove all the presentations from last year to make room for the presentations for this year. Tom said he will have to talk to Al Sikora to see if we can host all the presentations on our website. Tom said he is still waiting for the final invoices and checks to clear so he can submit for reimbursement and close out the 2015 summit project. Although all the past presentations are not on the website right now, Tom has all of them. Dean Falkner said that there were some presentations that dealt with permeable pavers that he was interested in and Tom said in the short haul he will send them to Dean. Shelley Tessmer asked if the cost of the summit was still less than the cash advance we provided to him and Tom said that it was and that he would have to write a check from the Fox River Partnership to the commission for that amount. It turns out that the low attendance is responsible for the lower cost. Jim Pindel said that Tom had sent him the three presentations concerned with the 9-key elements watershed program and based on what had just been said, he asked if he could forward these presentations to all the commissioners. Tom said all the presenters said he could post and make the presentations public.
- b) **Mukwonago River shoreline restoration at WE Energies Site.** Alan Barrows was not present and Dean Falkner said that he was not sure what Alan had done since the last meeting.

- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler said that he had just visited the site and nothing has been done. So he will have to push it to get something done.
- d) Wood Drive Erosion Control Project – Chad Sampson said that Peter Bauman and Kevin Malchine got together to discuss the projects on the adjoining properties. After this Kevin called Chad to set up a meeting at Chad's office to discuss the projects. Chad said that he brought up the map of the properties on his computer and Kevin advised him that there is a 15" drainage tile that runs all the way from highway 164 past the home owners who are serviced by the road we want to fix up all the way down to where it goes into the Bauman property. Chad said he was not aware that this larger tile ran so far and the fix or replacement will increase the cost of the project. Chad said that they discussed leaving this area unplanted so that he would not have to worry about damaging crops. Kevin said he was not concerned with damaging some soybeans. This means that timing will not be an issue, so we have all summer to get the project done. On the Bauman property the land is very wet because the tile is broken and the output is causing a stream going downhill. A lot of details were ironed out and Chad is getting cost estimates and they are now tweaking the design based on the new information. Chad thought that he would have some costs ready for our next meeting and was happy that he had all summer to get the work done.
- e) Malchine Farm field Erosion Control – This project report was made in conjunction with the previous report in (d) above.
- f) Highway 164 Ravine repair Project: - Chad Sampson said that he received an interesting email from Don Barron of the WWMD regarding this area. The email included a photograph of a large plumb of slit that fanned out into Tichigan Lake. Because the conditions were right, it was still raining, Chad and Jon Grove went out to site to investigate. Chad there are seven different areas that contribute to the flow into this ravine. Three of the inflows are on the west side and four are on the east side of highway 164. On the west side water flows through the ditches from the north and south to the ravine. The water coming in from the south was mostly clear with a slight amount of sediment. The water coming in from the north was also mostly clear but just a little bit more sediment filled. Checking the water within the ravine itself it was not terribly bad but there was some added sediment from the ravine itself. Checking on the east side of highway 164, the water running in from the south was a little bit dirtier than what was seen on the west side but was not terrible. There was a significant amount of sediment coming from the farm field due east of the culvert. When they went up into the farm field they found a blown tile, about an 18" hole with brown water gushing out of it. Apparently the tile is broken somewhere further up the field allowing the slit and water mix into the tile. The 80' grass buffer is not adequate to address this flow of silted water. Chad said that the water coming down the ditch from the north was very brown. There is a residential home with grass that does not seem to be contributing to the problem. All the contaminated flow is coming from

a farm field north of the residence. This is not a stream situation but sheet flow from the field. Even though there is a little bit of grass the field is basically tiled right up to the edge of the ditch. These projects will be addressed once the existing projects are completed. Shelley Tessmer pointed out that there is also a problem at Beach Drive where water runs under highway 164 and creates a plume of sediment into Tichigan Lake on the other side of protrusion into the lake. Chad said that he observed the plume as well but he would address the problem at the ravine first.

- g) Waterford Impoundment ESR Project Dredging Permit: - WWMD. Don Barron said that the WWMD had a meeting last night at which they reviewed drawings of the layout of the piping to the dewatering site at Super Mix aggregate. Don said he sent copies to the Town, Village, County and State so they could review and hopefully approve the piping plan. Don said there was an alternate layout if the first and more favorable plan could not be implemented. Most of the piping is on right-a-ways with just a few individuals involved. If the piping plans do not work out they are looking at millions of dollars in trucking expense to get the sediment to the dewatering site. Don went on to say how the project has moved on from using a peninsula in Conservancy Bay to using farmland and now to using the Super Mix site with all the different options having different costs associated with them. The piping layout is still in negotiation with the different owners and once this is settled the WWMD can submit its permit application to the WDNR. Jim Pindel asked when the project would be completed and submitted for reimbursement so we can close out ENUM-18. Jim Ritchie clarified this issue saying that if the WWMD submits a request for a partial payment (cash advance) of greater than the amount needed to close out ENUM-18 we could close the EMUM out and cover the rest of the project under EMUM-19. Don was asked to request a cash advance at our next meeting that would exceed \$20,000 from the oldest invoices he has from Graef Engineering. We would need copies of the invoices and proof of payment. At that meeting we could vote on making the cash advance and then Jim Ritchie could close out ENUM-18. Chad Sampson said that the county highway department reviewed the piping layout and said that they did not require a permit from the county. The only comment that came out is that there is a lot of elevation change along the route and Don said they were aware of it and would have pumping stations along the way as required. At Don's request Chad said he would have someone make a formal communication of the County's statement regarding the piping route to the WWMD.
- h) Schuetze Playground Storm Water Abatement: - David Burch was not present and Doug Koehler said that they had not heard from David.

New Business

- a) Potential New Project (within our area of jurisdiction) Tom Day of the Eagle Springs Lake Management District (ESLMD) was not present and made no

presentation. We will leave this item on the agenda for one more meeting and if nothing happens we will drop it.

- b) Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that now that we have all the MoU's for the municipalities down to the Illinois border we should consider how to proceed. After some discussion it was decided that once the dust has settled from our budget request to our legislators, we will send a letter (most likely an email) to Senator Mary Lazich and Representative David Craig explaining what we want to do and asking them how we should proceed. We will ask them to try to involve the other legislators, like Robin Voss, who will now be within our expanded jurisdiction. The letter will also include an outline of the changes we think we need to include in the revised state statutes. Dean Falkner brought up the fact that we should advise the potential new municipalities of what we are doing, so they don't lose interest in us. It was decided that once the letters go out to Mary Lazich and David Craig we would forward the letters to them and ask for any input as to other things we need to change in the statutes. It is quite possible that with new people looking at the situation, new ideas could come up. Shelley Tessmer asked if anyone had been contacted by Scott Gunderson and no one had. Jim Pindel said that once we get to the point of sending the letters concerning the expansion to Mary Lazich and David Craig we should send a similar letter to Scott asking him to provide whatever support he can. We should do this with regard to the budget as well.
- c) Consideration of how we operate with a larger membership base: There were not new ideas in this regard and this topic was touched on in the previous item (b). We need to put together a contact list for all the new municipalities, so we can broadcast to them with appropriate communications. Tom Slawski pointed out that several of the new municipalities were anxious to get started on projects they already have identified.
- d) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan - The agenda included some talking point questions, the first being "How much of the Fox River watershed should be included?" We were not able to tie this answer down because we don't know if we can include areas which are not within our existing area of jurisdiction. Certainly it would be logical to include all of the Fox River from the Town of Lannon down to the Illinois border. Probably this is not feasible.

The second question is "Would the development of a plan be grant fundable?" Jim Ritchie said that after our last meeting he went back and talked to one of their Water Resource biologists who does a lot of the planning for the WDNR. She was very familiar with the 9-Key Element Plans and pointed him to the WDNR webpage where we have a lot of information about and how to do a 9-Key Elements Plan. Jim said if you go to the WDNR website (www.dnr.wi.gov) and search 9-Key Elements it will direct you to the appropriate webpage. She agreed with what Tom Slawski said at our last meeting that the Fox River watershed

would be too large for a single 9-Key Elements plan. The Fox River would have to be broken down into several smaller sub-watersheds. She also agreed that it would be an expensive venture. The plan has been set up by the EPA and is intended to deal with non-point source or runoff in a watershed. So the EPA sets the criteria for the 9-Key Elements plans. All this information is included on the WDNR's webpage that Jim referred to earlier. This webpage also lists other state and federal grants that are available to help with the development and implementation of a plan. Dean Falkner brought up the point that a \$100,000 plan was way too expensive and that there must be some other way that we could do something on our own. Chad Sampson said that we should not get too hung up on the \$100,000 figure. That is what it cost for the Root River but that plan encompassed a dozen municipalities and went to extreme detail. A more likely cost for developing a plan would be on the order of \$10,000 to \$20,000. Shelley Tessmer asked who funded the St. Croix River 9-Key Elements plan which included a very large watershed and Tom Slawski said that the WDNR paid for much of it. The discussion went on to say that we have a head start on developing a plan because some of our implementation plan could be used. Plus the GIS survey we had done by Graef Eng. included identifying 17 locations that needed erosion control measures and a cost estimate at each location. The survey also identified 18 locations that required dredging to maintain navigability.

The last question listed on the agenda was "Is there a smaller project that would be a good first step?" Jim Pindel asked if we should identify the Total Maximum Daily Loads (TMDLs) for our watershed and it was explained by Tom Slawski and Jim Ritchie that TMDLs are defined by the WDNR for municipalities. They are permit driven activity rather than a voluntary planning activity. When a municipality applies for a wastewater permit or a municipal stormwater permit the WDNR sets the TMDLs for the watershed. The municipality is then required to maintain the water quality of the watershed to be under these limits. When Dean used the term "MS4", Shelley asked what this acronym stood for and it was explained that it was a "Municipal Separate Storm Sewer System" abbreviated as MS4. The WDNR may tell a county or municipality that they must get a storm water discharge permit which requires certain management activities like cleaning up the storm water discharge from their municipality. It is during these permit activities that the TMDLs are defined. The TMDL will define how much phosphorus or how much suspended solids you are allowed to have as well as some other components in the water. With the topic of TMDLs completed, Jim Pindel suggested that possibly we should consider a small subsection of our jurisdiction to develop a 9-Key Element plan. He suggested that the Waterford impoundment might be a good candidate since it is a definable subsection and is most likely the first area within our jurisdiction that might apply for federal funding. The WWMD would have to apply to the WDNR, SEWRPC and our commission for funding and probably to the SEWRPC to do the actual plan development. As the discussion carried on Chad Sampson said that maybe the best way to go forward is to overlay a GIS map of our jurisdiction with a map of the 9 or so 'Hucks' in our jurisdiction and identify one that would be a good

starting point. A 'Huck' is an area of land. Between Chad and Tom Slawski they intend to bring in this overlay map to our next meeting.

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) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that the report is the same as the last few months. The Environmental Impact Statement is in progress.
- c) Progress toward designation as a "National Water Trail" – Village of Waterford. Jim Pindel said that he received an email from Barbara Messick of the Village saying they had no new news to report and therefore they would not be attending our meeting this month.
- d) SEWFRC Website – Al Sikora was not present to make a report.

Correspondence –

- a. 3/30/15 Email notice sent to all to mark your calendars for the 4/24/18 meeting.
- b. 4/10/15 Email correspondence between WWMD and Chad Sampson regarding slit runoff into Tichigan Lake.
- c. 4/15/15 Email correspondence with Michelle Scott concerning a schedule for SEWFRC meetings. (Should we consider the 4th Friday of each month?)
Some discussion was given to this topic and it was the consensus of the commission to pick the next date at the end of each meeting as we have been doing. Jim Pindel will continue to send out a notice of the next meeting date right after each meeting.

Miscellaneous Issues –

Dean Falkner said that he will be putting out a communication to all of us concerning green infrastructure. There is a lot of information already available and the Village of Mukwonago is looking to put something together for their website. They are looking to do this so they try to address the environment by doing more than just stormwater ponds. Dean is looking for any input anyone can give him.

It was motioned by Shelley Tessmer and seconded by Francis Stadler to close the meeting and the motion passed unanimously.

Meeting Closed at 2:42 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, June 5, 2015 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)
Dean Falkner (Village of Mukwonago)
Chad Sampson (Racine County)
Doug Koehler (City of Waukesha)
Robert Bartholomew (Town of Vernon)
Barb Holtz (Town of Mukwonago)
Alan Barrows (Waukesha County)
Randy Craig (Town of Vernon)
Francis Stadler (Village of Big Bend)
Ken Miller (Town of Waukesha)
Shelley Tessmer (Town of Waterford)
Michelle Scott (Wisconsin DNR)
Jim Ritchie (Wisconsin DNR)
Tom Slawski (SEWRPC)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Randy Meier (Town of Waterford)
Ron Peterson (Village of Big Bend)
Mary Pindel (Town of Waterford – Alternate)

Also present: Paul Kling and Dick Kosut of the WWMD

At 1:03 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 April 24, 2015 meeting were reviewed. It was motioned by Bob Bartholomew that the minutes be approved and the motion was seconded by Shelley Tessmer. The minutes were approved unanimously.

Treasurer Reports – The Treasurer's Reports for April and May 2015 were reviewed. In summary we started April with \$129,173.67 in our money market account. We had a payment of \$35 in April as a reimbursement to commissioner Chad Sampson who attended the SE Fox River Partnership Summit. We had payments of \$129.95 to Bella Mia for Web hosting, \$354.16 to Conley Media and \$234.79 to Racine Journal Times for publishing the notice of our Public Hearing and Budget in May. We received an interest payment of \$21.24 in April and \$21.86 in May leaving us with a final balance of \$128,462.87 at the end of May. The undedicated grant funds left in ENUMs 18 and 19 amounts to \$44,495.40. Francis Stadler asked if we had checked on publishing the Public Hearing notice and Budget in some other paper instead of the Waukesha Freeman and Jim Pindel stated that we are required by the state statute that defines us to publish in the Waukesha Freeman and Racine Journal Times. It was motioned by Don Scott that the treasurer's reports be accepted and it was seconded by Shelley Tessmer. The motion carried unanimously.

Old Business

- a) Fox River Partnership Summit: Tom Slawski said that he had all the paperwork except for form 8700-001 completed to close out the 2015 Fox River Summit project. Since he had the rest of the paperwork including proof of payment with him, Jim Pindel said he would complete the 8700-001 and email it to Jim Ritchie and Tom Slawski, so we can close the project out. Tom also provided a check for \$311.89 to the commission for the amount of the cash advance we provided which was in excess of the total cost of the project.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that the last time he had contact with the WE Energies people was about 45 days ago. The two issues that are still hanging out there needing to be resolved are the 10% cost share and the long term maintenance. WE Energies has stated that they are not willing to do either of those. Dean Falkner added that these were issues that he thought they would take care of initially but now it looks like they will not. Jim Pindel reminded the commission that a few meetings ago it was reported that WE Energies would not pay anything; It was motioned that the commission cover 100% of the cost of this project because of all the time and energy that has already been spend and the fact that it was a good project worthy of being done. The motion did carry so we should be able to move forward. Alan said that with this in mind we should be able to get going. Shelley asked if long term maintenance of this property was in Waukesha County's Parks budget and Alan said that presently it is not. Shelley then asked if volunteer groups could do the work and Alan said it was possible since most of the work that has to be done is in the first 3 years which is part of the original contract that was bid on by the contractors.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler said that he called the contractor this morning and the contractor had forgotten about the job. So now he has been reminded, he said he will do the work this coming week.
- d) Wood Drive Erosion Control Project – Chad Sampson said that he is covering the Wood Drive and item (e) below together, since they are adjacent and similar. The construction plans are completed for both but he has not seen any estimate so far. Chad said that he expects the cost to be higher than what he originally estimated but would like to wait for some actual bids before he comes back to us for an adjusted project cost estimate approval. Originally Chad estimated \$5000 and \$6000 for each of the projects, now he thinks that the cost will likely be double that amount. One of the major contributors to the cost increase is the size of the larger drain tile involved.
- e) Malchine Farm field Erosion Control – This project report was made in conjunction with the previous report in (d) above.

- f) Highway 164 Ravine repair Project: - Chad Sampson said that he received an estimate from a contractor to do this job. He had requested quotes from about 10 different contractors that do this kind of work. He has not heard from the rest of the contractors and doesn't know whether they are that busy or what the problem is but so far he only has the one bid. The cost from the bid he has is \$32,000, which is considerably higher than the \$10,000 he originally estimated. Chad said that he had to break the project into two parts because there are two different landowners involved. Chad said that he is requesting that the commission pay 70% of the total cost of \$32,000 which is \$22,400. The remaining approximately \$9,000 will come from Racine County grant funding. There will be no cost to the landowners. Jim Pindel pointed out that we still have just over \$44,000 left in ENUM-19 that has to be used up and that we hoped for the new state grant for \$200,000 to come in sometime later this summer. Jim also reminded the commission that we had already voted to accept this project as worthy of our grant funds. Shelley Tessmer motioned that we increase the budget for the STH 164 ravine project to \$22,400 and the motion was seconded by Alan Barrows. The motion carried unanimously.
- a) Waterford Impoundment ESR Project Dredging Permit: - Paul Kling the Secretary of the WWMD and co-chairman of the ESR Dredging committee addressed the group. Paul said that they have identified some new sources of possible dewatering and sediment disposal sites. Some of the sources that they had expected to use fell through. Right now they are working on the engineering for the gravel pit on the Super Mix site along STH 20. Paul pointed out that the WWMD requested an increase in the funding for this project to cover the expense of the engineering involved in using this gravel pit at our last meeting, which we approved. Paul said that right now they are at the point of requesting a cash advance of \$30,000 against the approximated \$66,000 in invoices they have received from Graef Eng. Paul said that their expectation is that the engineering will be complete in about 6 weeks. There are still some issues with getting easements from landowners to cross their land with the piping to carry the sediment to the gravel pit. Jim Pindel asked if the WWMD had proof of payment for the \$30,000 request or at least for the approximately \$17,000 still remaining in EMUN-18. Paul was not sure of how much had already been paid to Graef, but it was decided that we had enough documentation so show that at least \$17,000 has already been paid. Michelle Scott reported that the WDNR had received individual permit applications for both the wetland use and dredging itself. About a week ago Elaine Johnson the Water Management Specialist working on the permit application contacted the WWMD stating that the WDNR is waiting on agreements from the landowners whose properties the pipes will cross and from the disposal site owner. Also they are waiting on the final plan of the disposal sites and the pipe laying corridor. Alan Barrows asked what was being done to prevent nitrogen and phosphorus from leaching into the water table from the disposal site. Paul indicated that a clay liner would be employed in the gravel pit before the sediment was deposited. Francis Stadler asked how many cubic yards

of sediment where going to be pumped out of the impoundment and he was told approximately 350,000 cubic yards. Paul indicated that this would settle down to about 350,000 cubic yards when it is completely dewatered and settles out. Jim Pindel pointed out that at the recommendation of the WDNR the permit would seek to include 20% more sediment than the total estimate amount. Whatever volume of sediment is permitted is the maximum amount that can be removed. So to be safe we will specify this additional 20% so that if we find we need to take a little bit more in some place to do the job right, we can do so. Chad Sampson said that he talked to the owner of Parkview Sand and Gravel and that he was interested in getting some of the dewatered sediment to help him get some soil he can get some grass to grow on. Paul said that right now the plan is to do the NR135 reclamation at the Super Mix site. However Super Mix might be willing to sell or want to remove some of the material, but that has to be decided at a later date. Also if some of the other dewatering sites that are included in the permit application are used, it is likely that there will be a need to truck the dewatered material away from these sites in which case, material would be available for Parkview. Shelley Tessmer motioned that we approve the \$30,000 cash advance for the WWMD as long as the WWMD had proof of payment of at least \$17,575 and the motion was seconded by Dean Falkner. The motion passed unanimously.

- g) Schuetze Playground Storm Water Abatement: - David Burch was not present and Alan Barrows said that even though he had seen David in the office this morning, he had not received a report from him. Alan thought he could make some report at our next meeting.

New Business

- a) Election of a New Vice-Chairperson: Prior to the start of the meeting Don Scott our present Vice-Chairman advised us that the financing of the person who was trying to buy his house had fallen through. So Don will be around for a meeting or few to come. Jim Pindel pointed out that with the fact that we are aware of Don's intention to move out of our area, someone should consider taking on this responsibility and that an election would have to be made sometime in the future. Don also added that the Town of Vernon had reappointed him to our commission the night before.
- b) Consideration of expanding the Commission's jurisdiction south to the Illinois border. Tom Slawski said that he had nothing new to report at this time.
- c) Consideration of how we operate with a larger membership base: Jim Pindel passed out paper copies of a revised version of the letter he proposed sending to Senator Mary Lazich. The changes from the version that was emailed to all commissioners the previous Tuesday were that we informed her that we received a \$10,000 allocation from Racine County which amounts to a new revenue stream and a second addition was the inclusion of an example of how we would like the

quorum number to be calculated. The letter was reviewed in detail. It started with an acknowledgement of the \$200,000 grant that had passed the Joint Finance Committee and thanking her for her efforts. The letter explained that we had received MoU's from Kenosha County and all the municipalities in the County along the River expressing a desire to join our commission. It explained that initially our purpose was only to work in conjunction with the FWA of Illinois to apply for federal grants to help fund projects along the waterway. After meeting with the municipalities we became aware of their problems with flooding and silt buildup impeding navigation along the river. It is now clear that they are in great need of storm water abatement, erosion control and dredging work in Kenosha County. The letter then went on to itemize the changes we want to have incorporated into Section 33.54 of the Wisconsin State Statutes. These changes include changing the makeup of the commission to 1 commissioner and 1 alternate from each Member County and municipality as well as 1 Ex Officio member, one from the WDNR and one from SEWRPC. It included a calculation for how we want quorum calculated that passage of a motion was by majority of the voting commissioners present. The terms of appointment should be up to the individual member entities to determine. We asked that our fiscal year be changed from the calendar year to July 1 to June 30 of the next year. This would align our fiscal year with that of the state and the counties. And lastly we asked that if some operational funds could be made available to us, we would want an annual audit of our finances. This audit would assure us that we were not perpetuating some error in our reporting. The letter concluded with asking Senator Lazich if there were other legislators that we should contact. Senator Lazich has been our Champion over the last few years and we respect her help in this matter. The only addition that came from the group was that Tom Slawski asked if we couldn't add something to indicate that we could possibly add additional member municipalities in the future without requiring changes to the state statutes. This would probably take the form of receiving a MoU from the municipality, confirmation that they are connected to the Fox River mainstream or watershed and a vote from the existing commission. Quorum would then be recalculated based on the membership total. Jim said he would modify the letter accordingly and send a draft to all the commissioners for comment. The letter would be sent to Senator Lazich as soon as the state budget passes the legislature and the Buck's arena issue is decided.

- d) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Tom Slawski said that he was not able to get a map of the watershed because SEWRPC's GIS person was tied up in an important project. Tom asked Jim Ritchie if the watershed could be identified on the WDNR's surface water data map. Jim responded that he thought so but was not sure. Tom explained to all of us and to Michelle Scott in particular that we needed to get an idea of exactly how big the project would be and possibly where to start. Jim Pindel reminded that commission that at our last meeting we thought that the WWMD should apply to us for funding and apply to SEWRPC do the actual work of developing a 9-Key elements plan for the Waterford impoundment. Jim went on

to say that after our last meeting Jim Ritchie sent an email to him (which was forwarded to the commissioner) that provided a link to the WDNR website which had a very helpful section on what a 9-Key elements plan was and how to go about developing one. This email was also forwarded to Don Baron of the WWMD. Jim Pindel also stated that he thought that the cost for this plan was in the \$10,000 to \$20,000 range. Tom Slawski then stated that Mike Hahn his supervisor said that any such plan needed to be considered and quoted based on its own particular circumstances. Tom Slawski also pointed out that the 9-Key elements plan for the Waterford impoundment could not be limited to the impoundment itself, it had to include all the watershed above it which eventually feeds into the impoundment. Realizing this 9-Key elements plan for the Waterford impoundment would essentially be a plan for the entire watershed. Tom said that it is very confusing and that there is talk of doing 9-Key element plans on a county basis but that seems to be hard to imagine since counties would likely encompass more than a single watershed. Jim Ritchie said that he would go back and talk to non-point water source staff and see if we can't get a little guidance or suggestions on how to best to proceed. Shelley asked how the St Croix watershed 9-Key element plan was accomplished. Tom Slawski said that it was actually a larger plan than what ours would be involving two states. They had the advantage of having the Total Maximum Daily Load (TMDL's) defined for their waterway whereas we do not. It was explained that TMDL's are developed by the WDNR as a result of a municipality requesting a permit for storm water control or water treatment plant discharge. The TMDL's for the Fox River have never been established. If TMDL's were defined for the Fox River a lot of the modeling would be done and we would know more or less what the pollutant loads were and we would then be able to address them. The discussion ended with the thought that someone expert on the 9-Key elements plans should come in and make a presentation to us, explaining what it is and how we do it.

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) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that he talked directly to Eric Ebersberger who is in charge of the environmental impact statement and he has been quoted in a number of newspaper articles as saying that their response comments to the application should be out this month.
- c) Progress toward designation as a “National Water Trail” – Village of Waterford. Al Sikora said that he had nothing to report in this regard. Alan Barrows said that as a result of the invitation that was forwarded by Tom Slawski regarding a meeting organizing a Nation Water Trail initiative for the Fox River, Waukesha County would probably be sending a representative to that meeting. The representative would possibly be Alan himself. So Alan will likely make a report

on this topic in the future.

- d) SEWFRC Website – Al Sikora was not present to make a report.

Correspondence –

- a. 4/27/15 Three presentations from the 2015 Summit emailed to all commissioners by Jim Pindel. The presentations were the one about the 9-Key Element Watershed Plans.
- b. 5/4/15 A link provided by Barb Holtz was forwarded to all commissioners regarding the City of Waukesha's request for Lake Michigan water and the diversion of treated waste water away from the Fox River.
- c. 5/4/15 Email from Jim Pindel to Senator Mary Lazich requesting funding for our commission.
- d. 5/4/15 Email from Jim Pindel to Representative David Craig requesting funding for our commission.
- e. 5/6/15 Email from Jim Pindel to all commissioners stating that a \$200,000 grant for our commission has passed the Joint Finance Committee.
- f. 5/19/15 Email invitation forwarded from Tom Slawski concerning a meeting about forming a Fox River Water Trail
- g. 5/28/15 Emails sent from Jim Pindel to the County Executives of Racine and Waukesha Counties requesting funding for our commission. We received a response from Jonathan Delagrave of Racine County stating that it will be a discussion point in their budget review. Alan Barrows added that he forwarded the email to the Waukesha County Executive to a number of people within the County government, to make them aware of us.

Miscellaneous Issues –

Alan Barrows said that he was working with 3 land owners in the Town of Vernon on a grass waterway proposal. There is an eroded gully in a soybean field that is about 1000 feet long. They will be doing some surveying work next week and probably he will be bringing a proposal for a project to the commission about this project to our next meeting.

Jim Pindel mentioned that we have made the application for a credit card with Mukwonago State Bank.

Chad Sampson said that they are in the beginning of the county budget process and that we should be sure to send a reminder to their County Executive around the 4th of July to make sure they remember to consider us.

Jim Ritchie advised us that there is a new member on the board that oversees the WDNR and that member is Julie Anderson of Racine County. She is one of seven board members.

It was motioned by Francis Stadler and seconded by Randy Craig to close the meeting and the motion passed unanimously.

Meeting Closed at 2:04 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, July 10, 2015 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)
Dean Falkner (Village of Mukwonago)
Doug Koehler (City of Waukesha)
Robert Bartholomew (Town of Vernon)
Barb Holtz (Town of Mukwonago)
Alan Barrows (Waukesha County)
Randy Craig (Town of Vernon)
Francis Stadler (Village of Big Bend)
Ken Miller (Town of Waukesha)
Michelle Scott (Wisconsin DNR)
Jim Ritchie (Wisconsin DNR)
Tom Slawski (SEWRPC)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Chad Sampson (Racine County)
Shelley Tessmer (Town of Waterford)
Randy Meier (Town of Waterford)
Ron Peterson (Village of Big Bend)

Also present: Don Baron and Dick Kosut of the WWMD, Michael Schwar and Kermit Bohning residents of the Town of Vernon, Barb Messick of the Village of Waterford and Laurie Longtine of the Waukesha County Environmental Action League.

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 June 5, 2015 meeting were reviewed. It was motioned by Bob Bartholomew that the minutes be approved and the motion was seconded by Doug Koehler. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Reports for June 2015 was reviewed. In summary we started June with \$128,462.87 in our money market account. We had a payment of \$30,000 to the WWMD as a cash advance toward the Dredging Permit Application. We made a deposit of \$311.89 from the overpayment in the cash advance given to the Fox River Partnership for the 2015 Summit. We received an interest payment of \$20.97 leaving us with a final balance of \$98,795.73 at the end of June. The undedicated grant funds left in ENUM-19 amounts to \$46,182.29. It was motioned by Dean Falkner that the treasurer’s reports be accepted and it was seconded by Francis Stadler. The motion carried unanimously.

Old Business

- a) Fox River Partnership Summit: Tom Slawski said that now that we are completely finished with the payments and paperwork for the 2015 Summit, it is now time to start working on the 2016 Summit. Tom said that the date for the 2016 Summit will be March 18, 2016 and will be held at the same location, the Veterans Terrace in Burlington. Tom said that he is looking for speakers and topics and is looking for suggestions from the Commission. Tom said that there was some concern that the past Summits were a little bit light of Lake specific topics and so he will be looking to address this issue. Tom has one speaker under consideration from the Army Corps of Engineers who will address the Asian Carp problem. Tom said that his colleague at the UW extension, Andy Yenchka has moved onto another job somewhere else. This is a problem because Andy supported Tom by maintaining the Fox Partnership website and posted all the information and sent out the email flyers for the Summits. Tom said he hoped to find a new extension partner and if not, he has been receiving support from Al Sikora. Al said that if the extension is not willing to support him, he should ask if they were willing to let this webpage go. Then we could place it under our domain and Al would be supporting it. Tom thanked Al for his suggested solution.

- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that he had nothing to report since the last meeting and Dean Falkner said that he had not had any contact with anyone concerning this project either. Dean said that now that he is retired he will have more time to chase down the people involved to get things moving again. Dean asked Alan to send him all the contact information, which he now doesn't have access to.

- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler said that the contractor promised to complete the project the next week after our last meeting, but didn't do it. He wondered if the addition of thorn bushes between the split rail fence and the edge of the drop off would be a practical solution. After a short discussion, Alan Barrows agreed to meet with Francis at the site and work out what would be a recommendation for a solution.

- d) Wood Drive Erosion Control Project – Chad Sampson was unable to make the meeting, but sent an email report to Jim Pindel. Jim reported that concerning this project and the Malchine Farm field erosion control project in item (e) below Chad stated that the projects are out for bid with no estimates received as of now. The Farmer left an area not planted to allow for construction. There have been some concerns about the property lines for the M. Fowlers Bay out lot and the Malchine property. This may need a certified survey to verify the project does not encroach on the out lot. This will not alter the scope of the project.

- e) Malchine Farm field Erosion Control – This project report was made in conjunction with the previous report in (d) above.

- f) Highway 164 Ravine repair Project: - Chad Sampson's report stated that the contractor CHILS (Rodney Zuerner) has been contacted and awarded the job. Permits are needed from the WDNR. The permits have no cost and their office is currently working with the WDNR to assist the landowners in completing the permit applications.

- a) Waterford Impoundment ESR Project Dredging Permit: - Don Baron said that the WWMD is working on their budget for the next year and will finish the process at a meeting next Saturday morning. Don said that the Town and Village of Waterford and Racine County have been contacted and now individual land owners along the path from the impoundment to Super Mix have to be contacted to get easements for the pipeline to cross their properties. A letter has been drafted for contacting the landowners. Super Mix has agreed to take all of the sediment, but they need to get this agreement in writing. There will be a lot of meetings concerning this project and they are hoping to go out for bidding by the end of this year. Don said that they are looking for funding from the state, the village, the town and the county as well as any other sources they can find. The WWMD has found a volunteer who used to work for the Milwaukee harbor commission who will look into grants for them. He also said that Graef Eng. has a person on staff that will look into grants for them. Jim Pindel asked when they will finish with their phase 4 and submit the paperwork to close out the project and Don said he expected that it would be done by our next meeting. By our next meeting the WWMD will have its budget finalized and will come to us for additional funding.

- g) Schuetze Playground Storm Water Abatement: - David Burch was not present and Doug Koehler said that he had talked to their Parks Department and they have scheduled this work to be done in August along with other work that needs to be accomplished at this site. It is expected that all the work will be done by early fall.

New Business

- a) Election of a New Vice-Chairperson: Prior to the start of the meeting Don Scott our present Vice-Chairman advised us that he has sold his house and submitted his letter of resignation to us. Jim Pindel pointed out that Randy Craig would be a good candidate because he has been with the commission for a long time. He also suggested that Barb Holtz would be a good candidate because she attends most meetings and is very knowledgeable in environmental and conservation matters. At this point Barb Holtz said that she would be willing to take the position. Bob Bartholomew nominated Barb Holtz for the position of Vice Chairperson and Francis Stadler seconded the nomination. Barb Holtz was elected unanimously. Everyone congratulated and thanked Barb Holtz for volunteering.

- b) Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that he had nothing new to report at this time, but noted that Jim Pindel had made an addition to the letter to Senator Lazich (item g) that requested that we would have the ability to add additional counties or municipalities without making an additional change to the state statutes. Jim read the new paragraph to the commission and all agreed to it. Doug Koehler motioned that we accept the revised letter and the motion was seconded by Francis Stadler. The motion carried unanimously.
- c) Consideration of how we operate with a larger membership base: This item was covered in item (b) above. The letter will be sent to Senator Lazich as soon as the state budget is signed by Scott Walker.
- d) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Jim Pindel pointed out that he forwarded a presentation from Andrew Craig of the WDNR. This is the same presentation we saw at the 2015 Fox River Summit. The presentation appears to expect the plans to be set up on a county basis. This seems a little unusual since watersheds usually cross over county lines. The explanation of what is required and its intent are there but it is a little difficult to understand the acronyms and jargon that the experts in the field use. After some discussion, Michelle Scott said that Andrew Craig would be willing to make a presentation to our group, during which we could ask questions and clarify how it applies to us. Either Michelle or Jim needs to advise Andrew when our next meeting is and ask that he makes the presentation. Tom Slawski provided a map of our entire watershed, divided up into all the different Huc-12's
- e) There were a total of about 40 twelve digit hucs in our watershed which each varied from 10 to 50 square miles each. The average huc is about 25 square miles. The map emphasizes the extent of trying to do a 9-Key elements plan for our watershed and points out that much of it is outside of our area of jurisdiction. Tom also pointed out that 6 of the hucs cross over the state line into Illinois. After viewing the map, Francis Stadler asked if the map could be modified to show exactly where the mainstem of the Fox River was and Tom said that that could be done. Don Barron asked if a modified copy of the map could be sent to the WWMD, so they could see the total extent of the watershed.

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) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Laurie Longtine came to the meeting to advise the commission of what has been happening to try to stop the diversion. Laurie stated that as we have probably heard, the WDNR gave tentative approval to the city of Waukesha's request for Lake Michigan water. Now we are going into a period of

public comment, which will end on August 28, 2015. The WDNR will accept written comment or verbal comment under advisement at three meetings to be held on August 17 & 18. On August 18 there will be one meeting in Milwaukee in the afternoon and a second meeting in Racine in the evening. The August 17 meeting will be in Waukesha. The meeting agenda is one hour of presentation and one hour of public comment. After considering the public comment the WDNR has indicated that it expects to make its final determination in November or December of this year. At the beginning of next year the determination and Environmental Impact Statement (EIS) will be sent to the Regional Body (who developed the Great Lakes Compact) and then will be sent to the Compact member states for approval. It is possible that there will be further negotiations at this stage. Laurie said that she is part of the Waukesha County Environmental Action League (WEAL) and WEAL is part of a larger coalition of environmental and conservation organizations which is called the Compact Implementation Coalition (CIC). The CIC has been working on Compact issues ever since the Compact was being developed. The goal of the CIC was to get strong protections for the Great Lakes. The CIC lobbied to get the Compact through the Wisconsin legislature with Wisconsin being the first state to ratify the Compact. Since then the rest of the states ratified the Compact and President George W Bush signed the Compact into Law. After the Compact went into law the CIC reorganized to make sure that an appropriate precedent was set with the first application for diversion of Great Lakes water by the city of Waukesha. Laurie's group has been working behind the scenes to develop a plan for the city of Waukesha that doesn't require a diversion. Yesterday there was a web news conference held that announced an alternative plan that meets all of the needs of the city of Waukesha without a diversion. It is an engineer stamped approved plan by a very reputable firm. The plan is based on all of the data and assumptions made by the city in its application and came up with an exactly opposite conclusion that diversion is not necessary. Laurie said that she knew that we opposed the diversion because it would divert the outflow of the waste water treatment plant away from the Fox River to some other alternate as a negative effect on the Fox. The non-diversion plan leaves the treatment plant outflow going into the Fox River. The plan does not require any new wells to be added, therefore no adverse environmental impact. The plan is \$150,000,000 less in cost than the city's diversion plan. The plan meets the radium level standards set by the EPA, which was the initial cause of the city's diversion plan. The non-diversion plan meets the residential and industrial growth estimated by the city. The plan meets the needs of the city through 2050, just as the diversion plan does. Laurie said that by adding the expanded service area the city's application does not meet two of the requirements of the Great Lakes Compact. One of the requirements is that a community applying for Great Lakes water must not have an adequate supply of potable water, which does not apply to several of the expansion communities which have adequate individual shallow well water supplies and individual septic systems. Except for a small portion of the Village of Pewaukee none of the communities are on a municipal service. The other issue the CIC group is raising is that the Compact requires conservation measures must be in place before the

application for diversion is made. Since these expansion communities have no lack of potable water and are mainly on individual well and septic systems, no conservation measures are needed and have not been implemented. Due to the lack of infrastructure in the expansion communities they have no way of measuring water usage or any means to measuring the effect of a conservation plan. Laurie said that these issues do not apply to their non-diversion plan since it does not include the expansion communities. Laurie had some printed materials, which she simply showed from her position at the table that showed the following. One chart showed that in 2011 the average annual water bill in the city was \$261 and using the city's projections by 2024 the same water bill for an individual residence would rise to about \$900. This is showing a rather significant financial impact for the tax payers. The city has been saying that the deep water aquifer is dropping, but Laurie showed a chart that shows that the water level in the deep aquifer is actually rising. Laurie then showed a chart that depicted the water sales since 1970 when there was much more industry using water, the graph goes out to 2014 showing a dramatic decline in water usage. A Power Point presentation of the plan announcement, an executive summary and the plan itself and much more additional data is available at the CIC's website www.protectourgreatlakes.org. Another chart put up by Laurie showed the terms of the Compact in the left column and how the city is complying with these terms in the right column. The way in which the non-diversion plan meets the radium level requirements of the EPA is by adding filtration (reverse osmosis) to two of the existing wells which now have no filtration. The third deep aquifer well already has radium filtration. Laurie finished up by encouraging the group to comment to the WDNR opposing the diversion and supporting the non-diversion plan preferably at the Waukesha hearing. There was considerable discussion and concern expressed by Ken Miller and other commissioners as to the importance of not allowing the diversion.

- c) Progress toward designation as a "National Water Trail" – Village of Waterford. Barbara Messick of the Village was present and started by saying that they have proceeded with work to install two new kayak launches on the Fox in partnership with Racine County. The launches are above and below the Waterford and Rochester dams. They are presently waiting on permits from the WDNR and have received a stewardship grant from the WDNR and a \$40,000 grant from the Racine Community Foundation. Construction is planned for this year with a community paddle scheduled for next spring. There was a meeting on July 7, attended by Barb and Rebecca Ewald of the Village, Angie Tornes of the National Park Service, Tom Slawski of SEWRPC, Karen Miller of Kane County Illinois and Greg Farnham of the Rock River Trail Initiative. This was a formidable group of concerned citizens and experts to work on the plan to establish the Fox River Water Trail. Barb passed out a sheet summarizing who was there and what needs to be done. Barb then asked for a letter of support from the SEWFRC which they can include with their application for technical assist. Barb presented some sample letters to Jim Pindel our secretary/treasurer to assist him in producing the letter of support. The letter of support is due August 1. Barb said

the Village was very excited about the Water Trail and asked Tom Slawski if he had anything to add. Tom said the idea of the Fox River Water Trail has been simmering ever since the first Summit and now has reached critical mass and seems to be moving toward completion. Francis Stadler asked if they were requesting any financial assistance from the towns and villages along the way. And it was explained that the support they were looking for right now was just letter of support for the project. Tom Slawski then added that eventually some funds would be needed for signage and mapping, but that is far out in the future. Mapping and advertising will be necessary to let people know about the Water Trail and how to access it. Alan Barrows motioned that the secretary put together a letter of support for the Water Trail and the motion was seconded by Ken Miller. The motion passed unanimously.

- d) SEWFRC Website – Al Sikora said that he would provide links to the CIC’s website and post the .pdf file concerning the non-diversion plan for the city of Waukesha.

Correspondence –

- a. 6/8/15 Notice of the 7/10/15 SEWFRC meeting sent to all commissioners and friends of the commission.
- b. 6/10/15 Email from Michelle Scott concerning 9 key elements plan.
- c. 6/13/15 Email from Dean Falkner with attached presentation concerning Green Infrastructure.
- d. 6/23/15 Email from Dean Falkner with much more detailed presentation on Green Infrastructure.
- e. 6/30/15 Email from Jim Ritchie confirming that ENUM-18 has been used up and competed and that ENUM-19 has been extended to 6/30/16.
- f. 6/29/15 Email from Jim Pindel to Michelle Scott requesting a presentation from the WDNR on 9 key elements watershed plan.
- g. 7/10/15 Email from Don Scott resigning from the Commission and Jim Pindel said that he responded by thanking Don for his service to the commission.

Miscellaneous Issues –

Under New Business where it was not an agenda item, Don Barron of the WWMD asked the WDNR personnel present what the WDNR is doing about the Starry Stonewort (SSW) aquatic invasive species that has infested Little Muskego Lake and is now reported to have shown up in Big Muskego Lake. Jim Pindel pointed out that he forwarded the letter that was sent to Al Sikora concerning the SSW and Wind Lake’s lake management associations request to have Little Muskego closed to the public to prevent spread of the invasive species. Jim Ritchie said that neither he nor Michelle Scott were directly involved, but it is getting a lot of attention at the WDNR. Jim said their biologist Bob Wakeman has been out on Little Muskego and is working with them and the city of Muskego for a couple of months now. They have some emergency funding to work with their treatment efforts. This is a new aquatic invasive species that has not been found in Wisconsin before. Jim said there are surveys going on and some hand pulling of the plants by divers and some vacuum suction effort being tried. Other treatment options are

being evaluated. Jim questioned whether the WDNR had the authority to shut down Little Muskego because the public access is owned by the city. Don Barron said that he observed them harvesting the SSW and thought that it might be causing the spread of the SSW. Jim Ritchie said he didn't know if it was SSW that they were harvesting or the other weeds in the lake. Michelle Scott offered Bob Wakeman's phone number so that Don or anyone else could contact the person heading up the eradication effort against SSW. His phone number is (262) 574 2149.

Alan Barrows said that he had two topics. The first topic being that he had a discussion with the WDNR concerning a wetland mitigation program. It appears that the WDNR has funds available for wetland restoration projects in the Fox River watershed. This provides an opportunity for our commission to partner with counties, municipality and even individuals to do wetland restoration projects. There is no cost sharing requirement. Secondly Alan introduced Kermit Bohning one of three landowners in the Town of Vernon where he is proposing a 1000' long grass waterway through the three properties. Alan passed out a handout which showed an aerial view of the project site, a close up of the area where the failed tiles existed and pictures from 2013 of the field and from 2015 showing the new erosion path. The erosion path drains to Krueger Brook which in turn flows into the Fox River. Alan said that the drain tiles failed in the last few years causing the erosion problem. Alan and Kermit went out to the site and made a survey getting elevations and now they are working on a preliminary design. Alan said he is not prepared to make a presentation for this project now because he does not know the cost. Alan expects to come to the commission for a grant request within the next couple of our meetings.

It was motioned by Bob Bartholomew and seconded by Randy Craig to close the meeting and the motion passed unanimously.

Meeting Closed at 2:25 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, August 14, 2015 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)
Dean Falkner (Village of Mukwonago)
Robert Bartholomew (Town of Vernon)
Barb Holtz (Town of Mukwonago)
Randy Craig (Town of Vernon)
Ken Miller (Town of Waukesha)
Chad Sampson (Racine County)
Michelle Scott (Wisconsin DNR)
Tom Slawski (SEWRPC)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Francis Stadler (Village of Big Bend)
Doug Koehler (City of Waukesha)
Alan Barrows (Waukesha County)
Shelley Tessmer (Town of Waterford)
Jim Ritchie (Wisconsin DNR)
Randy Meier (Town of Waterford)
Ron Peterson (Village of Big Bend)

Also present: Michael Schwar a resident of the Town of Vernon, Barb Messick of the Village of Waterford, Dan Treloar of Kenosha County, Max Perrault of Racine County and Jeff Lang of the Town of Burlington.

At 1:03 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 July 10, 2015 meeting were reviewed. It was motioned by Bob Bartholomew that the minutes be approved and the motion was seconded by Chad Sampson. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Reports for July 2015 was reviewed. In summary we started July with \$98,795.73 in our money market account. We made a deposit of \$22,271.40 from the WDNR which is the final payment from ENUM-18. We received an interest payment of \$19.83 leaving us with a final balance of \$121,086.96 at the end of July. The undedicated grant funds left in ENUM-19 amounts to \$46,182.29. However Chad Sampson pointed out that the project cost for the STH 164 ravine repair had not been updated from \$10,000 to \$22,400 as was approved a couple meetings ago. It was motioned by Ken Miller that the treasurer’s report be accepted with the correction noted by Chad Sampson and it was seconded by Randy Craig. The motion carried unanimously. Jim Pindel pointed out that he sent a scanned copy of the Financial Assistance Application to Jim Ritchie today, which is the first step in getting our new ENUM grant. Later it was noted by Tom Slawski that the 2016 Fox River Summit was

not listed as an Active Project needing completion. With these two corrections/additions the grant funds available from ENUM-19 goes down to \$28,282.29.

Old Business

- a) Fox River Partnership Summit: Tom Slawski said that there was not much to report at this time. He is looking for speakers and topics for the summit and asked for input or suggestions from the commission. No one had any input for Tom.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows was not present and Dean Falkner who said he would attend was not present at this time. When Dean showed up a little later, we forgot to revisit this item.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler was not present. Mary Pindel stated that in a phone conversation with Francis, he told her that he would be at this meeting, which obviously didn't happen. But he did say that the meeting with Alan Barrows concerning alternate solutions didn't occur. So at this point Francis was considering looking to other contractors to do the work.
- d) Wood Drive Erosion Control Project – Chad Sampson reported on this project and the Malchine Farm project together. The construction plan is complete and he has it out to a number of contractors for bids. He has not received any bids at this time. Chad mentioned that before the meeting Jim Pindel told him that he saw a backhoe or some other construction equipment at the site. So Chad said he will stop by the site on his way home after the meeting to see what might have happened. Chad said that once he gets the bids progress should go very fast and he hoped that the projects would be under construction before our next meeting.
- e) Malchine Farm field Erosion Control – This project report was made in conjunction with the previous report in (d) above.
- f) Highway 164 Ravine repair Project: - Chad Sampson said he has a contractor ready to go. He said he applied for permits from the WDNR about a month ago and asked Michelle Scott if she knew anything about the applications. He said the WDNR has 30 days within which to respond and the deadline must be close. The names on the applications are Terry Betz and the second is under the name of Shirley Schmidt or under the her daughter Valarie (last name unknown). Michelle asked Chad to email her with the names and said she would look into it. Chad said he expected this project to be underway before our next meeting.
- g) Waterford Impoundment ESR Project Dredging Permit: - No one from the WWMD was present and so Jim Pindel reported that he knew that the WWMD was having a meeting next Monday to discuss the piping route from the river to Super Mixes gravel pit. They would also discuss the easements that would be necessary for the piping along the way. Jim said that most of the piping would

run on Town and Village right of ways and also involved some private individuals. Jim also said that the WWMD was trying to meet with Jack Pease of Super Mix to finalize their agreement. Michelle Scott added that she knew that Brian Schneider of Graef contacted Elaine Johnson last week concerning whether the WWMD had to have all the easements in place before they submitted the permit application. Michelle said that they can move ahead if they have the majority of the easements in place, but at this time they don't have any easements in place. She said that she was happy to hear they are meeting next Monday on this topic so that the permit process can move forward. Michelle said that she thought that they had 8 or 9 easements to get in place.

- h) Schuetze Playground Storm Water Abatement: - David Burch was not present but Jim Pindel stated that just before this meeting he received an email report from David Burch which stated that the project play area site is under construction with preliminary layout, concrete/trike path perimeter walk completed. The new play equipment is scheduled for a "community build" installation on August 27-28, 2015. The current play ground is remaining until the new play equipment and resilient surfacing is installed; the existing play equipment and surfacing will then be removed to make way for the rain garden and storm water treatments. The rain garden design is in the process of being finalized, along with the proposed deck/interpretive signage. This work will be scheduled for this fall or next spring. The Park Foundation of Waukesha, Inc. has requested a cash advance of 50% of the \$25,000 we agreed to provide. Jim Pindel noted that we had agreed as a group that we would provide but hopefully limit cash advances to 50% of a projects cost. It was motioned by Bob Bartholomew and seconded by Ken Miller that we provide the cash advance. The final item in the report from David Burch asked if we would consider funding an additional \$10,000 to accommodate the expected costs related to the overlook deck and interpretive signage. During the discussion that ensued we recalled that we had stated that our grant funds had to be used for erosion control and storm water abatement issues. We believed that we discussed the overlook deck and felt it was not suitable for grant funds. Depending on what the signage involved, if it was educational material about the Fox River or environmental issues we might be able to help, but if it was simple signage we would not be able to help. Jim Pindel said he would forward David's email to Jim Ritchie and ask for his determination on this issue.

New Business

- a) Consideration of expanding the Commission's jurisdiction south to the Illinois border Jim Pindel said that he put together an email to all of the contact people with whom we have MoU's to join the commission. The email pointed out where we are and had an attachment of the letter that was sent to Senator Mary Lazich explaining what we are trying to do. The letter included all the points that we are requesting to have changed in the state statutes that define our commission. The email suggested that potential new members attend one of our meetings to see what we do and how we operate. To that end, Jim pointed out that Jeff Lang of

the Town of Burlington was present as a visitor. Jim also said that we received an email response from the Town of Wheatland stating that our email was distributed among their board members. Jim also said that he added the contact email addresses to the list of people we carbon copy (cc:) in the invitation to our meetings. The invitation includes our agenda, treasurer's report and last meeting minutes. Tom Slawski asked if we had any response from Senator Lazich concerning our request for expansion. Jim said we had not and that he will ask again for her help in a separate letter.

- b) Consideration of how we operate with a larger membership base: This item was covered in item (b) above.

- c) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Tom Slawski passed around copies of a map of all the Huc-12 areas within our watershed, it is the same as the last map he passed around at our last meeting with the addition of highlighting the main stem of the Fox River as requested by Francis Stadler. Jim Pindel pointed out that right after our last meeting Michelle Scott had emailed Andrew Craig and Benjamin Benninghoff asking if either of them could make a presentation to explain what is involved in getting a 9-Key Elements Plan together and why we should do it. Michelle said that their schedules are pretty full and it would help if we could give them more advance notice, like when our next few meetings would be held. We said we would schedule at least our next two meetings, so we can give as much advance notice as possible. Tom said that the map was available in .pdf format and he would send it to Al Sikora so it could be included on our website. The question came up about where we should start and the conclusion was that we need more information and possibly the advice of an expert like Andrew Craig or Benjamin Benninghoff to get us going in the right direction. Dean Falkner asked if a good starting point would be to get the WDNR to establish TMDL's (Total Maximum Daily Loads) for the Fox River. After some discussion it was unclear whether this could be done. Tom Slawski pointed out that the city of Oconomowoc had TMDL's defined for their watershed because they decided to use adaptive management practices to meet their discharge permit requirements. Because they have adopted the adaptive management approach they are working with the entire watershed toward attaining reductions in phosphorus and other pollutant loads. To this end they are partnering with lake districts and the counties. They have established water quality monitoring stations all over the Oconomowoc River and its tributaries to measure the current condition and measure any improvements. It is a possibility that the same scenario could work on the Fox River. Barb Holtz asked if the eastern border of our watershed on the map was the sub-continental divide and Tom said it was the break between the Lake Michigan and Mississippi River watersheds.

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) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Pindel pointed out that he had sent an email to all the commissioners with an attached copy of the preliminary draft copy of a letter to be sent to the WDNR opposing the diversion. Jim asked those present if anyone had any additions, corrections or suggestions. Jim passed out printed copies of the letter for anyone who was not familiar with it. Dean Falkner pointed out that if Waukesha stopped discharging their treated waste water into the Fox River it would upset the pollutant discharge allowances of everyone downstream of Waukesha. Dean said that the water from Waukesha is diluted by the village of Mukwonago's discharge when the Mukwonago River mixes with the Fox River at their confluence. As a result the village's discharge limit of phosphorus is higher than it would be if there was no discharge from Waukesha's treatment plant. Subsequently without Waukesha's treated water discharge the village might see its limit on phosphorus tightened up. This likely would affect other municipalities the same way. Although it was hard to understand, Dean pointed out that because of the way the water quality is calculated, if Waukesha stopped discharging into the Fox River then the village and other municipalities might see an increase of their allowable phosphorus discharge. Dean finished by saying that losing the discharge from Waukesha's treatment plant has much more far reaching affects than just the loss of recreational use of the river and effects on the wildlife it also will affect all the pollution discharge limits and permits downstream of the city. Jim Pindel said that a portion of the letter addresses this same idea. It says in effect that we support the Great Lakes Compact but don't agree with the fact that it should cause consequential damage to other watersheds like ours. Barb Holtz asked if the city of Waukesha will stop pumping water from the shallow and deep aquifer wells once they get Lake Michigan water. She was concerned that the city said it will blend its Lake Michigan return water with water from the Mississippi watershed which could further reduce the flow in the Fox River. Dean Falkner said that infiltration into the storm sewer could be a significant amount of water which could make up the difference. Dean said that if a really sever storm event occurs the villages discharge can increase by as much as 50% and the storm sewers in Waukesha are much older and probably more susepetical to storm water infiltration. When Barb Holtz asked again if the city was going to discontinue pumping Tom Slawski said that he thought they would stop pumping from the deep aquifer wells but would continue to pump from some of the shallow wells. Barb said that if that were the case then the city would then be taking water that potentially would have added flow to the Fox River. So the diversion would have a double negative effect on the Fox River with the city not adding water to the river and then taking water away that would have gone to the Fox. Bob Bartholomew and Ken Miller said that in the previous day's Waukesha Freeman there was an article listing many state legislators who support the

divergence. Among those listed was Senator Mary Lazich. We have to wonder what information they were given and if they were aware of the consequential damages it would cause. Bob wondered if our opposition to the divergence could affect our future funding if we are opposing what our legislators are supporting. Our conclusion in effect is that our first and foremost obligation is to meet the mandates of the state statutes that define us and tell us what to do. As long as we are doing this we should be okay. Michael Schwar pointed out that in the EIS the return flow was intended to come from the Lake Michigan water with the addition of storm water flows to make up the additional 10% return flow. However that 10% storm water flow presently goes to the Fox River. Barb Holtz pointed out that there are presently 40 municipalities in the state of Wisconsin that are successfully removing radium from their water supply. Jim Pindel pointed out that their neighbor New Berlin is removing radium from its water supply. Jim continued by saying that Waukesha has 3 deep aquifer wells and that one of them already has been implemented with radium removal technology. The solution for the radium problem that is proposed by the Compact Implementation Coalition (CIC) is simply to equip the two wells that have high radium content with the radium removal technology at a cost of about \$150,000,000 less than the diversion. Chad Sampson that a release from the League of Conservation Voters opposes the divergence and listed three reasons for their opposition. One of the reasons being that the cost of removing the radium from the existing wells was about half of the cost of implementing the diversion. Jim Pindel told those who were not present at the last meeting that Laurie Longtine made an excellent presentation on why the diversion should not happen and that discussion is listed in the meeting minutes. Dean Falkner made the observation that more emphasis on ground water recharge could help a lot. Dean gave the example of two ponds in Mukwonago, one being a retention pond and the other an infiltration pond with the infiltration pond going dry at times and creating habitat for wildlife. Dan Treloar pointed out that in Kenosha County new ponds are required to be infiltration ponds and retention ponds are only allowed where infiltration is not practical. It was motioned by Dean Falkner and seconded by Ken Miller that we accept the letter and send it to the WDNR as comment on Waukesha's divergence. The motion passed unanimously. Barb Holtz pointed out one typo that Jim Pindel said he would fix.

Barb Holtz then said that she was asked by Laurie Longtine to ask the commissioners to attend one of the three public hearings on the diversion. The first one is being held on Monday August 17 at 5:30 PM, with the first hour being a presentation by the WDNR and the second hour for public comment. The other two hearings are on Tuesday August 18 the first in Milwaukee and the second in Racine. Several commissioners said they would be in attendance. There was some confusion as to the exact location of the public hearing in Waukesha; it is NOT ON THE MAIN CAMPUS but at the Carroll University Center for Graduate Studies Auditorium at 2140 Davidson Road, Waukesha WI. Barb also advised the commission that the CIC is hosting a pre-hearing gathering from 3:30 PM to 4:30 PM with food on the Carroll University main campus to encourage

attendance. You must go to the CIC's website to sign up for this event.

- c) Progress toward designation as a "National Water Trail" – Village of Waterford. Barbara Messick of the Village was present and started by saying that they have submitted their application for technical assistance. Barbara said that they received letters of support from the Racine County Executive, the director of Public Works for Racine County, the Racine County Economic Development Corporation, the Racine Visitors and Convention Bureau, the City of Waukesha, Waukesha County and the SEWFRC. They expect to find out in October if they are getting the grant for technical assistance from the Rivers, Trails and Conservation Assistance Program. The Racine County Executive will work with Kenosha and Waukesha Counties to approach SEWRPC to get their assistance with mapping along the water trail.

On a separate topic, Barbara wanted to make us aware of a request for a permanent annual winter drawdown at the Rochester dam by the Racine County Drainage District. The Drainage District contends that the drawdown is necessary to prevent erosion in their canals. An opposition group has requested the Villages of Waterford and Rochester to stand in opposition to the drawdowns. They have met in Madison with WDNR Secretary Kathy Stepp and all the legislators of the Waterford and Rochester areas. As a result of these discussions, Kathy Stepp recommended that the Villages issue a MoU rather than a resolution opposing the drawdowns. This would allow the WDNR more latitude in coming up with a solution. Barbara said that they are looking for some measurements to give them data to validate the contentions of the opposition group. They had a meeting with the WDNR on July 30th and Agency administrator of the Water Division will draft the MoU for them. The next meeting on this topic will be held sometime in September. Barbara said she will keep us posted on the issue. The village is concerned that with all the work and money going into new launches and the effort toward a National Water Trail a drawdown of about ½ of the year would render the river unavailable for kayaking. The opposition group is mostly concerned about the effects on the fishery.

- d) SEWFRC Website – Al Sikora said that he had no updates except to say that it is up to date.

Correspondence –

- a. 7/12/15 Mark your calendars notification to all.
- b. 7/15/15 Email from Laurie Longtine with attachment of letter from Jeff Thornton opposing the Waukesha diversion
- c. 7/16/15 Email in response to Laurie Longtine stating we don't need a formal presentation about the Waukesha diversion
- d. 7/16/15 Email from Jim Pindel with the schedule for the meetings about the Waukesha diversion.
- e. 7/22/15 Email with attachment with Letter of Support for the Fox River Water Trail.

- f. 7/23/15 Email with attachment from Jim Pindel of letter to WDNR opposing the City of Waukesha diversion of Lake Michigan water.
- g. 7/23/15 Email from Jim Pindel with bullet points for sending letters or making comments against the City of Waukesha's request for Lake Michigan water.
- h. 7/24/15 Email reminder sent to Racine County Executive
- i. 8/1/15 Forward of email from WWMD concerning Waukesha's request for Lake Michigan water.
- j. 8/1/15 Forward of email from Laurie Longtine about UWMU comments about the consequences for the downstream communities if the Waukesha diversion happens.
8/1/15 Email from Tom Slawski stating here is a great opportunity to help sample, see, and touch the incredible number and diversity of species on the Mukwonago River.
- k. 8/1/15 Copy of email sent to all the prospective new members of the commission with an update of what is happening.

Miscellaneous Issues –

Chad Sampson said that the Southeast Area Land & Water Conservation Association is hosting a Summer Tour on September 9, 2015. Unfortunately the tour is concentrated on the eastern half of the county. Chad wanted to extend an invitation to the commission. The cost is \$30. Per participant which includes lunch and the bus tour. The tour starts with a tour of the Case CNH facility and then goes on to more environmental issues. The deadline for registration is September 2, 2015. Dan Treloar pointed out that this is the annual tour for southeastern Wisconsin and it happens that Racine County is in charge of it this year. Officials of both Racine and Kenosha counties will be in attendance giving us an opportunity for some networking.

It was motioned by Bob Bartholomew and seconded by Ken Miller to close the meeting and the motion passed unanimously.

Meeting Closed at 2:17 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, September 11, 2015 at 1:00 PM. (Meeting Location: Town of Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI 53103.)

THE FOLLOWING NEXT OFFICIAL MEETING WILL BE Friday, October 23, 2015 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)
Barb Holtz (Town of Mukwonago) (Vice-Chairperson)
Robert Bartholomew (Town of Vernon)
Randy Craig (Town of Vernon)
Ken Miller (Town of Waukesha)
Chad Sampson (Racine County)
Francis Stadler (Village of Big Bend)
Doug Koehler (City of Waukesha)
Alan Barrows (Waukesha County)
Michelle Scott (Wisconsin DNR)
Jim Ritchie (Wisconsin DNR)
Tom Slawski (SEWRPC)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Randy Meier (Town of Waterford)
Dean Falkner (Village of Mukwonago)
Shelley Tessmer (Town of Waterford)
Ron Peterson (Village of Big Bend)

Also present: Barb Messick of the Village of Waterford, Dan Treloar of Kenosha County, Mike Hahn of SEWRPC, Don Baron and Dick Kosut of the WWMD and Jeff Lang of the Town of Burlington.

At 1:03 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 14, 2015 meeting were reviewed. It was motioned by Bob Bartholomew that the minutes be approved and the motion was seconded by Randy Craig. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Reports for August 2015 was reviewed. In summary we started the month with \$121,086.96 in our money market account. We received an interest payment of \$20.57 leaving us with a final balance of \$121,107.53 at the end of August. The undedicated grant funds left in ENUM-19 amounts to \$28,282.29. It was motioned by Doug Koehler that the treasurer’s report be accepted and it was seconded by Francis Stadler. The motion carried unanimously.

At this point we jumped ahead in the agenda to New Business item c, and then returned to this point in the agenda.

Old Business

- a) Fox River Partnership Summit: Tom Slawski said that he has reserved the room at the Veterans Terrace for Friday 3/18/16. Tom said that following up on Andrew Craig's presentation, it might be a good topic for a session at the summit. Jim Pindel added that maybe it could focus on the staggered approach to getting a complete watershed plan completed.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that he believed that Dean Falkner left all of his contact information at the Village when he retired and so he contacted Alan who then sent all the information to Dean. Dean said that he intends to call people and knock on doors to try to get things moving. Alan said that Dean had not gotten back to him and so he had nothing further to report.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler said that he talked to Ron Peterson who said he would try to contact his son who is up north to see what is going on. Francis said that he talked to Jim Pindel before the meeting and he suggested that Francis contact a nursery like Garden Mart in Mukwonago to have them install some prickly bushes between the fence and the edge of the brick wall to prevent people from walking there. As an alternate Jim recommended getting someone to quote on installing a chain link fence right at the edge of the wall (drop off), which would be a safer solution and would eliminate the need for bushes. Francis said he expects to not go over budget.
- d) Wood Drive Erosion Control Project – Chad Sampson reported on this project and the Malchine Farm project together. He said he is a little frustrated because he has not received any bids to do the work. Chad said all the contractors seem to be very busy trying to get work done this year. The contractor he expected to do the work told him he did not bid because he knew he could not get to it this year. A second contractor was concerned about the large tile that had to be replaced and Chad thought his price would be too high because of that fact. Chad said that right along he felt confident that these projects would get finished this year but now he is not so sure. Chad said he would contact some other contractors, possibly in adjoining counties.
- e) Malchine Farm field Erosion Control – This project report was made in conjunction with the previous report in (d) above.
- f) Highway 164 Ravine repair Project: - Chad Sampson said he was not sure if the contractor started working. Don Baron said that when Dick Kosut picked him up to come to the meeting they saw the contractor using moving equipment to move some of the rocks around. Chad said that he received the permit from the WDNR earlier this week and that he would stop at the site on his way home from the meeting to check on progress.

- g) Waterford Impoundment ESR Project Dredging Permit: - Don Baron reported that Paul Kling and Dick Kosut have been going out contacting people to get letters of agreement or commitment. Dick Kosut said that they needed six agreements and at this point they have four of them. They are the golf course the property before the golf course, the village of Waterford and the Town of Waterford planning committee. The proposal will go before the Waterford Town Board at next week's meeting for approval. There are still two farmers where easements are needed. Don pointed out that if they cannot get agreement from either of the farmers, there are two alternate routes that they can use. The two alternate routes are a little longer and they would prefer to use the shortest route. Don said that Elaine Johnson of the WDNR told him that once they have the final two agreements signed, they can submit their permit application. Don said they expect to get the permit in October.
- Don then said that the WWMD had received a proposal from Graef Engineering for addendum 2 to phase 4 of the project. This addendum covers some additional engineering on the Super Mix site (the dewatering site) and along the pipe routes. Additionally it covers the cost of Graef preparing the letters of agreement for the different parties involved. The cost of the addendum is \$22,000 and the WWMD is requesting a 90% cost share from the commission. This would amount to \$19,800. Barb Holtz stated that when we agreed to pay 90% of addendum 1 to phase 4 we were told that this was to finish up the project and now the WWMD is coming back again to get funds to finish up the project. It was explained that as the overall project progressed new concerns needed to be addressed and some of them required additional engineering and other actions by the engineering firm. Jim Ritchie added that on a large and complex project like this one as the information comes into the WDNR it often results in requests for additional information. Michelle Scott said that as this project progress the disposal sites changed many times requiring new engineering and consequently new costs. It was motioned by Mary Pindel to approve the additional cost for addendum 2 and the motion after the discussion regarding why a second addendum was needed was made by Barb Holtz. The motion passed unanimously.
- h) Schuetze Playground Storm Water Abatement: - David Burch was not present and Doug Koehler said that he knew that work had begun on the project. Jim Pindel stated that he made a report from an email by David Burch at the last meeting which pointed out that some of the work had already been completed. Jim then went on to explain that at the last meeting when we voted to pay a 50% cash advance, he erroneously implied that it was 50% of \$12,500 and in fact David was requesting 50% of the entire \$25,000 project cost which is \$12,500. Jim said that we sent a check for \$12,500 to David Burch.

New Business

- a) Consideration of expanding the Commission's jurisdiction south to the Illinois border. Tom Slawski said he had nothing to report. Al Sikora said that since the 9-key element plan and our expansion plan were both intended to get to federal

grant funds, maybe we should intertwine them possibly at the next Summit. It certainly would be a point of interest for any of the expansion communities who attend the summit. Jim Pindel added that he had been contacted by email by Tricia Sieg of Senator Lazich's office pertaining to the changes we requested to the state statutes regarding our commission. These emails also went to Elizabeth Shea who is doing the actual writing of the statutes. The information provided by Jim Pindel included the new definition of our southern border "the Wisconsin Illinois border", a list of the current and future member municipalities and counties and a concession on the definition of quorum which now will state "a majority of voting members".

- b) Consideration of how we operate with a larger membership base: This item was covered in item (b) above.

- c) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – In order to allow Andrew Craig to leave early to return to Madison, this item was moved up in the agenda just before Old Business. Andrew Craig of the WDNR, who is the state's Non-point Source Planning Coordinator, made a presentation to the commission which identified what the 9 key elements are and possible different ways to approach starting and funding a plan. Andrew pointed out that he made this presentation at the 2015 Fox River Summit in cooperation with the state of Illinois and a member from the EPA. Andrew said he knew that we were concerned that we might have to do the entire watershed at one time and he addressed this point by saying it is very flexible. You can start large or small and append additional areas as you go along. The larger the plan the more complicated it gets. Andrew said that you can do a staggered plan where you do some small portion of a watershed and then repeat that same process in different areas of the watershed as you go along to finish the entire watershed. Andrew then showed us a paper copy of the huc-12 map of our watershed observing that this is a very large area watershed. Andrew said that the staggered approach might be the way to go, we could identify some small area and develop a plan for it and then repeat the process for other areas within the watershed. Francis Stadler asked if it was better to start at the top or bottom of a watershed. Andrew said that with the staggered approach it didn't matter, but there is some logic to starting at the top since as you expand everything above you is already done. It would also make sense to attack the areas where the water quality was poorest first so you get more bang for your buck. Wisconsin has always been big on watershed planning and now that we know more about the water quality of different waterways we are looking to improve these plans along the way of 9-key elements planning. We have established Total Maximum Daily Limits (TMDL) for many waterways which makes it easier to decide which ones need to be addressed first. The EPA said that if you are going to define watershed plans to protect or restore watersheds that are impaired then use of the 9-key elements are a great outline to follow. Barb Holtz asked how many 9-Key elements plans are in existence in Wisconsin and how do we stack up against other states. Andrew

said that as of now Wisconsin has about 30 plans in place and he expects that this winter he will get about 6 to 12 more plans to evaluate. He later showed a map on the WDNR's website that showed where the plans existed and provided the ability to drill down and see the plans themselves. Andrew then brought up the WDNR's website and said this is the best landing site for learning about the 9-key element plans. He told us to simply go to the WDNR website and in the search box look for 9 key elements and it will take you to the starting point. There are tabs for overview, maps and plans. The overview explains the 9-key elements plan and what you have to do to make one. The map tab shows where the areas in the state have plans in place or where they have plans that are about to expire. The plans tab has examples of plans that have already been approved. On the map page just clicking on an area automatically drilled down to the plan for that area. Andrew pointed out those areas that had plans in place were color coded indicating when the plan for that area might expire. Watershed plans typically last for 10 years, which is reasonable since land use can change over time from farmland to residential to industrial; so the plan has to change to reflect the present condition of the landscape. Watershed plans also include a 10 year maintenance plan which when expired need to be revisited. Andrew pointed out that we need to examine what plans are already in place and build on them instead of starting from scratch. Tom Slawski observed a link to available funding and asked Andrew to elaborate. Andrew pointed out the link in the WDNR website that referenced the different assistance funding programs that are available. He pointed out that most of the funding is available for implementation of the plan not the development. However some of the grants can be used to develop the plan. Andrew said that the cost of developing a plan would generally vary between \$15,000 and \$50,000 each. As pointed out later this varies greatly upon the size of the plan with the Root River plan costing hundreds of thousands of dollars. Andrew went on to say that the more expensive part of the plan is the implementation phase where they are federal and state grants available. The largest one available is the federal section 319 clean water fund grants. The state of Wisconsin receives \$4,000,000 a year in this program and 50% of it is spent on staffing people in the WDNR who support implementation and development of the plans and the other 50% is spent assisting the implementation of existing plans. The funding for staff requires that the staff work exclusively in implementing and developing 9-key elements plans. Francis Stadler asked if we complete a 9-key elements plan for our watershed how eligible would we be for grant funds. Andrew explained that having a 9-key elements plan in place would work in our favor. However there is a prioritization in place and a set of criteria for ranking projects, similar to our criteria for accepting a project for grant funds, which is used to decide where the available money is spent. Jeff Lang asked about the ranking of projects and Andrew pointed out some of the criteria he could think of off the top of his head. Andrew said the rankings have to do with the degree of water impairments, if they are in a TMDL area, if there are existing plans in place to address the water quality issues, how much consensus exists from constituents supporting the project and finally how effective will the project be in restoring or protecting the impaired waters. Andrew said that in this last grant application period they had two large scale

applications come in, one was in a non-TMDL area and the other was in a TMDL area where they were looking for \$1,000,000 for alum treatment to reduce phosphorus in a lake to prevent the phosphorus to be redistributed as the water column turned over. The WDNR provided a partial grant amount for the treatment. Francis Stadler asked if you needed to have matching funds and Andrew said you didn't but having matching funds would work in your favor. Andrew pointed out that the 9-key plans are a framework for coordinating existing plans and activities such as county land water management plans. In 2014 the requirement for county land water plans was changed and most counties must rewrite their plans. They have two options the first being to develop a separate 9-key elements plan and refer to it in their land water plan or to completely rewrite their land water plan implementing the requirements of a 9-key elements plan. Andrew brought up a new tool on the WDNR website called healthy watershed assessment tool. It would be a good place for us to start and identify where we have the greatest need. Andrew said that is also a UW guide for watershed planning.

Andrew then explained the 9 key elements themselves. The first one addresses what are the causes and sources of pollution. The second and third go together going to what kind of load reductions can you achieve through management practices you can identify. Estimations and calculations are required to complete these steps. Generally you have to pick a suite of practices you will employ and estimate the average or resultant reductions that would result. There are modeling tools available to assist in this process. Andrew pointed out that elements 2 & 3 are the trickiest ones to complete. Element 4 gets into how much will it cost and how much staff will be required to implement the plan. What authorities will be needed like local ordinances or implementing state performance standards. Element 5 is important and focuses on education and information making sure everyone knows what the plan is and are working on the same page. This plan element requires getting buy in from all the constituents to make sure the plan gets implemented. Elements 6 & 7 are similar to the county land water management plans. They set down a time schedule usually on a 10 year time frame and then you set down milestones of what you want to achieve at different points along the time schedule. For example, in the first two years you do not know where you want to monitor water quality but you could set a milestone to determine where you will monitor sometime in the first two years. Elements 8 & 9 address how do you evaluate the plan. Element 8 is really important it looks at the milestones to check that you are accomplishing what you planned to do. If after a period of time you are not completing the work required by that milestone time you have to re-evaluate whether you have to go back and redevelop the plan to something that will work. Element 9 is a monitoring component which monitors both water quality and whether you are meeting the milestones for the overall plan. Element 9 is often reserved for the last three or four years of the plan.

Chad Sampson asked of dredging silt like from the Waterford impoundment would be an eligible practice for removing contaminants or nutrients from a waterway. Andrew said that if the silt behind the dam were a cause or source of

degradation of the water system then removal of the silt might qualify as an acceptable mediation process. Andrew pointed out that you have to be comprehensive and address the causes of the silt in the first place so that the fix is only short term. The discussion on the sources of the silt in the Waterford impoundment and what could or has been done would have and could have gone on for hours, so it was cut off to keep on agenda.

Andrew put up a map of the Rock River watershed which was broken down into small sections called reaches. Each specific reach has a numeric target for phosphorus and sediment reduction. Some reaches have large loading number basins and some are relatively small. Andrew used this example as something we might try by modeling our watershed and determining what needs the most work and where to get started. This again leads back to the staggered approach to completing the entire watershed plan. Ken Miller asked where the money comes from the pay for a plan development. Andrew explained that there are some grant funds available as shown on the WDNR website to help pay for the development. Andrew also said that leveraging existing plans can help reduce the cost and his help would be available to get us through some of the more difficult phases. Later when Ken asked this same question of the commission, Jim Pindel explained that if the area we wanted to develop a 9-key elements plan for was completely within our area of jurisdiction we could use our grant funds to pay for the engineering and fees involved and if necessary we could use some of our non-grant funds. Jim Pindel pointed out that we have a major problem because our overall watershed is so large and our area of jurisdiction only covers possibly 25% to 30% of the watershed area. We cannot spend grant funds outside of our area of jurisdiction. Also certainly some of the HUC-12 areas cross over and are only partially within our area of jurisdiction. At this point Jim asked Tom Slawski who provided the HUC-12 map of the watershed to superimpose a map of our area of jurisdiction on it so we can see where we can apply grant funds. Hucs that are completely within our area of jurisdiction might of necessity be places where we can get a start. Jim Ritchie stated that there are other grant programs like the River Protection Program that we might be able to get grant funds from. Tom Slawski pointed out that there has not been a comprehensive river plan done for the Fox River since the 1970's and if a new Fox River plan were developed it would identify some of the loading and other criteria that would be used decide what needs to be done in our watershed.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois –Tom Slawski said that he had nothing new to report.
 1. Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Pindel said that Mary Pindel, Barb Holtz, Ken Miller, Michelle Scott and himself attended the public hearing in Waukesha on August 17th. Jim made a report from his meeting notes which stated the following:

1. The DNR person, who made the opening presentation, said fast and off to the side that "There will be no adverse effects to the Fox River".
2. The Mayor of Waukesha said that he won the mayoral election with 65% of the votes by campaigning on getting Lake Michigan water.
3. Mike Hahn of SEWRPC spoke supporting the diversion with the caveat that it should include provision for treated wastewater from the Waukesha treatment plant to be diverted into the Fox River under low flow conditions.
4. Partner from Ruckert-Mielke stated that the deep water aquifer is failing, the limestone structure is deteriorating and that it is not a capable source of water.
5. Two different people said that the diversion would be advantageous to the Fox River. Stopping use of the shallow aquifer wells would increase the ground water and help the wetlands to survive. And in fact, if they continued to use the shallow aquifer wells large areas of wetlands would dry up.
6. Another person said that the deep aquifer is increasing in water depth and is a sustainable water source.
7. One politician said that treating water to remove radium was tried by one municipality; it was very costly and failed.
8. A person opposing the diversion stated that 40 communities in Wisconsin treat their water to successfully remove radium.
9. Representative from the National Wildlife Federation stated that they were strongly opposed to the diversion.
10. Representative of Organization of Mayors of cities (US and Canada) along the Great Lakes and St. Lawrence River said they are strongly opposed.
11. Representative of Wisconsin Sportsman club was opposed to the diversion.
12. Generally all politicians and business associations spoke favoring the diversion and all environmental and sports groups opposed.

Mike Hahn commented that what Jim Pindel reported about his verbal comment at the hearing was correct but added that in his verbal comment and written comment he asked the WDNR to quantify better what the special impacts would be along the Fox River due to the reduction of flow. What the effects would be on water quality, habitat and consider tributary flows and especially increased base flow from these contributory streams. Mike said that essentially the EIS needs more characterization of the effects on the Fox River. Michelle Scott added that there were 160 people who showed up not only from Wisconsin but from Michigan and the provinces of Canada. So there were people willing to travel some distances to voice their opinions. Barbara Messick stated that she was disappointed that a cover story about the public hearing in the Racine Journal Times did not even mention the Fox River and the effects on the Fox River that

- the diversion would cause.
- b) Progress toward designation as a “National Water Trail” – Village of Waterford. Barbara Messick of the Village was present and stated that they expected to hear whether they will receive grant funds for technical assistance from the Rivers, Trails and Conservation Assistance Program in October. Construction is set to start next week on the kayak/canoe launches above and below the Waterford and Rochester dams.
 - c) SEWFRC Website – Al Sikora said that he had no updates except to say that it is up to date.

Correspondence –

- 8/17/15 Forward email from Laurie Longtine with details about the Public Hearing concerning the Waukesha diversion.
- 8/17/15 Forward of an email sent by Michelle Scott to Andrew Craig and Ben Benninghoff requesting that one of them make a presentation to us about the 9-key elements plan
- 8/18/15 Email by Jim Pindel with our comment on the Waukesha diversion. This comment was also sent by US mail to Ashley Hockstra DNR Bureau of Drinking Water and Groundwater.
- 8/18/15 Email response by Jim Pindel to Tricia Sieg of Senator Mary Lazich’s office defining our current and expanded membership. After correction advised by Chad Sampson, emailed Tricia that Spring Lake should have been Sliver Lake.
- 8/18/15 Email response by Jim Pindel to Elizabeth Shea conceding that quorum would consist of a majority of voting members.
- 8/19/15 Email from Jim Pindel advising everyone of Dean Falkner’s new email address.
- 8/27/15 Email from Jim Pindel advising the dates of our next two meetings
- 9/1/15 Email with attachment of SEWRPC’s comment to the WDNR concerning the Waukesha diversion.
- 9/8/15 Email with attachment of WWMD’s comment to the WDNR concerning the Waukesha diversion.

Miscellaneous Issues –

Jim Pindel said that he applied for and received a credit card for the commission.

Chad Sampson said that several members of the commission namely Michelle Scott, Alan Barrows, Mary & Jim Pindel and about to be Commissioner Dan Treloar attended the Southeast Area Land & Water Conservation Association Summer Tour on September 9, 2015. Jim Pindel handed a copy of the handout material to Chad before the meeting but Chad didn’t pass them around, so he said that he would provide hand out folders to all the commissioners at the next meeting. Some of the material is very appropriate for the commission and Mike Hahn pointed out that it includes a summary of the 9-key element plan for the Root River.

Jim Pindel reported that the digital voice recorder seems to be dying a slow death. It was the consensus of the commission for Jim to go out and buy a quality replacement for it. The money will come from non-grant funds.

It was motioned by Francis Stadler and seconded by Bob Bartholomew to close the meeting and the motion passed unanimously.

Meeting Closed at 2:43 PM

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

Commission members present:

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

Commission members absent:

Al Sikora (Village of Waterford) (Chairman)
Ken Miller (Town of Waukesha)
Michelle Scott (Wisconsin DNR)
Ron Peterson (Village of Big Bend)

Also present: Barb Messick of the Village of Waterford, Dan Treloar of Kenosha County, Donny Hefty of the City of Burlington, Don Baron and Paul Kling of the WWMD and Jeff Lang of the Town of Burlington.

At 1:07 PM, Vice-Chairperson Barb Holtz 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 11, 2015 meeting were reviewed. It was motioned by Bob Bartholomew that the minutes be approved and the motion was seconded by Randy Meier. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Reports for September 2015 was reviewed. In summary we started the month with \$121,107.53 in our money market account. We had a withdrawal of \$12,500 as a cash advance for the Schuetze Playground project. We received an interest payment of \$18.95 leaving us with a final balance of \$108,626.48 at the end of September. Jim noted that under the grant funds he omitted listing the \$19,800 that we approved at our last meeting for the final additions to the WWMD’s funding for their dredging permit application. The undedicated grant funds left in ENUM-19 amounts to \$8,482.29. Jim Pindel pointed out that we still have the \$200,000 available from the new ENUM that has not been issued yet. Jim Ritchie said that the new ENUM is being processed and has been delayed a bit because the state has gone to a new financial system for all agencies effective October 1st. Jim Ritchie also made the clarification that the time clock for the new ENUM would start on the date that it is issued. It was motioned by Shelley Tessmer that the treasurer’s report be accepted with the addition of the \$19,800

addition for the WWMD dredging project and it was seconded by Francis Stadler. The motion carried unanimously.

Old Business

- a) Fox River Partnership Summit: Tom Slawski said that he has been contacting people in Illinois looking for partners and speakers. He said that it is likely that we will have a speaker from the Northeastern Illinois invasive plant partnership group. This thought has made Tom think about having someone from the Wisconsin invasive species group also address the Summit targeting invasive plants in general and possibly concentrating on the new invasive species Starry Stonewort. This will be a target topic for the Summit with speakers addressing the different aspects of prevention and treatment for the Starry Stonewort. Tom went on to say that the experience with Starry Stonewort on Michigan has shown that it is much more difficult to control than Eurasian Milfoil. Starry Stonewort is an algae (looks like skunk weed) that forms colonies like blankets that form along the bottom and even up to the surface of lakes. Tom said that there have been meetings around the state with a great sense of urgency and now the species has been detected in Minnesota. Barb Holtz asked where it is native to and Tom said he only knew that it came from Europe. Francis Stadler asked why when boats are taken out of the water of a contaminated lake they don't require not only washing the boat but also spraying the boat with some chemical to eradicate the Stonewort. Tom Slawski and Jim Ritchie addressing this issue said that more launch sites are adding boat washing facilities, but it is not simply an issue of washing the boats off but also treating the possibly contaminated wash water. There was no mention of any known algaecide for treating the Stonewort. Alan Barrows said that the county is forming an aquatic invasive species position to address these issues. Shelley Tessmer asked if the commission could fund boat washing stations and Jim Ritchie said that we could not fund the operation (or staff) but could fund the constructions of washing stations. Donny Hefty pointed out that boats not only have possibly contaminated water on their skins but also in the engines, sumps and live wells, that washing stations do not address.

- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that he believed that Dean Falkner had talked to WE Energies since our last meeting and Dean said that because there had been a delay in this project the entire project has to go back through corporate channels for approval all over again. Dean said that it was very unlikely that this project will ever go through. Even though we are willing to fund 100% of the project it is still a problem for WE Energies budgeting process. Dean said that he has not heard back from Jennifer the WE Energies government affairs person and feels that the project is dead. Jim Pindel stated that it was quite a shame after all the work Alan and Dean have put into this project. Alan added that the county has spent on the order of \$30,000 on engineering and planning and now that is all for nothing. Alan said

- that they will keep working on it and we should leave it as an agenda item and in the treasurer's report.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler said that he had contacted the contractor and he has not called him back. Jim Pindel said that a few meetings ago Alan Barrows of the county was supposed to meet with Francis at the site to see what might be the best solution. Alan said that he will try to get together with Francis at the site and see what can be done.
 - d) Wood Drive Erosion Control Project – Chad Sampson reported on this project and the Malchine Farm project together. He said he had hoped to get these projects started this year but because of lack of response from contractors this late in the year, work would probably not start until next spring. Chad said that he talked to Kevin Malchine this morning and said that he was okay with waiting until next year.
 - e) Malchine Farm field Erosion Control – This project report was made in conjunction with the previous report in (d) above.
 - f) Highway 164 Ravine repair Project: - Chad Sampson said that the project was completed about 2 weeks ago. It really looks good. He will put together a report with some photos that he will bring to our next meeting.

At this point Chad said that he has a new project just across the street on the east side of STH 164. There are some farm fields he has a concern about including a broken tile and a lot of sheet erosion that comes down just across from the ravine that we just repaired. It needs a buffer to slow the flow down. He mentioned this to Kevin Malchine who was more concerned about the broken tile. Chad said he will go back, hopefully when it is raining to see what is happening and possibly show it to Kevin Malchine. There is a potential problem because there are a couple residential lots that may be sold complicating the issue. Dean Falkner asked if some sort of easement could be worked out so that the lots could be sold and the erosion control measure could still be implemented. And Chad agreed this was possible. Francis asked exactly where the project would be located and Chad circled the project area on an aerial map which he passed around.

At this point Jim Pindel addressed the issue of allocating the funds allocated by Racine County to the various projects in Racine County. We have already assigned \$4000 to the original WWMD dredging permit application project. He suggested that we apply \$1000 each to both of the additions to the dredging permit application project. He then suggested that we apply the remaining \$4000 to the STH 164 project splitting it between the two sub-projects (two different owners). The consensus was to use the funds in this manner. Randy Meier noted that when you build a home or do any construction work that disturbs the ground you need to get all kinds of permits and asked if farmers had to do the same thing. Jim Ritchie said construction is completely different than

farming and Chad added that the only restriction on farming is that there is a no till zone from the top of a bank.

- g) Waterford Impoundment ESR Project Dredging Permit: - Don Baron reported that in order to get the Chapter 30 permit and the Army Corps permit they still needed to provide detailed drawing of the pipeline route with boost stations depicting wetland impacts. Detailed drawing of the Super Mix site include grading plans, groundwater elevation in the pit and a revised MR 135 plan. To this end the WWMD needs a letter from Racine County stating that the proposed activity is acceptable. Chad said he would cooperate with them and get the letter out on Monday. In addition Don said that they require letters of interest and/or permission from everyone along the pipe route. Jim Pindel asked when the permit application will be submitted and Don said all requirement should be met by the end of the month and the application submitted no later than mid-December.
- h) Schuetze Playground Storm Water Abatement: - David Burch was not present and Jim Pindel reported that David had sent him an email with an update. The project play area site is under construction with the concrete path perimeter walk, play area equipment, resilient rubber surfacing complete. The existing play equipment and surfacing will then be removed to make way for the erosion control, demolition and grading, rain garden storm water treatment, overlook deck and interpretive signage. The rain garden design is in the process of being finalized. The remaining work is scheduled for spring of 2016. David went on to thank us for the \$12,500 cash advance and asked if we would consider an additional \$10,000 to help pay for the overlook deck and interpretive signage. We agreed that the overlook deck did not fall within the realm of erosion control or storm water abatement and would not be grant fundable. With regard to the interpretive signage, we agreed that if David made a presentation and allowed us to review the signage we could possibly grant fund it.

New Business

- a) New Project in Waukesha County: Alan Barrows
Alan said that he was not looking for a motion to fund this project but just to make us aware of it and what it entails. The property owner is Tom Grafenauer and it is a shoreline and buffer zone restoration. Alan's Power Point presentation started with a high overview that showed the relative location of the project out on the western end of our jurisdiction a little closer to Waterford than to Waukesha. Additional slides showed the position of the Grafenauer property relative to the Mukwonago River and Roxy Pond. The property butts up against Roxy Pond, which is about 15 acres and that is where the shoreline needs work. Alan mentioned that Roxy Pond is a priority navigable waterway which requires special permitting. Alan said that he had his first contact with the property owner in August and then sent our requests for design/build bids in September. He had a showing for 4 bidders in October and expects to open and review bids in November. The issues with the property are bank erosion, too much shade,

buckthorn, high acidity due to pine trees and bare soil. Roxy Pond is a manmade pond that dates back to at least 1941. The solution to the problem is addressing all of the issues above as well as establishing native vegetation getting a maintenance plan in place and finding funding. Alan ended by pointing out that the project would meet the goals of our commission by stopping shoreline erosion, the goals of the Mukwonago Park Plan by addressing soil erosion and invasive species, the goals of the Mukwonago Watershed Plan by expanding and protecting riparian buffers and the goals of the Waukesha County Land and Water Resource Management Plan to preserve natural areas and assist constituents. Depending on the bids that are received Alan and/or Tom Grafenauer may make a presentation at our next meeting looking for funding. Francis Stadler asked if this tributary is adding silt or pollution to the Mukwonago River than why is the river so clean. Alan said that the Mukwonago River is quite resilient and Tom Slawski said that the river has a large recharge and discharge system that feeds it, so this small problem area doesn't have an overwhelming effect on the whole river system. Tom Slawski said that there is a small grant program available for individual property owners like this one. The maximum grant amount is \$5000 but this could augment our contribution. Submission for grants is due in February so this could be timely for Tom Grafenauer. It requires the property owner to accept the state's implementation plan, which he didn't think was difficult.

- b) Consideration of expanding the Commission's jurisdiction south to the Illinois border There was no discussion on this item because there is no new news in this area and the next agenda item is very relevant to this topic.

- c) Review of Preliminary Draft of Changes to the Wisconsin State Statutes: Jim Pindel passed out copies of the Preliminary Draft of the changes to the state statutes provided by Tricia Sieg of Senator Mary Lazich's staff. First Jim reviewed the letter we sent to Senator Lazich to see what was included and what was omitted. The calculation for quorum was changed to the state norm of majority of voting members and the request for some operating funds to cover office expenses and an annual financial audit was not included. All the other items we requested were included. The highlights of the changes that were incorporated include just one commissioner and an alternate from each member body. The term of appointment is up to the individual member body and they only have to advise us if they make a change. We now have the ability to add additional counties or municipalities as long as we get an MoU from them requesting membership and the present board of commissioners votes to include them. Reviewing the Preliminary Draft, on the middle of page 2 it notes that both the town of Vernon and the town of Waterford lose two commissioners and the village of Big Bend loses one commissioner. This was our intent but at this time it made us aware of the fact that we better make these three municipalities aware of these reductions in case they might have an objection. A commission member from each of these affected municipalities said they would bring this issue up before their boards and get either a letter of agreement or mention in their board meeting minutes that they accept the reduction. Shelley Tessmer said she would

take care of the Town of Waterford, Bob Bartholomew will bring this issue to the Town of Vernon and Francis Stadler will bring this issue to the Village of Big Bend. The reason for the reduction of commissioners from these three municipalities was to provide equal representation on the commission and to keep the size of the commission down to a manageable level. In the third paragraph on page 2 added a caveat that the quorum amounting to the majority of voting commissioners does not include a voting commissioner who does not participate in the commission and does not appoint a designee. We are grateful for this addition we didn't think to request. On page 3 line 25 and on page 5 line 18 Spring Lake should be changed to Silver Lake. On page 8 line 10 Kenosha County should be added to Racine and Waukesha Counties. On page 6 lines 14 to 17 need to be changed to the new arrangement that the municipalities govern how and when they make appointments and simply notify the commission of any changes. Page 7 lines 11 through 14 need to be changed and possibly lines 16 through 20 deleted. An implementation plan was developed in 1998 and was redeveloped and rewritten in 2011. We believe that the statutes should say that an implementation plan needs to be in place and should be revised in a timely manner to keep the plan current and germane. On page 4 lines 9 and 10 states that the commission can extend the area of its boundaries by an affirmative vote of the majority of the voting commissioners. Tom Slawski pointed out that this is in line with the authority of any lake protection agency.

- d) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Alan Barrows projected the HUC-12 map modified by Tom Slawski that superimposed the present and future commission boundaries. The map showed that there are no HUC-12 areas that fall completely within our boundaries. However some fall almost completely within our jurisdiction. When asked, Jim Ritchie said that he didn't believe it would be a problem to develop plans that extended slightly outside our area but that we could not use grant funds for projects in the extended areas. Tom Slawski pointed out that we could go to a subarea of one of the HUC-12 areas and in fact go as small as we wanted but did agree that since these HUC-12 areas are already defined they would be a logical choice. Tom also pointed out that when we did work on a 9-Key elements plan for a HUC-12 area it would probably have to be broken down into smaller subareas because of differences in terrain or drainages. If the commission decides to go ahead with a 9-Key elements plan we will have to rely on an engineering firm or SEWRPC to do the work. Tom Slawski pointed out that it requires a lot of coordination between the county and municipalities to get it done. It requires the development of a collaborate team of all the stake holders.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois –Tom Slawski said that he had nothing new to report.

1. Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that there were a lot of public comments made after the initial environmental impact statement was released and they are still reviewing this material. Jim said that he did not have a timeframe for the final environmental impact statement.

- b) Progress toward designation as a “National Water Trail” – Village of Waterford. Barbara Messick of the Village was present and stated that they are happy to report that they did receive a technical support grant from the National Park Service and they will be having their first organizational meeting on November 9th. Barbara passed out copies of the Village of Waterford News Letter to all commissioners. The News Letter highlights issues concerning the Fox River. She also said that the new canoe/kayak launch in Rochester is completed and the one on Waterford will be completed by the end of October. Alan Barrows asked if the National Park Service grant included any funding and Barbara said no it just covers technical assistance.

SEWFRC Website – Al Sikora was not present so no report was made.

Correspondence –

- a. 9/15/15 Mark your calendars for 10/23/15 SEWFRC meeting.
- b. 9/17/15 Email from Jim Pindel to Tom Slawski requesting superimposing our present and future boundaries on the HUC-12 map
- c. 9/28/15 HUC-12 map as revised by SEWRPC
- d. 9/19/15 Email from Jim Pindel to Andrew Craig thanking him for the presentation he made at the Sept 11 meeting.
- e. 10/9/15 Invitation to Phase 1 completion celebration at Schuetze Playground.
- f. 10/13/15 Preliminary Draft of changes to the state statutes.
- g. 10/14/15 Email from Jim Pindel to all commissioners whose terms for appointment have expired.
- h. 10/14/15 Email to Carina Walters of the City of Burlington asking who is their point of contact now that Craig Workman is gone.
- i. 10/16/15 Email with attachment from Karen Schuh of the Town of Vernon with an attachment that provides the appointment terms for Randy Craig and Bob Bartholomew.

Miscellaneous Issues –

There were no new issues.

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

Meeting Closed at 2:55 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,
December 11, 2015 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)
Barb Holtz (Town of Mukwonago) (Vice-Chairperson)
Robert Bartholomew (Town of Vernon)
Chad Sampson (Racine County)
Francis Stadler (Village of Big Bend)
Doug Koehler (City of Waukesha)
Shelley Tessmer (Town of Waterford)
Alan Barrows (Waukesha County)
Michelle Scott (Wisconsin DNR)
Jim Ritchie (Wisconsin DNR)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Dean Falkner (Village of Mukwonago)
Ken Miller (Town of Waukesha)
Tom Slawski (SEWRPC)
Randy Meier (Town of Waterford)
Mary Pindel (Town of Waterford – Alternate)
Ron Peterson (Village of Big Bend)

Also present: Dan Treloar of Kenosha County, Donny Hefty of the City of Burlington, Paul Kling of the WWMD and Jeff Lang of the Town of Burlington.

At 1:02 PM, Chairperson 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 23, 2015 meeting were reviewed. It was motioned by Bob Bartholomew that the minutes be approved and the motion was seconded by Doug Koehler. The minutes were approved unanimously.

Treasurer Reports – The Treasurer’s Reports for October 2015 was reviewed. In summary we started the month with \$108,646.48 in our money market account. We had a withdrawal of \$22,400 as payment to CHILS for the two STH 164 projects. We received an interest payment of \$16.12 leaving us with a final balance of \$86,242.60 at the end of October. The undedicated grant funds left in ENUM-19 amounts to \$14,482.29. Jim Pindel pointed out that we still have the \$200,000 available from the new ENUM-20. Jim Ritchie said that the cash advance of \$100,000 from ENUM-20 is being processed. The Treasurer’s report for November 2015 was then reviewed. The only changes to the money market account was a withdrawal of \$178.44 to pay for the new Digital Voice Recorder and three year insurance on the recorder and an interest income of \$14.15 resulting in a final balance of \$86,078.31. It was motioned by Shelley Tessmer that the treasurer’s reports be accepted and it was seconded by Chad Sampson. The motion carried unanimously.

Old Business

- a) Fox River Partnership Summit: Tom Slawski was not present and so no report was made.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said there was no change from what had been reported at the last meeting.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler said that he had nothing new to report. Alan Barrows said that as he promised Francis some time ago, he visited the site and took photos of the fence and wall. Alan passed copies of the photos around for the commission to review. Alan said that he had one of the county's landscape architects working on a design to add native shrubs and grasses. Alan pointed out that the native grasses will help protect the split log fencing which would likely be damaged by string grass trimmers without the grasses. Shelley Tessmer asked when the design will be complete and Alan said probably next Monday.
- d) Wood Drive Erosion Control Project – Chad Sampson said that there are no changes in either items (d) or (e) and he had hoped that with the good weather we have been experiencing that someone would have been able to get the work done. But apparently everyone is taking advantage of the weather to get existing projects completed. Chad said he is still expecting both of these projects to get done next year. Chad also said that he had a conversation with Kevin Malchine about the farm field across the street from the two STH 164 ravine repair projects that have just been completed. Kevin didn't seem very enthusiastic about adding a grass buffer because it was too low on his list of priorities. Chad did say that Kevin tiles this field every other year and so it will not be tiled this coming year so there will be at least a one year reprieve on the problem of this silted water running down into the ravine that we just repaired. Chad also said that the WWMD has offered to lease this approximately 2 acre parcel from Kevin so it can be turned into a grass buffer. Chad said that he also talked to Kevin about a broken drainage tile just outside of this field on a home owner's property. Shelley Tessmer said that if the repair was not too expensive, the Fox River CAUSE might fund this repair. Kevin said he was not aware of the broken tile and would contact the home owner and possibly repair the tile himself. Shelley then said that if the broken tile is not addressed by the middle of January, Chad should notify her so that Fox River CAUSE could take up this project.
- e) Malchine Farm field Erosion Control – This project report was made in conjunction with the previous report in (d) above.
- f) Waterford Impoundment ESR Project Dredging Permit: - Paul Kling reported that they are getting close to submitting the Chapter 30 dredging permit application. They are still wrestling with some farmers to get permission to cross their

properties with the pipe that will convey the silt and water to the Super Mix gravel pit site. All the other permissions from the Town and Village and some private owners have been obtained. Paul said that they still think that they are about 30 days away from submission of the permit application.

- g) Schuetze Playground Storm Water Abatement: - David Burch was not present and Alan Barrows said that he saw David but did not get any report. Doug Koehler said he hadn't heard anything and assumed that work will began again in spring.

New Business

- a) New Project Grafenauer Shoreline Restoration: Alan Barrows said that Tom and Carol Grafenauer wanted to be present for this presentation but had to attend a funeral. So Alan said he would make the proposal for project approval for them. Alan pointed out that at our October meeting he made a presentation showing that the project covers about 500 feet of shoreline and about 0.6 acres in area. Presently this area is mostly covered with buck thorn. Alan said that he put out a design and build bid request and received three bids varying from \$35,000 to \$75,000. Alan then said that the Grafenauers are requesting a 90% cost share from the commission. The cost of the project is estimated to be \$37,000 and our 90% cost share would come down to \$33,300. This bid includes the application for an individual permit if one is required by the WDNR. Also the bid includes one plan revision anticipating that the WDNR will require some changes after the plan is submitted for approval. Barb Holtz asked if maintenance was included and Alan said 10 years of maintenance was included in the bid. Alan provided copies of our Project Acceptance Criteria sheet to all the commissioners. The criteria were reviewed by the commission resulting in a score of 42 points out of a possible 55 points exceeding the required minimum of 28 points. Also this project meets the two mandatory criteria of meeting our objectives and a good likelihood of successful completion. When asked, Alan said the bidders were all native plant specialists and the low bidder was a group of arborists and botanists from Madison. It was motioned by Shelley Tessmer and seconded by Barb Holtz that we accept this project at a 90% cost share level. The motion passed unanimously. During the course of the grading process Alan mentioned that the Grafenauers will be covering the cost of the project themselves until we supply the 90% cost share when the project is completed. Jeff Lang asked why criteria number 3 received no points and seeing it contained two different concepts could it get points for just one of the two concepts. It was explained that this project neither assists in local decision making or formation of a strategy to protect the river so it received no points. It was further clarified that any number of points can be assigned for any given criteria as appropriate.
- b) Consideration of expanding the Commission's jurisdiction south to the Illinois border Jim Pindel pointed out that we reviewed the Preliminary Draft of the changes to the state statutes at our last meeting. Jim said that he incorporated the changes/corrections into an email which he sent to the staff of Senator Mary

- Lazich the following week. He said he has not heard back from them and we realize that it may take some time for them to act on it. Jim said he will follow up and see if there is anything we need to do.
- c) Review of SEWFRC Implementation Plan Figure B-3: Jim Pindel passed out copies of Appendix B of the Implementation Plan. He pointed out that this agenda item came up because of ambiguities that were noted and questions that came up in email discussions with Alan Barrows concerning when a sponsor must provide payments. Going through figure B-3 it starts out stating that it was developed to help clarify the roles and responsibilities of the landowner, the contractor and SEWFRC and further states that all parties must sign this agreement prior to any construction work. We realized that this has never been followed. The ambiguous sentence in item 9 which states “Pay the contractor(s)/supplier(s) for all services rendered, as agreed to prior to construction work”. Needs to be clarified to say pay the contractor(s)/supplier(s) for all services rendered, to the amount agreed to prior to construction plus any approved additions/overruns. After considerable discussion it was discovered that this appendix was paraphrased from the Waukesha standard work agreement from July of 2002. Chad added that it was similar in content to the Racine County work agreement. An item that was clarified during the discussion was that even though our funding is a reimbursement program for actual implementation costs, we can and do reimburse the sponsor or land owner prior to project completion as necessary to keep the burden of upfront costs off of the sponsor or land owner. Alan Barrows pointed out that some smaller projects by individual landowners have not come to fruition because the individuals involved could not afford all the upfront costs of paying for the entire project and then waiting for us to reimburse them. We all agreed that the “Cost Share Agreement” that we developed in 2011 really accomplishes clarification on what our commission expects from us and the project sponsor. Jim Ritchie said that he and the WDNR accepted our cost share agreement as adequate and suitable for this purpose. Jim Ritchie further clarified that our cost share agreement stipulates what are the conditions for us to pay grant funds to the sponsor of a project and the work agreement is at a different level between the sponsor and the contractor. We tabled this item to come up again at our next meeting to decide what has to be done in this regard.
- d) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan— Jim Pindel recounted that when Andrew Craig made his presentation to the commission, he said that we could choose any sub-watershed or area and develop a 9-Key Elements Plan for that area and then replicate it onto other adjacent areas until ultimately we cover our entire watershed. We don’t know where to start and probably should wait for someone or some location to have a need and let them champion the 9-Key Elements Plan for that area. It was decided to take this item off the agenda for now but reinstate it if and when someone wanted to develop a plan. Jim Pindel pointed out that the plan (process) looks like a ‘best business practices’ type of endeavor and would be worthwhile even though it did not result in federal grant funds.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Jim Pindel pointed out that he sent around a notification that Ron Barker who was the Executive Director of the FWA is no longer with the agency. Tom Slawski mentioned that we need to re-establish relations with the FWA which might take the form of a visit to them. Tom said that this would be his project over the upcoming holiday season. Shelley Tessmer said she would volunteer to go along if a visit to the FWA was needed.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said there was a new release earlier this week by the WDNR stating that within the next 30-60 days the WDNR will release its technical review and preliminary final environmental impact statement to the Great Lakes Regional Body. Over 3600 comments were received during the initial comment period. Barb Holtz asked what portion of the comments were for or against the diversion and Jim Ritchie said he did not know. Jim Pindel asked specifically if the WDNR was recommending the diversion and Jim Ritchie said that yes they were.
- c) Progress toward designation as a “National Water Trail” – Village of Waterford. Al Sikora said he did not know anything to report and Barbara Messick of the Village was not present to make a report.

SEWFRC Website – Al Sikora said that the website was up to date except for some recent photos that he received from Alan Barrows that will be put up soon. Chad Sampson said that he noticed that the names of the commissioners on the website was not current and correct. Al said he would look into it.

Correspondence –

- a. 10/26/15 Notice of date of next commission meeting.
- b. 10/30/15 Request for changes to the Preliminary Draft of the State Statutes that define our commission.
- c. 11/12/15 New Grant ENUM-20 received from Jim Ritchie.
- d. 11/18/15 Email from Tom Slawski advising us of a new Fox River Conservation group.
- e. 11/30/15 Email correspondence among Alan Barrows, Chad Sampson, Jim Ritchie and Jim Pindel concerning our Standard Operating Procedures.
- f. 12/02/15 Email from Tom Slawski advising of impending “Upper Fox River Flood Inundation Mapping Project”.
- g. 12/03/15 Email advising us that Ron Barker is no longer with the Fox Waterway Agency of Illinois.

- h. 12/09/15 Email Letter sent to fulfill our obligation for the \$10,000 we received from Racine County

Miscellaneous Issues –

Alan Barrows said that he did some research looking into signs that we could put up at completed project sites stating that we provided funding for the project. Alan passed around printed copies of possible signs which all showed our emblem or letter head in the background and stated that this project was partially funded by the SEWFRC. After some discussion it was decided that we probably want some large (12" x 18") and some smaller (8" x 10") signs, probably 25 of each. The preliminary cost estimates were \$1,050 for 50 metal signs, \$1500 for 50 reflective metal signs and lower costs for plastic signs. The overall sentiment of the group was more professional longer lasting metal signs were more appropriate. Shelley asked how long the signs would last and Alan said for a long time and that the reflective metal signs were guaranteed for 7 year. Shelley then asked where will the signs be stored and Alan said he or possibly he and Chad would store the signs. Alan said he would bring price quotes to our next meeting and Al Sikora asked for the sign specifications so he could obtain competitive prices from his local source.

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

Meeting Closed at 2:16 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, January 29, 2015 at 1:00 PM. (Meeting Location: Town of Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI 53103.)