

Commission members present:

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)
Tom Slawski (SEWRPC)
Michelle Scott (Wisconsin DNR)
Jim Ritchie (Wisconsin DNR)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Al Sikora (Village of Waterford) (Chairman)
Dean Falkner (Village of Mukwonago)
Ken Miller (Town of Waukesha)
Randy Meier (Town of Waterford)
Ron Peterson (Village of Big Bend)

Also present: Dan Treloar of Kenosha County, Jim Bergles of the City of Burlington, Paul Kling of the WWMD and Barbara Messick of the Village of Waterford.

At 1:02 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 December 11, 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.

Treasurer Reports – The Treasurer’s Reports for December 2015 was reviewed. In summary we started the month with \$86,078.31 in our money market account. We received an interest payment of \$14.62 leaving us with a final balance of \$86,092.93 at the end of the year. The undedicated grant funds left in ENUM-19 & 20 amounts to \$181,182.29. It was motioned by Doug Koehler that the treasurer’s report be accepted and it was seconded by Francis Stadler. The motion carried unanimously.

Election of Officers for the Calendar year of 2016: Francis Stadler nominated the existing officers for their respective positions and the nomination was seconded by Alan Barrows. The nominations carried unanimously.

Old Business

- a) Fox River Partnership Summit: Tom Slawski said that the Summit date of 3/18/16 is coming up fast. Tom said that he does not have the full agenda ready yet but has most of the speakers lined up. One of the keynote speakers will be Aaron Thompson of the UW extension who will be talking about the emerging science of watershed planning, addressing the need to understand the social content. Tom said he is trying to get Harald (Jordy) Jordahi the director of America's watershed initiative who will discuss the report card for the upper Mississippi River watershed. Frank Veraldi of USACE Chicago District will talk about Fox River connectivity and habitat. Brian Daly of the Chicago Metropolitan Agency for Planning will discuss the Algonquin – Carpentersville Fox River corridor plan. Joseph Keller of the Fox Waterway Agency of Illinois will give an update on what they are doing to preserve their waterway. Jim Pindel will do an update of our activities. Jeffrey Mengier of Hey and Associates will present the Fox River ecosystem partnership and northeastern Illinois invasive plants. Todd Levin of Carrol University will talk on mussels and Tim Plude of the WDNR will make a presentation on the Starry Stonewort and the potential implications for the Fox River. Jim Pindel reported that Al Sikora told him that the website for the Summit could be viewed at SEWFRC.org/summit and that the PayPal means of paying for admission was included and working. Shelley Tessmer asked for the price of admission and Tom said it was \$35 per person in advance and would be \$50 per person at the door. It was motioned by Shelley Tessmer and seconded by Alan Barrows that the commission would reimburse any commissioners who attend the Summit for their attendance fee. The motion carried unanimously. Tom asked for a 50% cash advance of the funds we dedicated for this summit and a check for \$2750 was given to Tom. Tom said he would forward the Summit brochure to Jim Pindel for distribution to the whole commission and also asked that we would sign up as soon as possible.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that he has not had any contact with WE Energies for a couple months now and had nothing to report.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler Alan Barrows pointed out that at our last meeting he gave some information he found on the internet advising what kind of native plants could be planted at this site. David Burch a landscape architect for Waukesha County was working on a design for the plantings at this site but Alan had not received it yet.
- d) Wood Drive Erosion Control Project – Chad Sampson said that there has been quite a bit of activity on this project and the Malchine farm field this last week. Chad said that he has received bids from the contractor to do the work on both of these projects. The costs have come in higher than he originally expected and so Chad requested increasing the cost share from the commission from \$5,000 to \$6,000 for the Wood Drive project and from \$6,000 to \$15,000 for the Malchine

farm field project. The reason for the large increase for the Malchine farm field project is that a 15" diameter tile which runs all the way down from STH 164 through the entire farm field cost \$15,000 plus \$4 per foot for installation. The rest of the funds needed Chad is getting from state funds he has available. Jim Pindel said that we have the funds available to cover these increases. Shelley Tessmer motioned to make the increases to both of the projects and Bob Bartholomew seconded the motion. The motion carried unanimously. Harry Bauman the farmer downhill of the Malchine farm field expressed some concerns about the ascetics and some of the details like being assured that all the laterals will be connected back into this large main 15" tile. Jim Pindel asked if the projects would be completed by 6/30/16 and Chad said he told the contractor he must be finished by the end of May.

- 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 things are moving slowly. The WDNR has required more testing and are questioning how much silt will run back into the river and percolate down into the ground water. They do not have a specific date for submitting the permit application and there are a few land access issues to resolve. Chad Sampson said that he has received a few phone calls from landowners concerning the piping and disposal site. Paul said to refer these calls to him. He also said that another big issue is to determine just how much phosphorus they will be removing from the river.
- g) Schuetze Playground Storm Water Abatement: - David Burch was not present and Doug Koehler said that now that the weather has turned cold work has stopped and will not be completed until spring. Doug went on to say that the playground area had been moved to make room for the rain garden.
- h) Graefenauer Shoreline Restoration: Alan Barrows said that the contract has been signed and the work will be completed in two parts. The shoreline is populated with mostly buckthorn and honeysuckle and the first phase will be brush removal. The brush will be cut down to ground level and then an herbicide will be applied. This work will be started this coming week. Alan said that he has received shoreland cutting permit and this area is an environmental corridor which requires stringent controls. Alan said that he personally developed a map of all the existing trees which he submitted with the permit application. Alan said that he expected phase 1 to be completed before our next commission meeting and it included perimeter sediment controls in case any erosion occurred due to the brush removal. Phase 2 will start around June 1st which will include installation of 580 feet of biologs, plants and seeding. It is sort of a belts and suspenders approach to make sure no erosion occurs.

New Business

- a) Consideration of expanding the Commission's jurisdiction south to the Illinois border Jim Pindel pointed out that Tom Slawski and himself testified before the senate committee on natural resources and energy and the assembly committee on natural resources and sporting heritage. Tom Slawski pointed out that Senator Mary Lazich testified with us before both committees and was very enthusiastic and energetic for our cause. The senate bill passed the full senate last Wednesday and the assembly will vote on it when they come back into session on February 8th. We were given a tentative date of April 16th for Governor Walker to sign the bill into law and were invited to attend the signing. Jim asked the group for their thoughts on whether we should attend and if we should invite others to attend. The consensus was that we should attend and invite, or at least make them aware of the event, all the legislators involved as well as our commissioners and other organizations concerned with the Fox River such as the WWMD, Friends of the Mukwonago River and the Fox River CAUSE. Based on this discussion, Jim Pindel will send out an invitation to all the concerned entities as soon as a firm date is established, requesting a RSVP.
- b) Review of SEWFRC Implementation Plan Figure B-3: Jim Pindel asked if this issue could be completed with the addition of a requirement for a "Proof of Satisfactory Completion" form signed by the project sponsor. Alan Barrows stated that he provided two similar forms to Jim Pindel and that he would fashion a new sample or template form appropriate for us before our next meeting.
- c) 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. Chad Sampson suggested that we wait until our expansion is completed because it might uncover some new area of need. Tom Slawski said that the Eagle Springs Lake District and the Mukwonago River Initiative were considering reworking the Mukwonago River Protection Plan into a 9-Key Elements Watershed Plan. Once the changes to the state statutes are completed we might decide to annex them into our jurisdiction, thus giving us a starting place. Shelley Tessmer said she thought the Waterford impoundment might be a good place to start, but that would be up to the WWMD to initiate this work.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Tom Slawski said that he was able to make contact with Joe Keller the new Executive Director

of the Fox Waterway Agency. Joe Keller has agreed to make a presentation at the upcoming Summit. Tom said that Joe didn't know much about us and that he and Jim Pindel will attend one of their board meetings on 2/24/16 to inform him and their board about us. Tom said that Joe was a businessman and was in the process of straightening out the financial difficulties that the Agency was experiencing.

- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that the WDNR has forwarded the Waukesha diversion application for regional review to the other Great Lakes states and Canadian provinces. This review process must be completed within the next 6 months and must be unanimously approved in order to go forward. Michelle Scott pointed out that the application was forwarded on January 7th. Jim Pindel asked if we should start monitoring the river for flow and water quality now so that we have a baseline of where we are now in case the diversion goes into effect. Jim said he went back into our old meeting minutes and found that on May 17, 2013 Daniel Feinstein of the USGS made a presentation to the commission in which he cited some typical costs for different gauges. Each type of gauge had a fairly high initial cost and an annual cost associated with it. Jim also mentioned that in March of last year Tom Day of the Eagle Springs Lake Management District made an appeal to us for funding for some water quality monitoring they were doing along the Mukwonago River. They were using volunteers to gather the samples and were having them tested in Stevens Point by a certified lab. The cost of the testing was \$85 per sample. Tom Slawski added that we could utilize the Water Action Volunteers and that he had heard that the water treatment plants were in the process of either starting or were already doing some of this monitoring. Jim Bergles the Director of Public Works for the City of Burlington said that the City of Burlington and five other municipalities were organizing a monitoring and testing program for the Fox River and what we are considering might be redundant with what they are doing. They will be monitoring phosphorus, ammonia, total suspended solids and the normal things a water treatment plant monitors. By the end of March everyone should be signed on and they will be a functioning group. The purpose of their endeavor is to establish exactly where their phosphorus levels are to hopefully avoid large capital expenditures to further eliminate phosphorus discharges from their water treatment plants. When asked if they were monitoring flow, Jim Bergles said that they were only measuring nutrient levels. He also pointed out that the USGS has recently installed a water depth gauge above the Waterford dam which should be operational by now. Shelley Tessmer asked if there were grants available for flow gauges and Jim Ritchie said that he would have to look into it. Tom Slawski said that the SEWRPC gets a special deal from the USGS on the price of gauges but he didn't know exactly what they cost. If our commission collaborated with the SEWRPC some sort of arrangement could be made to help offset the costs. Tom said that they have been losing gauges right along and they are aware of the fact that more monitoring is needed especially along the Fox River. At the end of the day we decided it was premature for us to do anything right now except to gather

information.

- c) Progress toward designation as a “National Water Trail” – Village of Waterford. Barbara Messick of the Village said that they have been moving along; they have developed a mission, a vision, goals and objectives. These are listed on their website as well as their minutes and agendas. Barb said that the County Executives of Waukesha, Racine and Kenosha counties requested SEWRPC to assist in mapping the water trail. Tom Slawski and one of his associates will be joining their core team and doing the work for them. The sister group to the SEWRPC in Illinois will be doing the work for Illinois. Their next meeting is February 8th and at that meeting they will be discussing expanding their team and adding some sub-committees. Barb said that she will forward any new information to us.
- d) SEWFRC Website – Al Sikora was not present and we do know that he is presently working on Summit web page.

Correspondence –

- a) 12/14/15 Save the date email from Jim Pindel
- b) 12/26/15 Email from Jim Pindel with attached second revision to the State Statutes
- c) 12/31/15 Forward of an email from Barb Holtz with attached notification that Waukesha dumped 1,000,000 gallons of untreated sewage into the Fox River
- d) 1/7/16 Email from Jim Pindel with revisions to the State Statutes attached and comments on the latest revision.
- e) 1/7/16 Emails between Alan Barrows and Jim Pindel agreeing on the payment schedule for the Grafenauer shoreline restoration project.
- f) 1/8/16 Email of News Release that WDNR forwards Waukesha’s diversion application for regional review.
- g) 1/11/16 Email forward of notice of Public Hearing before the State Senate Natural Resources and Energy Sub-Committee with Senate Bill 548 regarding the changes we requested to the State Statutes.
- h) 1/15/16 Email of notification of Public Hearing before the State Assembly Natural Resources and Sporting Heritage Sub-Committee

Miscellaneous Issues –

Alan Barrows said that Waukesha County has a rain garden plant sale. The plants come from a nursery near Madison and plants typically cost about \$5 each but the county gets them for about \$1.80 each and sells them at this reduced price. To find what is available search the internet for Waukesha County rain gardens. Orders are due by mid-March and plants are delivered about mid-June. When asked Alan said seed is also available, enough seed to plant 50 square feet would cost about \$5.

Barb Holtz and Jim Ritchie passed around sample signs similar to what we might want to post at project sites. The consensus was that these aluminum signs with a plastic coating were acceptable and the size was good as well. Alan Barrows said he would get a quote on signs for the commission. Barb Holtz added that the signs should be as simple as possible so they can be read at a distance.

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

Meeting Closed at 2:14 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,
February 19, 2016 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)
John Soneberg (Village of Big Bend)
Shelley Tessmer (Town of Waterford)
Alan Barrows (Waukesha County)
Dean Falkner (Village of Mukwonago)
Tom Slawski (SEWRPC)
Rachel Sabre standing in for Michelle Scott (Wisconsin DNR)
Jim Ritchie (Wisconsin DNR)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Mary Pindel (Town of Waterford – Alternate)
Doug Koehler (City of Waukesha)
Ken Miller (Town of Waukesha)
Randy Meier (Town of Waterford)

Also present: Dan Treloar and Clement Abongwa of Kenosha County, Barbara Barron, Don Barron and Paul Kling of the WWMD, Michael Schwar a resident of the Town of Vernon, Jeff Lang of the Town of Burlington and Barbara Messick of the Village of Waterford.

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 January 22, 2016 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 January 2016 was reviewed. In summary we started the month with \$86,092.93 in our money market account. We received an interest payment of \$14.63 leaving us with a final balance of \$86,107.56 at the end of the month. The undedicated grant funds left in ENUM-19 & 20 amounts to \$171,182.29. It was motioned by Shelley Tessmer that the treasurer’s report be accepted and it was seconded by Bob Bartholomew. The motion carried unanimously.

Old Business

- a) Fox River Partnership Summit: Tom Slawski said that he has only 35 registrants so far and encouraged everyone present to register as soon as possible. Tom said the brochure is ready and passed out copies to all the commissioners. Tom said he emailed the brochure with the sign up webpage to Jim Pindel earlier today and Jim said that he forwarded it to all the commissioners. Tom said that Applied Ecological Services bought a booth again this year and that money can be used to offset the cost of allowing students to attend for free. Tom reiterated that he does not charge other organization who wants to exhibit on a table top. But he does charge \$100 for vendors or consultants which helps offset all the other costs. Tom said the agenda and speakers looks very interesting and pointed out that he has secured Austin Baldwin of USGS to speak about the toxicity of coal tar sealants an issue that is somewhat overlooked or unrecognized. This is expected to be a very eye opening topic. Tom said that some communities and even states are banning the use of coal tar for sealing asphalt driveways. Al Sikora said that he has loaded the Summit brochure onto our website as well as the exhibitor application form which he updated from last year. Al asked Tom to review what he has put on the website and pointed out that the exhibitor form does not list the cost for exhibiting. Tom said he would develop a new form and send it to Al. Alan Barrows said that he intends to update our 3 panel display and will put up a copy of the HUC-12 map of our entire watershed which should look pretty impressive.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that he had nothing to report at this time but did commit to contacting WE Energies before our next meeting.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – John Soneberg said that he heard that we intended to plant bushes between the fence and the edge that leads down to the ramp. He said that dogs regularly urinate on the grass in this location and didn't feel that whatever we plant would survive. Alan Barrows said that just before the meeting he provided Francis Stadler with the spec sheet for a Wisconsin native Wild Rose shrub which is very thorny and grows to about 4 feet high. This shrub is very resilient and can withstand much abuse. The spec sheet also identifies invasive varieties of the Wild Rose which should be avoided. Francis asked if we could afford these plantings and was reminded that he has \$1755 to work with and can apply for additional funds if necessary.
- d) Wood Drive Erosion Control Project – Chad Sampson said that he has contacted Harry Bauman and Kevin Malchine and has arranged a meeting at the site for next Wednesday afternoon at 3:15 PM at the site. This meeting will serve as a preconstruction meeting. Chad and the contractor will be there to answer question by the landowners. Apparently Harry Bauman is concerned that when they trench in the new large drainage tile they will have to cut through some of his existing smaller drainage tiles and wants to be assured that existing smaller tiles

- are connected in properly. Don Barron for the WWMD asked if he could be present and Chad said only as an observer, the purpose of the meeting is to answer the landowners questions not add any new questions to the discussion.
- 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 still at the same point they were at, at our last meeting. They still have to confirm some landowner permissions and generate a grating plan for the disposal site. Paul said that the WDNR has come up with some additional tests that they want done before the dredging permit application is turned in. The tests are concerned with what is in the water as far as suspended solids, what is going to percolate into the ground and what will return to the river. Paul said that the plan is still to complete this project in late spring and make the application for the dredging permit on June 1st. Don Barron added that another new requirement will be to test the dewatered sediment in the gravel pit after it is completely dried up. Paul said that the WWMD is requesting funding from the SEWFRC for 90% cost share of the \$14,300 cost for testing and the labor and engineering associated with it. This figure was provided by Graef Engineering on a formal proposal. The 90% cost share for the FRC would amount to \$12,870. Shelley Tessmer motioned that we provide the 90% cost share for the testing 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 he has not heard anything recently but since it is winter no work is being done.
 - h) Graefenauer Shoreline Restoration: Alan Barrows said that phase 1 which is clearing the invasive species was begun this last week. The contractor is Hoppe Tree Service and Alan stopped by the site on Wednesday. Hoppe has not started chipping yet so there are large piles of buckthorn on the property. It is starting to look better already. Francis Stadler said that he heard buckthorn is hard to get rid of and asked if just cutting it will work. And Allan responded that after all the buckthorn is cut Hoppe will treat all the stumps with a chemical that will kill it off.

New Business

- a) Consideration of expanding the Commission's jurisdiction south to the Illinois border Tom Slawski said that Jim Pindel will include what has happened in this regard in his presentation at the upcoming Summit. Jim Pindel added that his last presentation to the Summit covered from our inception to that time and the upcoming presentation will cover what has happened in the last year including the expansion of our range down to the Illinois border. Additionally Jim said that he is considering adding some slides regarding one of the items of special concern

from our Implementation Plan, that being the City of Waukesha diversion. He said that at the spring public hearing in Waukesha he heard conflicting testimony. For example, one person said that the deep aquifer is collapsing and is unsustainable and other testimonies stated that the aquifer improving and getting deeper all the time. Jim said he had other examples marked up at home and would probably run the slides through the commission before the presentation is made. This will probably have to be done by email. The audience at the Summit is probably the best one for expressing these ideas. Tom Slawski pointed out that the bill for changing our statutes has passed the legislature and that Jim Pindel had forwarded that information to the commission. Now all we are waiting for is for the Governor to sign the bill. We should be notified when this will happen and will be invited to attend the signing. It is expected that this will happen sometime in April. Tom reiterated that the bill not only expands our reach down to the Illinois border, but gives us the power to expand in any direction within our watershed by consent agreement.

- b) Review of SEWFRC Implementation Plan Figure B-3: Alan Barrows said that he knows that he committed to providing a new completion certification form, but has not had time to generate it. Alan said he will provide one at our next meeting.
- c) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Shelley Tessmer said that she is considering doing a plan and will talk to Tom Slawski after the meeting to consider if it is possible and how to proceed.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Tom Slawski said that he and Jim Pindel are scheduled to meet with the FWA next Wednesday evening in Illinois. Jim Pindel said that due to personal commitments he will not be able to attend. Jeff Lang of the Town of Burlington volunteered to accompany Tom to meet with the FWA. Jeff said he works in that area of Illinois and would already be there. Tom said we are scheduled to meet with Joseph Keller at 5:30 PM and then will attend the FWA board meeting at 7:00 PM. So it looks like a full evening. Joseph Keller will be attending the Summit where we will all have an opportunity to meet him. Some of the discussion will be about how we can possible leverage some federal funds for our waterway.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that, as reported at our last meeting, the WDNR has forwarded the Waukesha diversion application for regional review to the other Great Lakes states and Canadian provinces. As has been reported on the news that last few days, representatives from the 8 states and Canadian provinces are in Waukesha on a fact gathering mission. Jim said that a public hearing was held at Carrol University in Waukesha yesterday and there were plenty of comments for and against the diversion. Jeff Lang said that he attended the hearing and reported that about 350 people attended and 104 asked to speak. Jeff

said that he had to leave at 6:00 PM and at that time only 34 of the speakers had spoken. Jeff said that the intension was to stay in session as long as it took for all 104 speakers to say their piece.

- c) Progress toward designation as a “National Water Trail” – Village of Waterford. Barbara Messick of the Village said that they will be presenting at the Fox River Summit. They are in the process of drafting an announcement letter to present to all of the municipalities along the way of the Water Trail. On a related note Barbara said that the Village of Waterford will be hosting a ribbon cutting ceremony at the new canoe/kayak launch site on Jun 16, 2016. The exact time of the ceremony has not been set but all are invited to attend a community paddle that is planned to end up at the River Rhythms scheduled for that evening. Cathy Stepp the Secretary of the WDNR has agreed to attend and will say a few words. Shelley Tessmer asked if a rain date had been set and Barbara said it will go forward no matter what the weather.
- d) SEWFRC Website – Al Sikora that everything was up to date and that he had the Summit sign up page on the website and in working order. Al asked that everyone review what has been put up there for the Summit and advise him of any corrections or additions.

Correspondence –

- a) 01/30/16 forward of an email from Barbara Messick with a link to their website and an attachment of their vision and goals.
- b) 02/01/16 Email from Jim Pindel to mark your calendars for today’s meeting
- c) 02/08/16 Forward of an email from Tricia Sieg of Senator Mary Lazich’s office advising that the state assembly will vote on our changes to the state statutes on 2/9/16
- d) 2/10/16 Email from Senator Lazich’s office stating that the assembly bill passed.
- e) 2/11/16 Email from Jim Pindel advising everyone that we will be working on the 2016-2017 budget, requesting that everyone submit projects for inclusion in the budget. All that is required at this time is a name for the project, a cost estimate and the name of the sponsor.
- f) 2/19/16 Forward of an email from Tom Slawski with the sign up and brochure for the 2016 Summit

Miscellaneous Issues –

Alan Barrows said that he had secured a quote for the signs that we were considering and gave a copy to Chad and would give a copy to Al Sikora so they could get competitive bids. Also Alan wanted to confirm which of the two signs we wanted and Al Sikora said that the one with the white background would show up better for drive by viewers. Al Sikora asked for a copy of the sign and Alan said he would send him the digital file.

Jim Pindel reminded all that on 2/11/16 he sent an email to all present and future commissioners that they need to identify projects for the upcoming budget. At the March meeting we will review the proposed budget and in April we will have to have our annual Public Hearing. Jim also said that it makes sense to have the first meeting of the new and expanded commission in July when we are starting the new fiscal year. All present and future municipalities and counties must have their commissioners appointed by that time.

Jim Ritchie introduced Rachel Sabre who was in attendance standing in for Michelle Scott. Rachel said that she has met and talked to many of us over the years. She used to be a water regulations specialist and now she is a water quality biology specialist for the WDNR in Waukesha, Walworth and Washington counties. She is mostly concerned with the Fox River which plays well with our group. She said she is a resource for us and is also a lakes biologist as well. She runs the citizen lakes monitoring program for the region as well as for south central Wisconsin.

Alan said that Waukesha County has hired an Aquatic Invasive Species Coordinator and this is another resource at our disposal.

It was motioned by Barb Holtz and seconded by Chad Sampson that the meeting be closed. The motion carried unanimously.

Meeting Closed at 1:55 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,
April 1, 2016 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)
John Soneberg (Village of Big Bend)
Shelley Tessmer (Town of Waterford)
Dean Falkner (Village of Mukwonago)
Ken Miller (Town of Waukesha)
Randy Meier (Town of Waterford)
Tom Slawski (SEWRPC)
Michelle Scott (Wisconsin DNR)
Jim Ritchie (Wisconsin DNR)
Mary Pindel (Town of Waterford – Alternate)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Alan Barrows (Waukesha County)
Francis Stadler (Village of Big Bend)
Doug Koehler (City of Waukesha)

Also present: Barbara Barron, Don Barron of the WWMD, Michael Schwarz of Stoney Point Hydrology, Katelyn Bartz and Geoffrey Bishop of Natures Classroom.

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 February 19, 2016 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 Reports for February 2016 was reviewed. In summary we started the month with \$86,107.56 in our money market account. We made one payment to the Fox River Partnership of \$2,750 as a cash advance for the 2016 Summit. We received an interest payment of \$13.24 leaving us with a final balance of \$83,370.80 at the end of the month. The undedicated grant funds left in ENUM-19 & 20 amounts to \$158,312.29. The March 2016 Treasurer’s Report was then reviewed with the only changes being an interest payment of \$14.16 increasing the Money Market Account balance to \$83,384.96. Ken Miller asked why the interest income was so low and Jim Pindel answered with the fact that we only get interest rate of 0.002 % on our money market account. It was motioned by Shelley Tessmer that the treasurer’s report be accepted and it was seconded by Randy Meier. The motion carried unanimously.

Old Business

- a) Fox River Partnership Summit: Tom Slawski said that he has changed the date for the 2017 Summit to March 10, 2017. Tom also said the Summit went well and he had received plenty of positive feedback. Tom said that they will be doing some work on his (Fox River Partnership) website, but for now all the presentations are posted on the Fox River Ecosystem website. Tom will work on the paperwork necessary to close out the grant project hopefully by the next meeting. He is already starting to plan for the 2017 Summit. When asked Tom said that the attendance was about 125 people and the highest attendance was on the second year at about 142 attendees. However now with the expansion of our boundary, Tom is optimistic for even greater attendance. Shelley Tessmer motioned that we fund the 2017 Summit at \$5,500 again and the motion was seconded by Dean Falkner. The motion passed unanimously.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows was not present and Dean Falkner said that WE Energies said that if we covered all the costs they would be willing to go ahead with the project. Jim Pindel reminded the commission that we had already agreed to cover 100% of the cost at an earlier meeting when Alan Barrows said that this is the only way the project could be done. Jim Pindel said that the project needs to be completed by 6/30/16 so that it can count against ENUM-19, where we expected it to count for the last years. Dean said that the bid documents were ready and so they need to get things rolling soon. He said that he will get together with Alan Barrows to get things going forward.
- c) Big Bend Boat/canoe launch retaining wall fence & vegetation – Francis Stadler was not present and John Soneberg said that he had nothing to report.
- d) Wood Drive Erosion Control Project – Chad Sampson said that he and his staff had a preconstruction meeting with the landowners on March 25th. One of the landowners had quite a few questions and concerns that were addressed. Chad said that they are ready to go and expects construction to begin soon. One item that has come up which could cause a delay in getting started; because some of the funding for these projects comes from the Federal Government, Chad had to submit a cultural resources form and now he has to wait to see if there are any archeological sites on the properties. If any area is denoted as an archeological site, then they might have to modify the design to not disturb these areas. The deciding body has 30 days to respond and that limit will expire in about 2 weeks. Chad added that the conditions on site are pretty wet, so this concern has not resulted in any overall delay. He still expects to get started around early to middle May.
- 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: - Don Barron reported that they have received the plans from Super Mix and had given them to Graef Eng. for review and now the plans are back at Super Mix and he is waiting for a final response from them. Besides waiting on the finalization of the Super Mix plan they are waiting on signed lease agreements with the two farmers on whose land the pipeline will traverse. A formal lease agreement was developed. If either of the farmers will not sign the lease agreement, then they will be forced to use the alternate route along STH 20. This would be a more difficult and expensive route because the DOT is demanding that the pipe be run underground. Don said that they expect to resubmit the permit application in early May and he was reminded that it had to be completed by June 30th in order to apply to ENUM19. Don pointed out that they have no control over the time it takes for others to respond, but still expects to get it done before the deadline. After that they will go out for bids to see exactly what the project will cost. Shelley Tessmer asked if a liner was required at the Super Mix site and Don said it was recommended. Don asked Chad Sampson if he has heard anything regarding this project at the Super Mix site and Chad said that the site is due for a conditional use permit review in May and he will be at site visiting Jack Pease regarding this project. Don asked Chad to advise him of anything that occurs regarding this project.
- g) Schuetze Playground Storm Water Abatement: - Neither David Burch or Alan Barrows were present so no report was made.
- h) Graefenauer Shoreline Restoration: Alan Barrows was not present and we know from his report at the last meeting that work is already in process.

New Business

- a) Nature's Classroom Institute of Wisconsin & Montessori School Presentation for a new project: Geoffrey Bishop the executive director of the Nature's Classroom Institute spoke to this issue. He said that they had purchase 3 parcels of land along highway E in the Town of Mukwonago with some of the land extending into the Town of Eagle. They have already started work restoring the land by cutting down all the invasive species on one hillside and planting about 20 acres of agricultural field into pollinator prairie. Their intension is to continue removal of invasive species around their property and planting native vegetation and trees. Geoffrey also said that they have begun construction of a new Montessori school on the property. Eventually they intend to build a residential environmental science school on the property. Their present base of operation is along highway J. Geoffrey said that their objective is ecological and environmental education along with traditional academics. At this time they have about 3500 students. Their intension is to eventually restore the entire new property along highway E to native, natural prairies as well as oak and hickory savannas which will work well with their overall educational objectives. Shelley Tessmer asked if they were

introducing any wildlife like pheasants to the property and Geoffrey responded that they had no intention of adding wildlife but that there were deer, turkey and coyotes already present. Jim Pindel commented that most of the discussion concerned woodlands and prairies and asked if this work would affect the ground water or runoff into any streams or waters that flow into the Fox River. Geoffrey said that there are two tributaries on the property that flow directly into Jericho Creek that flows into the Mukwonago River which flows into the Fox River. Geoffrey said that the work on the woodlands and grasslands will work as a natural filter to clean the water flowing from the property. Geoffrey said that the invasive species that presently exist inhibit the rain water from penetrating the ground and resulting in runoff. The native plantings they will install will stabilize the soil and allow for deeper penetration of the water into the soil. Geoffrey said that one of the streams on the property was a navigable waterway that runs directly into Jericho Creek. Jim Pindel asked if there was any evidence of silt or erosion on the property and Geoffrey said that was a little evidence of erosion. Geoffrey went on to say that with the planned construction they have some of the money they are requesting is for erosion prevention during these construction phases. Geoffrey went on to say that during the cutting of invasive species like buckthorn the process used converts the buckthorn into mulch which covers the cut area and helps to prevent erosion. Shelley Tessmer asked if they were planting any willows along the stream banks and Geoffrey said they were not and only planting native species. Barb Holtz said having the adjacent farm to their property, she had a conversation with Geoffrey in which she mentioned to him that the initial proposed project went into the Town of Eagle where we presently cannot use grant funds. Additionally the map didn't show property lines and she thought that the project crossed over their property line along the southern edge. Geoffrey said that they modified the project area, eliminating the area that extended into the Town of Eagle. Jim Pindel mentioned that he received the modified proposal the day before and email forwarded the modified proposal to all the commissioners this morning. When asked Geoffrey said that they were looking for a grant to help with the total project cost of \$32,110.00 to complete the restoration including cutting invasives, rain gardens, and planting of native grasses and trees, as well as a seed slinger and a rototiller. Jim Ritchie said that he somewhat agreed with Jim Pindel's comments that the project had to show some direct benefit to the Fox River like improved water quality or erosion prevention. Katelyn Bartz also of the Nature's Classroom asked if they needed to provide documentation showing water quality or erosion control enhancements to help qualify for a grant. Tom Slawski added that the addition of grass buffers or buffer zones along the creeks or tributaries on their property would be grantable features. Dean Falkner asked if there were other grant programs that would be more applicable to this project and Jim Ritchie said that there are more grant programs for water quality than land management, but he would look into it. Chad Sampson said that the USDA had some land conservations grant programs available and that the Nature's School should look into them. At this point Barb Holtz stated that in the future we should require grant applicants to provide maps or proof of municipal boundaries and property lines to be sure that the projects

exist within their and our boundaries. In the end it was decided to put a decision on grant funds off to at least the next meeting at which time the Nature's School might provide more documentation on the benefit of their project to the Fox River. Chad Sampson said that the Nature's School should review our implementation plan on our website to look at ways their project might support our plan. A copy of our cost share agreement and our project acceptance criteria were given to Geoffrey for his reference.

At this point Shelley Tessmer brought up the point that at the Summit she heard that FREP received \$9.5M in federal grants and that they had done several 9-Key Elements Plans. Shelley is investigating this possible resource stream with the Fox River CAUSE group to possibly move forward with the 9-Key Elements Plan for the WWMD to help get federal funding for the dredging of the Waterford impoundment. Shelley said that the WWMD has spent a lot of time and taxpayer's money on sediment sampling and the dredging permit application and it would be a terrible waste if this all went to waste because of funding for the dredging project. Shelley thought that some of the research done on the dredging permit application might be used in the 9-Key Elements Plan.

On another new topic Shelley pointed out that Tom Slawski sent around the information regarding \$260M available through the Regional Conservation Partnership Program. Each 501c3 organization that applies is limited to \$10M. Shelley was looking at this program for potential funding for the WWMD dredging project. The application is 47 pages long and the due date for applications is May 1, 2016, not allowing us enough time to apply. Shelley also thought that using the information gained at the Summit that freshwater clams have difficulty surviving in deep silt or impoundments in general as part of our application might be helpful. Shelley also mentioned that at the Summit she learned that impoundments are phosphorus traps and possibly the dredging could be justified as a phosphorus reduction activity. Don Barrons pointed out the Graef Eng. estimated that 1,000,000 lbs. of phosphorus will be removed during the dredging of the Waterford impoundment. Shelley said she would talk to Chad Sampson and Tom Slawski after the meeting to further pursue these two initiatives.

- b) Consideration of expanding the Commission's jurisdiction south to the Illinois border Jim Pindel said that he received an email from the Village of Rochester saying that they had appointed a commissioner to the FRC. I told her that the new commission would not meet until July. I forwarded this email to all the existing and future municipalities and counties so that they might get the idea they should make appointments as well. I then heard back from the Town of Burlington and I related that same information to them. Jim also said he will send out an email to all the present and future commission members telling them that they must appoint a commissioner and hopefully an alternate commissioner before the July meeting.

At this point Jim Pindel brought up a point that he felt needed addressing. He

- motioned that the commission does not expand in any new directions or approve any projects that would be within the new expanded territory, until the new commission county and municipalities are on board. The motion was seconded by Shelley Tessmer and passed unanimously.
- c) Review of SEWFRC Implementation Plan Figure B-3: Alan Barrows was not present but Jim Pindel passed around a copy of the “Construction and Planting Certification” document that Alan provided. Everyone seemed to be agreeable with its content and format. At our next meeting when this agenda item comes up we should vote on adding this project closing document to the Cost Share Agreement as well as to consider adding Barb Holtz’s requirement of proof of property ownership and placement of municipality boundaries on the agreement.
 - d) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – This agenda item was covered earlier by Shelley Tessmer under new business.
 - e) Review of the Preliminary draft of the 2016-2017 SEWFRC Budget: Jim Pindel passed out copies of a spreadsheet that itemized all the details of the budget as well as providing the logic used to make estimations. This is the first budget based on the new fiscal year starting on July 1 and ending on June 30th of the next year. The budget spreadsheet first itemized all the non-grant actual and estimated income and then all the actual and estimated expenses. The result was a net non-grant available fund of \$26,206.42 after our next fiscal year. Next the budget spreadsheet covered the grant income and expenses. In this area an error was noted that the proposed cost of the Mainstream Survey of the new stretch of the commission area should have been \$27,000 and was listed as \$11,200. This change will be made to the spreadsheet and all the subsequent dollar values will be adjusted accordingly. The budget spreadsheet then covered the individual income and expenses for all three member counties, with total expenses of \$136,905.47 in Racine county \$119,253 in expenses in Waukesha county and \$14,216.79 in expenses in Kenosha county. When reviewing the Word document of the budget as it would be published in the newspapers, Jim Pindel pointed out that he revised some of the opening wording to comply with the new state statutes. Also when it came to the point of whether to include the Anticipated Potential Grant Fund Project, it was a consensus that we include them including the \$2,000,000 for the Waterford impoundment dredging project. It was motioned by Randy Meier that we approve the preliminary proposed budget with the correction to the proposed cost of the Mainstream Survey of the new area in our jurisdiction and the motion was seconded by Ken Miller. The motion passed unanimously.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Tom Slawski said that Joe Miller the Executive Director and at least one other board member showed up for the Summit. Jim Pindel said that he had some communication with

- Joe Miller the executive director of the FWA. Jim said he encouraged Joe to attend some of our meetings, but advised him that this meeting when we discuss the details of the upcoming meeting might be more of a business meeting, so he might want to wait for the next meeting. Jim said that he added Joe Miller to the list of people we cc: with all of our invitations to the FRC meetings. Shelley Tessmer asked if the FWA was a nonprofit and was told that they are a statutory entity in the state of Illinois. Tom Slawski also said that their jurisdiction is only the waterway and not the watershed. Tom also said that their mission statement and objectives are in line with ours.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that he had nothing new to report. Michelle Scott said that she requested an update from Madison but had not heard from them before the meeting.
 - c) Progress toward designation as a “National Water Trail” – Village of Waterford. Barbara Messick of the Village was not present. Jim Pindel said that he had communication with Rebecca Ewald who was considering making a presentation to the commission for funding for a survey of the Fox River downstream of the Waterford dam. Jim said that he told Rebecca that the survey the commission was planning from the Waterford dam to the Wisconsin-Illinois border would most likely provide all the information she was looking for. Jim did say that he requested a list (one liner/bullet points) of what they are looking for, so that we could make sure we were providing all the information necessary.
 - d) SEWFRC Website – Al Sikora said that the website is fine and up to date at this point. He asked Jim Pindel to email him a copy of the Acceptance Criteria for Projects, so he could add it to the website.

Correspondence –

- a. 02/22/16 Mark your calendars notification for SEWFRC meeting on 4/1/16
- b. 02/26/16 Notification that Governor Walker will sign SB 548 on 3/1/16 and inviting any and all to attend
- c. 03/03/16 Email of the letter to the Great Lakes Compact opposing the Waukesha diversion.
- d. 03/10/16 Forward of an email from CIC & SEWRPC that Waukesha diversion is not necessary. Tom Slawski corrected this statement saying that the letter saying that the diversions was not necessary was from CIC and only forwarded by SEWRPC.
- e. 03/11/16 Response from Great Lakes Compact thanking us for our letter of comment opposing the Waukesha diversion.
- f. 03/11/16 Email with our SEWFRC presentation to be given at the 2016 Summit, looking for comments and corrections.
- g. 03/16/16 Email forward from Barb Messick naming and explaining the Core Development Team for the Fox River Water Trail

- h. 3/26/16 Email from Alan Barrows with the proposed “Construction & Planting Certification” document attached.
- i. 3/29/16 Email from Tom Slawski with information regarding USDA Announces \$260 Million Available for Regional Conservation Partnership Program
- j. 3/29/16 Email from Tom Slawski stating the deadline for the above program is 6/15/16 not allowing much time to get ready.
- k. 3/30/16 Email from Village of Rochester that they have appointed a commissioner.
- l. 4/1/16 Email from Jim Pindel with March 2016 Treasurer’s report attached.
- m. 4/1/16 Email from Jim Pindel with revised presentation materials for the Natures Restoration Proposal.

Miscellaneous Issues –

There were no new miscellaneous issues.

Shelley Tessmer motioned that the meeting be closed and Ken Miller seconded the motion that passed unanimously.

Meeting Closed at 2:37 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,
April 29, 2016 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)
Jon Grove standing in for Chad Sampson (Racine County)
John Soneberg (Village of Big Bend)
Shelley Tessmer (Town of Waterford)
Dean Falkner (Village of Mukwonago)
Alan Barrows (Waukesha County)
Francis Stadler (Village of Big Bend)
Doug Koehler (City of Waukesha)
Tom Slawski (SEWRPC)
Michelle Scott (Wisconsin DNR)
Jim Ritchie (Wisconsin DNR)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Ken Miller (Town of Waukesha)
Randy Meier (Town of Waterford)
Mary Pindel (Town of Waterford – Alternate)

Also present: Paul Kling, Don Barron of the WWMD, Michael Schwar of Stoney Point Hydrology, Katelyn Bartz and Geoffrey Bishop of Natures Classroom, Dave Brown of the Village of Mukwonago, Jeff Lang of the Town of Burlington and Dan Treloar of Kenosha County.

At 1:04 PM, 4/29/16, Chairman Al Sikora called the Public Hearing to order.

The only order of business was the review of the Southeastern Wisconsin Fox River Commission Proposed Budget for 2016 - 2017. This is the first budget based on a July 1 to June 30 fiscal year. The proposed budget was read for the record. Chairman Al Sikora then asked the non-commission members present if they had any questions or comments. Al 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, Chairman Al Sikora called the SEWFRC meeting to order.
The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

Approval of the 2016 – 2017 SEWFRC Proposed Budget. A motion to approve the budget as reviewed was made by Shelley Tessmer and seconded by Bob Bartholomew. The motion passed unanimously.

Minutes The minutes from the April 1, 2016 meeting were reviewed. Jon Grove of Racine County pointed out that on page 2, old business item d, cultural uses form should have stated “cultural resources form”. It was motioned by Bob Bartholomew that the minutes as corrected be approved and the motion was seconded by Dean Falkner. The minutes were approved unanimously.

Treasurer Reports – There was no treasurer report, because the March report was given at the last meeting and the bank statement for April has not been issued.

Old Business

- a) **Fox River Partnership Summit:** Tom Slawski said that he is still waiting for some checks to clear so that he can finish up the paperwork to close out the 2016 Summit project. Tom reminded everyone that the date for the next Summit is 3/10/17 and again at the Veterans Terrace in Burlington.

- b) **Mukwonago River shoreline restoration at WE Energies Site.** Alan Barrows said that he has had some recent communication with WE Energies and things are actually moving forward. Alan said that initially there was a 100 ft. section in the middle of their property close to their power poles that WE Energies insisted that their contractor do all the work in this area. This complicated things because now you have two contractors working on the same property. Now WE Energies has changed their mind and will allow whoever is the low bid contractor to do all the work. This makes things much easier. Alan also said that now that progress is going forward, he intends to contact Alex Seifert the private owner of the adjacent property to see if he can get him on board again. Originally Alex Seifert was a big fan of native vegetation and likes to launch his canoe from this property. Alan said he might offer to install some gravel to launch from and some steps to make the project more attractive to Mr. Seifert. This would allow us to complete the entire shoreline. Alan said that he noted from our last meeting minutes that we want this project completed by 6/30/16, but he was not sure we could get it done by then. With this in mind, Jim Pindel will have to put a spreadsheet together to see if enough projects will be completed by 6/30/16 to close out ENUM-19. Jim Ritchie said that if necessary, as long as the work is in progress, we might be able to make a progress payment out of ENUM-19 to use up all the funds. We will have to see where we stand, to see what we might have to do. Dean Falkner asked Alan if he still wanted to run the payments through the Village of Mukwonago and Alan said it would not be necessary. Alan has set it up that the commission pays the contractor directly.

- c) **Big Bend Boat/canoe launch retaining wall fence & vegetation** – Francis Stadler turned the floor over to John Soneberg, who said he had some questions. John said he has been taking care of the park including the launch for the last four years. He doesn't believe that a fence or vegetation is necessary. There is already a wooden fence along the top of the embankment on the side of the launch. The commission expressed some concern about our liability if a safety fence was not

- installed to prevent someone from falling off the embankment 5 feet down to the launch. John said that kids already climb all over the rock riprap, which he felt was more dangerous and the Village was responsible and liable for anything that happens at this site. John motioned that the project to install a fence and vegetation be cancelled and the motion was seconded by Francis Stadler. Based on the fact that liability falls on the Village of Big Bend, which it always has, the motion carried unanimously.
- d) Wood Drive Erosion Control Project – Chad Sampson was not present and so Jon Grove addressed this project and the Malchine Farm field projects. He said that reviewing our meeting minutes from 4/1/16 we expected the findings from the federal government regarding any archeological sites on the properties to be completed before this time. As it turns out the findings are not due until tomorrow. With that being the case they will not find out until next Monday if the designs must be modified because of any archeological reasons. Jon said that he still expected the work to be started about mid-May and to be completed in about 30 days.
- 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: - Don Barron reported that they are getting very close to submitting the permit application. There are only two items to be resolved. One is to get the results of soil tests that were submitted some time ago. The second item concerns the fact that one of the properties they had permission to run the pipeline through was sold and so now they have to renegotiate with the new owner. Also Don said that the preferred pipeline route along the north end of the two adjacent farms had to be abandoned. One of the farmers required a \$5000 prepayment so he could pay an attorney to negotiate the deal. The WWMD as a governmental agency cannot make payments to an individual in this way. Therefore they have decided to take the STH 20 route at considerable greater expense and trouble. Don said they expect to submit the permit application to the WDNR by May 1st and then provide the paperwork to us to close out the project. Don pointed out that Shelley Tessmer attended the WWMD's monthly meeting the night before and made a presentation on the 9-Key Elements Plan. The WWMD is interested in doing a 9-Key Elements Plan and has designated Shelley as chairperson of the committee to establish the Plan. Don said that after the WDNR reviews the permit application they will have a public hearing. The WWMD will have three public education meetings regarding the dredging, one in early June a second meeting in July and the third meeting with a straw vote to confirm support for the dredging sometime in August.
- g) Schuetze Playground Storm Water Abatement: - Alan Barrows said that the civil engineer from his office made a site visit and was in the process of making some minor design revisions based on what he saw. Alan said that Dave Burch told

him they are trying to finish the construction by July 4th because the park is heavily used at that time.

- h) Graefenauer Shoreline Restoration: Alan Barrows said that phase 1 is completed and that he gave the documentation to Jim Pindel just before the meeting which included a signed Construction and Planting Certificate as well as an invoice from EC3 for all the work that has been completed. Alan said that he held back \$1000 because there are three pine trees that were not removed. Once the trees are removed he will release the final \$1000. Phase 2 will kick off on May 11th and must be completed by May 20th in order to protect the cricket frogs which are an endangered species. The biologists the seeding, planting and all will be finished by then. Jim Pindel added that the invoice from EC3 amounted to about ½ of the project cost and so he will treat it as a cash advance against the project, so no motion or vote is required to make the payment. Alan said that the landowner is making his payment to EC3 directly and Jim Pindel reminded Alan that we will need proof of the owners cost share payments in order to close out the project.

New Business

- a) Nature's Classroom Institute of Wisconsin & Montessori School Presentation for a new project: Katelyn Bartz of Nature's Classroom emailed a copy of their revised proposal to Al Sikora on Wednesday and Jim Pindel forwarded it to all the commissioners yesterday. Katelyn reminded the commission that at our last meeting they were told to come back with facts that showed that this project was within keeping of our Implementation Plan. Apparently they did their homework. The new proposal points out that our Implementation Plan recommends the protection and preservation of ground water recharge areas. According to the Mukwonago River Watershed Protection Plan (MRWPP) the Nature's Classroom property is estimated to have a high level of groundwater recharge potential. The shallow aquifer on the property is 25 ft. down underground. Also according to the MRWPP their property is a primary environmental corridor between the properties just to the north and south of their land. One portion of the property has a slope of greater than 20% and so is susceptible to erosion. The bottom of this slope comes close to a wetland on the property, which needs to be protected. After some discussion about the fact that this was an unusual project because all our previous projects dealt with work right along the Fox River of one of its tributaries, but yes groundwater recharge areas are part of our responsibility. After some discussion about whether the runoff from the esker on the property went to Jericho creek, it was a consensus that the project agreed with the intentions of our Implementation Plan and was fundable. Alan Barrows pointed out that he had visited the property and that the runoff from the esker went into a navigable stream, which through a wetland lead to Jericho creek. Barb Holtz asked if Nature's Classroom intended to install a culvert under the road they were putting in to maintain this waterway. Geoffrey Bishop said that they would provide a culvert and it was required by the WDNR and the USCOE. Barb Holtz pointed out that we could not fund the purchase of equipment like the rototiller or

- the seed slinger worth \$945; according to the spreadsheet provided by Nature's Classroom. It was motioned by Doug Koehler and seconded by Alan Barrows that we accept the project on a 90% cost share basis, excluding the rototiller and seed slinger and also contingent on the Nature's Classroom providing proof (a survey) that shows the entire project is indeed on their property. The motion carried unanimously.
- b) Consideration of expanding the Commission's jurisdiction south to the Illinois border Jim Pindel said that he needs to put together an agenda for the July meeting which will be the first one with the new commissioners. The agenda will include an item to address where the meetings will be held, so that the travel times will be more equal for everyone and will definitely include the election of officers. The intension is that when the agenda is sent around, members will suggest other possible discussion points.
- c) Review of SEWFRC Implementation Plan Figure B-3: Jim Pindel pointed out that Alan Barrows emailed to him a revised copy of our Cost Share Agreement which included new requirements of a detailed site map and a signed copy of the new Construction and Planting Certification form. When Jim Pindel forwarded this email to the rest of the commissioners, he didn't notice that the attachment didn't stay attached. So no one had seen the revised document. Jim Pindel passed around a paper copy of the revised Cost Share Agreement in which Alan yellow highlighted all the changes. After the document went around the table it was motioned by Shelley Tessmer and seconded by Dean Falkner that the form be modified as suggested. The motion passed unanimously. Alan Barrows said that he would rework the Cost Share Agreement to require parcel lines on the site map and move the Construction and Planting Certification to the bottom of the list.
- d) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan—Shelley Tessmer said that the WWMD had approved a research committee to look into developing a 9-Key Elements Plan for them. As stated earlier by Don Baron, Shelley will chair this new committee. Shelley said she forgot to bring along her copy of the plan application and she intended to discuss the page concerning grants available to pay for this development with Chad Sampson and Alan Barrows. Shelley said that she found that there was already a 9-Key elements plan in place for our area, but that it expired in 2015. She called Andrew Craig of the WDNR to ask if it could be reinstated and what area of the Fox River basin was included and exactly what could be done. She is waiting for a call back from Andrew. Their next 9-Key committee meeting will be on May 3rd at Docs on the Fox. Shelley asked Dean Falkner and Tom Slawski to attend if possible because they would both have a lot of input for the committee. Dave Spurlock a WWMD board member is on the committee and Shelley will invite the entire Illinois Fox River Group to attend to see if they would want to do this 9-Key element plan with us. Shelley is hoping to get a quote finished by June 1st to show exactly how much this plan will cost and what all is involved. Dean Falkner pointed out that the survey Graef Engineering did for us on the upper half of our

territory and we have budgeted for the lower half of our new territory provides much of the data required to make up the plan.

At this point Tom Slawski brought up the idea of installing new gauges or updating gauges along the Fox River. Tom said it would cost about \$12,000 to establish a new gauge. USGS has different levels of gauges, there are stage gauges which only measure the water level or there are continuous monitoring gauges which do detail discharge measurements. The continuous monitoring gauges require a velocity transducer. Tom said that USGS provided a couple recommended locations for new gauges. Tom said that the City of Burlington operates a stage gauge with the National Weather Service and it might be possible that the USGS would upgrade this gauge to a continuous monitoring gauge and help pay for the maintenance going forward. Tom asked Jim Ritchie if gauging would be fundable. Jim said he would have to go back and review what he researched in the past, but did say that likely we could fund the hardware and installation but not the maintenance. Francis Stadler asked if the gauges were for monitoring before or after a flood. Tom said that it was for continuous monitoring on a daily basis. Jim Pindel pointed out that if we ever get around to automating the Waterford dam, which is an item in our Implementation Plan, gauging all the way up the Fox River would provide the data needed to control the dam. Dean Falkner pointed out that the formulation of a 9-Key elements plan would require or at least be assisted by gauging along the river to help assess the effectiveness of the plan. Dean said that he would forward Tom's email concerning the gauging to Rachel Sabre to see if she thought it would help in monitoring the water quality of the Fox River. Dean also said that there is more monitoring going on by the wastewater treatment plants all along the river. Bob Bartholomew asked if there was once a gauge at the Lions Club in Big Bend and Francis Stadler said there had been one but now it doesn't exist. He said it didn't work out because it relied on a person looking at the gauge to record its water level. Jim Pindel pointed out that he had schematics that showed the gauge at one point was wired to telephone lines for automatic reporting. Francis also said that the gauge was struck by lightning a couple of times. It was pointed out that the new gauge in Rochester provides instantaneous data as far as water level and rain gauge data. Dan Treloar said that it was predictive and looked to see what rain was coming and could calculate what to expect. It also stores all the data for the last week. Dan said that they monitor the gauge at the Munster dam to predict flooding. Tom Slawski asked Jim Ritchie if we could fund the sampling and testing of for example phosphorus levels in the river. Jim said he was not sure and would have to research it. Don Barron added that if the Waukesha diversion happens it would be reasonable for the City of Waukesha to pay for monitoring of the river before and after the diversion to measure its effects. It was decided to add gauging to next month's agenda as an agenda item and discuss it then.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Tom Slawski said that he had nothing new. Jim Pindel said that he is copying Joe Miller of FWA with the meeting announcements and had invited him to attend one of our meetings. Jim said that he will individually address an invite to Joe Miller for our next meeting.

- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that there was a meeting of the eight Great Lakes states and the two provinces of Canada a couple weeks ago in Chicago and the outcome was the fact that the compact changed the area to be serviced by Lake Michigan water. The 10.1 M gallons per day were reduced to 8.7 gallons per day. Other points that were brought up include that the new service area conflicts with state law requiring those areas to be consistent with the sewer service area. The Great Lakes officials have a conference call scheduled for May 2nd, a meeting in Chicago on May 11th and 12th to try to find consensus and a final determination by June 13th. One nasty outcome of the meetings is the fact that the City of Waukesha is presently drawing 6.1 M gallons per day from groundwater wells and 30% of that is supplied by ground water in the Lake Michigan basin. This means that even now the City must return 1.83 M gallons per day to Lake Michigan, even without a diversion. Dan Treloar made the clarification that that ground water shed is not necessarily the same as the watershed. So even though Waukesha is located in the Mississippi watershed its groundwater could be from the Lake Michigan ground watershed.

- c) Progress toward designation as a “National Water Trail” – Village of Waterford. Barbara Messick of the Village was not present. Al Sikora said he didn’t have anything to report.

- d) SEWFRC Website – Al Sikora said that the website is fine and up to date at this point.

Correspondence –

- a. 04/04/16 Email from Jim Pindel advising everyone to mark their calendars for today’s meeting
- b. 04/04/16 Email from Jim Pindel with attached revised budget spreadsheet and final version of proposed 2016-2017 SEWFRC budget
- c. 04/11/16 Email from Dean Falkner to Shelley Tessmer explaining HTML’s and items regarding 9-Key Elements Plans.
- d. 04/16/16 Email forwarded from Laurie Longtine stating that of the more than 11,200 comments made to the Great Lakes Regional Body and Compact Council over 99% opposed the diversion.

- e. 4/21/16 Forward of email from Tom Slawski with map attachment and comment showing the location of Aquatic Invasive Species in Waukesha County, including the location of public entry points (where humans spread the invasive species)
- f. 4/26/16 Email with attachment from Alan Barrows suggesting modifying the Cost Share Agreement to include requirement for a site map with details and inclusion of the Construction and Planting Certification form.
- g. 4/26/16 Email with attachment from Tom Slawski regarding possible locations and cost of adding and/or updating monitoring stations on the Fox River.
- h. 4/28/16 Email revised proposal for the Nature's Classroom Project.
4/28/16 Forward of email from Barb Holtz concerning \$1. M wetland protection grant for SE Wisconsin. Mostly for waterfowl benefit.

Miscellaneous Issues –

Alan Barrows said that he has another project coming up in Waukesha County at Mukwonago Park which is adjacent to the Graefenauer property where we are currently doing a project. There is a very old beach house and swimming pond. The beach house is scheduled for replacement with a new shower house and improved facilities. The swimming beach has had some major problems with water quality. In 2014 the beach was closed 9 times between mid-June and August due to coli which is mostly due to geese. Right now they mow all the way up to the shoreline, which makes it convenient for the geese. So they want to naturalize the shoreline and Alan expects to have a proposal ready for our next meeting to address this situation. Alan said that there is a product they have used successfully called native vegetative sod which he expects to use. It amounts to native grasses and flower grown on a mat that is rolled up like sod and is laid out on the ground and you have instant natural landscape. This will provide a tall buffer at the shoreline to keep the geese away. Alan said he has a short Power Point presentation showing these mats and will email it to all the commissioners.

What is happening with the SEWFRC signs?

Alan Barrows said that the quote Al Sikora got from his supplier was lower than what he was able to obtain. The quote was for 25 small and 25 large sign. The quote Alan got was about \$900 and the one Al Sikora got was about \$700. We asked Jim Ritchie if the signs would be grand fundable and Jim said they would be fundable because the WDNR wants awareness of our funding. It was motioned by Shelley Tessmer and seconded by Bob Bartholomew that we purchase the signs. The motion passed unanimously.

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

Meeting Closed at 2:39 PM

THE NEXT OFFICIAL MEETING WILL BE Friday,

June 3, 2016 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)
Shelley Tessmer (Town of Waterford)
Dean Falkner (Village of Mukwonago)
Alan Barrows (Waukesha County)
Francis Stadler (Village of Big Bend)
Randy Meier (Town of Waterford)
Tom Slawski (SEWRPC)
Michelle Scott (Wisconsin DNR)
Jim Ritchie (Wisconsin DNR)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

John Soneberg (Village of Big Bend)
Doug Koehler (City of Waukesha)
Ken Miller (Town of Waukesha)
Mary Pindel (Town of Waterford – Alternate)

Also present: Paul Kling, Dick Kosut of the WWMD, Katelyn Bratz of Natures Classroom, Dave Brown of the Village of Mukwonago, Steve Brunner of Waukesha County, Jeff Lang of the Town of Burlington, Wayne Jensen of the Village of Rochester and Dan Treloar of Kenosha County.

At 1:07 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.

During Roll call, the commissioners were asked if they have been appointed to the new expanded commission which will start meeting at the July FRC meeting. Chad Sampson said he would be the commissioner with Jon Grove as the alternate, Alan Barrows said he would be commissioner, Barb Holtz said she would be the commissioner and Katelyn Bratz would be the alternate, Bob Bartholomew said that by default he would be the commissioner, Jim Pindel said he sent an email to Tom Hincz (Town of Waterford Chairman) requesting that he be made the commissioner for the Town, Shelley Tessmer said that she would talk to Tom Hincz asking to be the alternate, Francis Stadler said that he would be the commissioner and John Soneberg would be his alternate, Dean Falkner said he would be the commissioner and Dave Brown the alternate, Al Sikora said for the time being he would be the commissioner, but that the Village was looking into someone to replace him, Tom Slawski said he would be the commissioner and Michelle Scott said she would be commissioner, but she was considering having Rachel Sabre replace her. Dan Treloar said he would be commissioner for Kenosha County with Clement Abongwa as the alternate, Jeff Lang would be the commissioner for the Town of Burlington and Wayne Jensen would be commissioner for the Village of Rochester.

Minutes The minutes from the April 29, 2016 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 April and May were reviewed. In April there was one payment covering the reimbursement for the 7 commissioners who attended the Summit. There was the \$100,000 deposit of the cash advance from the WDNR against ENUM-20. In May there were no deposits, a payment to EC3 of \$14,750 for work done on the Graefenauer shoreline restoration, three payments to the three county newspapers to publish the notice of the Public Hearing and 2016-2017 budget, leaving us with \$167,547.82 in our money market account and \$32,436.76 in non-grant funds. Looking at the grant funds, Chad Sampson made a motion that we should assign \$3,000 of the 2016 Racine County allocation to revision 3 of the WWMD’s dredging permit application, which was seconded by Dean Falkner and was passed unanimously. At this point in time we have only \$124,602.29 available in unassigned grant funds. Bob Bartholomew motioned that the treasurer’s reports be accepted and the motion was seconded by Shelley Tessmer. The motion carried unanimously.

Old Business

- a) **Fox River Partnership Summit:** Tom Slawski said that he brought all the documentation to close out this project with him and that he would give the originals to Jim Ritchie and send electronic copies to Jim Pindel for our FRC records. The final cost of the Summit was \$4,216.25 which is under the \$5500 we budgeted for the Summit. Since we made a cash advance of \$2,750 we still owe the Fox River Partnership the balance of \$1,466.25. This project coming in under budget gives us an additional about \$1000 in grant funds available.
- b) **Mukwonago River shoreline restoration at WE Energies Site.** Alan Barrows said that since our last meeting the project had to be redesigned. Alan pointed out that back in 2007; Steve Brunner (who was present and now works for Waukesha County) engineered this project as a consultant to the Village of Mukwonago. The original design utilized biologs along the shoreline with soil bags arranged above them. Sometime ago WE Energies requested that this arrangement be changed to just have the shoreline graded to a 3:1 slope, which required a lot of excavation and ground to be removed from the site at considerable expense. The new design will use rock bags along the shoreline to prevent erosion instead of the coconut biologs with soil bags above the and with the 3:1 sloped bank above that. Alan said he sent the new design to WE Energies who approved it. Alan then sent the new design to the contractor Applied Ecological Services and the revised bid came back at \$65,145.05 which is roughly a \$10,000 increase. Alan asked that we accept this cost increase to finally get this project finished. It was motioned by Dean Falkner and seconded by Shelley Tessmer that we accept this new project cost. The motion passed unanimously. Alan said that he now would have to go back and get it re-permitted by the WDNR and work out some other details. Jim Pindel asked when the project would be completed. Alan said that he was not

- sure and that the contractor indicated that the project would take 1 to 2 weeks to complete. Then Jim Pindel referred to a spreadsheet he had sent to Alan and Jim Ritchie just after our last commission meeting. The spreadsheet showed that without this project being completed we would have a \$14,682.29 shortfall of reaching the \$200,000 grant total for ENUM-19 which has to be completed by 6/30/16. After some discussion, Jeff Lang suggested that we consider spending grant funds on the purchase of materials for this project before the June 30th deadline, even though the construction would not be completed. Jim Ritchie clarified the point that only the expenditure has to be completed by June 30th not necessarily delivery of the materials. Alan pointed out that the contract for this project will be between WE Energies and Applied Ecological Services. So they will have to initiate the purchase of the materials.
- c) Wood Drive Erosion Control Project – Chad Sampson said that this project is on Harry Bauman’s property, which lye’s adjacent to the Malchine property. Chad said he had to send the information regarding both of these projects to the Cultural Resources group in the state government and there were some hits on the Malchine property. With this being the case they were forced to hire an archeologist to do a survey or study at the site and then send his findings to the state historical society. Chad said they sent a request to do this work to 6 different firms of which 3 responded and the low bidder came in at \$650. Kevin Malchine agreed to pay this expense and the archeologist came out the following Tuesday and did his survey. He found some curt which is what the Indians used to make arrowheads and spears out of as well as flakings (chips of curt that fall off in the process of making arrowheads or spears). He did not find anything more than that, but because he found this evidence he had to report it to the historical society. This last Wednesday they heard from the archeologist that he had sent his report to the state historical society and now they have 30 days to respond. Based on this Chad emailed both the archeologist and the contact at the historical society Chip Brown that we need to speed up this process, because he has a contractor lined up to start this week and the project needs to be completed by the end of June. Based on this new delay when the contractor was ready to start last Tuesday, Chad sent him to another project he was selected for by the county, so he could keep him working; this is a 2 to 3 week project. This makes it very unlikely that these projects will be completed by the end of June. When Chad hears back from Chip Brown he will know if and exactly what has to be changed to go ahead with the work.
- d) Malchine Farm field Erosion Control – This project report was made in conjunction with the previous report in (d) above.
- e) Waterford Impoundment ESR Project Dredging Permit: - Paul Kling of the WWMD said the good news was that they submitted the permit application to the WDNR on 5/9/16 thinking that it was totally complete. On May 24 the WDNR came back with a list of questions which were for the most part minor issues that were easily handled. Graef the engineering firm used by the WWMD made some

drawing changes and made some clarifications as needed. In order to expedite matters the WWMD got hold of Elaine Johnson of the WDNR and received a letter back in which she referred to Michelle Scott of the WDNR who is on our commission. Michelle Scott said she and Elaine had a conference call with Barbara Baron of the WWMD yesterday. Michelle said that there is some information that is missing that is required before the WDNR can go to public hearing. This information has to do with groundwater impacts that might be an issue as well as a final calculation regarding the wetland impacts including temporary and permanent. Barbara Baron asked if the WDNR could guarantee that the public hearing would happen before the end of June and Michelle Scott said that without the data needed from Graef Eng. they could not schedule the public hearing. Michelle also pointed out that they have to post a public notice of the hearing 10 days prior to the hearing itself which they cannot do until they review the data they are waiting for from Graef. Michelle said she has seen emails going back and forth between Barbara Baron, Graef and Elaine regarding this issue, but they have not received the required data from Graef. Paul Kling said that they were not sure of what they had to do to meet the clean water standards and so will have to come up with a narrative of what they would do if they did not meet these standards. Paul said that Graef has provided them with a new proposal for the work needed to clean up the loose ends in the permit application as well as the narrative regarding possible clean water issues and anything else that comes up from now to the end of June. Paul said that the cost for the additional work would be \$10,000 and he was requesting us to cover a 90% cost share or \$9000 towards this last work to complete the permit application. It was motioned by Shelley Tessmer that we accept this addition to the project and the motion was seconded by Randy Meier. The motion carried unanimously. Chad Sampson indicated that we should use \$2,000 of the Racine County allocation toward this addition to the project and it was agreed to do so. It was motioned by Shelley Tessmer and seconded by Barb Holtz that we use \$2000 of the Racine County allocation for this addition and the motion passed unanimously. Paul Kling thanked the commission for our time and financial support now and over the years for this dredging project. Dean Falkner asked when this additional work would be completed and Paul Kling said they understood that the commission would only cover work performed before June 30th. Jim Pindel added that at times it seems as if many small details seem to keep coming up almost to the point of nit picking, but if you consider that once the WDNR permits this project they are responsible for defending it in all aspects. It is really their due diligence to uncover all possible problems, get out all the details and make sure that they haven't created a major problem for themselves.

- f) Schuetze Playground Storm Water Abatement: - Alan Barrows said he talked to David Bursh this morning and that he said he would email him a status report, but he had not received anything yet. Alan pointed out that David said that he wanted the project to be completed before the 4th of July when Frame Park is heavily used.

g) Graefenauer Shoreline Restoration: Alan Barrows said that Tom Graefenauer has a pier that he leaves in all year around. Alan then showed photos that he took from the pier of the shoreline. The first photo showed the shoreline before the project started last August. The second photo taken in winter showed the shoreline after the invasive species, buckthorn and honeysuckle were removed. The next photo taken April 21 showed the shoreline just before the 500' of biologs were installed. The next photo taken on May 12th shows the biologs installed. The final photo taken yesterday shows the biologs at the toe of the shoreline with 8' of erosion mat above that and plant plugs planted in the entire riparian zone and you could see the green of the vegetation taking hold. Alan said that the project is completed and that a large quantity of native species came up on their own and unfortunately some buckthorn as well. Jim Pindel asked if something was being done to control the buckthorn. Alan said that Tom Graefenauer has contracted the contractor to do maintenance for the next couple years. Alan showed one more photo that showed how well the sunlight was able to now reach the ground plants. Barb Holtz asked if they intended to use burning in the future and Alan said that the property is set up well for burning. Alan then said that the contractor has suggested the removal of 3 trees and asked if the commission would cover this new need to completely upgrade this location. Barb Holtz asked what kind of trees were involved and Alan said one was a Norway Maple which is an invasive species and the other three were pine trees that were planted too close together, blocking the sunshine from getting to the ground. It was motioned by Shelley Tessmer and seconded by Barb Holtz that we cover the 90% cost share for the tree removal. The motion passed unanimously.

h) Nature's Classroom groundwater protection * erosion control: Katelyn Bratz.
* Fill out Project Acceptance Criteria chart for this project!
Jim Pindel pointed out that we neglected to review the project acceptance criteria before we voted and accepted this project. We then reviewed the criteria resulting in a possible 48 out of 55 points for the project and its meeting the required criteria of meeting our objectives and having a likelihood of successful completion. Therefore the project is acceptable and the scoresheet will be kept in the project folder. Barb Holtz asked if they had provided a map that showed that the entire project was completely on their property. Jim Pindel pointed out that this requirement was added to the Cost Share Agreement and so would be required before we could reimburse them for the project costs. Jim Pindel prepared a Cost Share Agreement, which he asked Al Sikora to sign and then gave it to Katelyn to sign. He said he would keep the original and email a scanned copy to Katelyn.

New Business

a) Mukwonago Park Shoreline Restoration – Alan Barrows, Steve Brunner: Alan Barrows started by saying that this is the project he wanted to introduce at our last meeting, but had some technical issues. On the same body of water as the

Graefenauer project is a parcel of land owned by Waukesha County. They are looking for funding for shoreline restoration on this land. Even though Alan is making the presentation, Steve Brunner a landscape designer for the county will be the point of contact for this project. Alan's presentation started with an aerial view that showed where the Graefenauer project was and where the new project was located. This property is generally used as a swimming beach. There is a lot more sand than needed for the beach and so it is very accommodating for geese. The geese make a mess and leave a lot of droppings, which causes them to close the beach because of E.coli and other bacterial concerns. They are looking at changing the grass mowed area to native prairie and squeezing the beach down to a smaller area. The swim area is not used as much now and so there are no life guards and it is a swim at your own risk area. Alan showed a photo of how the shoreline is sluffing in and the grass is mowed right up to the edge. Alan then showed a slide he borrowed from Tom Slawski that showed a riparian border should be 75' deep to reap all the benefits of a riparian buffer. Alan showed a slide that showed that the beach had to be closed 9 times from mid-May to mid-August due to bacterial problems. Steve Brunner pointed out that the E.coli was the trigger to get this project going, but the bacteria has caused increases in algae blooms and weeds in the lake. Mukwonago Park is about 900 acres and the outlet of the ponds on the property drain into the Mukwonago River. Steve said that the plan is to reduce the mowed grass areas and reduce the size of the sandy beach to make it less attractive to the geese and replace it with prairie mat. Prairie mat is pre-grown prairie like sod that you roll out to quickly establish the finished desired prairie. Installing the mat reduces labor costs and alleviates the need for constant care during the growing phase of seeded prairie and can be installed almost any time of year. There are other environmental issues at this location including Black Swallow Wart an invasive species that is found almost exclusively that this location. Coconut fiber biolog along the shoreline with prairie sod behind it would produce almost instantaneous riparian buffer along the shoreline. Steve said that they hoped to complete this project this year at an estimated cost of \$88,000. Steve said they would be looking for any help the commission could provide toward funding this project. Barb Holtz asked how much of an area this project encompassed and Steve said about 2 acres. Dan Treloar asked what kind of success they had with the prairie sod at the Nagawicka location. Alan Barrows said that the sod was installed in 3 phases. The first installation was done in late November of 14 rolls; it rained that weekend and then froze locking the sod in place. The next year they installed 56 rolls in earlier fall and that survived as well. If they had encountered a drought they would have had to water it and probably would have pumped water from the lake. Alan concluded that they have had great success. Dan Treloar asked if there was any guarantee and Steve Brunner said there was none. Jim Pindel pointed out that he didn't know that we could afford an \$88,000 project when we only have about \$120,000 in undedicated grant funds and we expect to hear some needs and requests from the new commissioner members. Alan Barrows distributed Project Acceptance Criteria sheets and asked that we at least review this project for acceptability. After the review the project scored 35 out of a possible 55 points

which exceeds the minimum of 28 points and met the requirement of meeting alignment with our implementation plan and probability of successful completion. Therefore this is a grant worthy project and we asked Alan and Steve to go back and see if there are other funding possibilities and if it could be done in phases or could be paired down to something less expensive. This project will remain on the agenda for consideration at our next meeting.

b) Consideration of expanding the Commission's jurisdiction south to the Illinois border

*Agenda items for the July Meeting:

Election of Officers

Where should we hold our meetings

Should we set a fixed date schedule e.g. First Friday of the month

Any suggestions concerning our meeting process.

Jim Pindel said that the election of officers for the new commission was an important point and would give the new members a chance to more fully participate. He pointed out that Al Sikora has already stated he would like to step down as chairman because of his business workload. Jim Pindel said that for his part he would be happy to accept the office of chairman or vice chairman but would very much want to give up the position of secretary. His other obligations and personal situation is making it hard to fulfill this job. Jim did say that he would agree to fulfill the duties of treasurer, seeing he is familiar with the details of what is required to process the grants, monthly treasurer's reports and the annual budget. Jim did say that if no one stepped forward he would continue in the roll of secretary for one year to keep the commission going. Regarding setting a fixed day of the month, for example the first Friday of the month, as our meeting date instead of deciding at every meeting when we will meet next will be a good discussion for the new membership. The last point on the agenda was whether we should change anything regarding our meeting process. With new people on board, maybe someone can suggest something to streamline our meetings.

c) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan—Shelley Tessmer said that she is now the chairperson in charge of research regarding 9-Key elements plans for the WWMD. Shelley said she held the first meeting with Andrew Craig and Rachel Sabre of the WDNR, Lisa Schultz, Chad Sampson and Dean Falkner regarding this process. Shelley said that they learned some new things at this meeting like the fact that they could develop a plan for the entire 237 mile stretch of the Fox River and then only implement a certain portion of it. The plan would be used to address impaired waters as identified on the 303 D list. Andrew Craig gave them an approximate cost for the development of a plan based on our geographic area and other plans that he was involved in that are already completed. The estimated cost would be \$40,000. Andrew Craig suggested that Shelley contact representatives of the counties and so Shelley then emailed and involved Chad Sampson of Racine County and Alan Barrows of Waukesha County. A second meeting was held on May 23rd where they discussed

the scope of what would be involved to generate a plan. They discussed what data was needed and how it could be collected. They also discussed funding options and the caps that different grants had. Shelley said that when she mentioned dredging, Andrew Craig said that EPA 319 funds cannot be used for dredging. Subsequent research by Shelley and others seems to indicate that EPA 319 funds can be used for dredging. Shelley said that they learned about a data system called swims which could be used to monitor the condition of the Fox River. Shelley said that Dean Falkner set up a meeting with Rachel Sabre on 6/27/16 at 1:00 PM to further investigate the swims database. Shelley said that at the first meeting they invited the water treatment plant group to attend. Jim Bergles of the City of Burlington attended and has been active in correspondence regarding this program. Based on new information provided by Tom Slawski, Dean and Shelley are not sure whether we should be pursuing a 9-Key elements plan or an adaptive management plan. The initial incentive for pursuing a 9-Key elements plan was to get federal funding for large scale projects. As it turns out the adaptive management plans can also obtain federal funding especially regarding improvement of water quality. Dean pointed out that the adaptive management program is less stringent than the 9-Key elements plan and therefore may be easier to implement. The 9-Key elements plan is much more inclusive including an educational component and a requirement for estimating all the costs of work that needs to be done as well as follow up to see that it is done. After some discussion it was decided that some research has to go into which plan to spend our time and money on. Dean and Shelley will be looking into deciding on which plan to pursue. There is someone named Tom Steinbeck Dean talked to and needs to talk to again to understand what resources could be applied to cleaning up the river. Chad Sampson said that his understanding was that we would have to apply by December 10th for grant funds from the WDNR to develop a 9-Key elements plan which would pay up to \$10,000 and we would have to come up with the matching funds. We would have to identify some specific area like one HUC-12 area for plan development and then expand from there. Andrew Craig said that it would be best if we had some baseline water quality data for that specific area. Chad said that the only areas that he is aware of that have baseline water quality data are up in Waukesha. Chad also pointed out that once we have a 9-Key elements plan in place we could apply for federal 319 funding to do the same things we are accomplishing now through our own grants. This would mean we would have greater ability to fund projects. Dean Falkner brought up the point that examining the 303 D list the impaired areas of the Fox River are all impaired by phosphorus content. So right now we are in the process of gathering information to see just what we should be doing.

- d) Gauges: Why do we want more? What kind of gauges? When do we want them? Who will pay for the hardware, installation and maintenance? Tom Slawski said that he had not had time to look into this topic since our last meeting. Based on the discussions regarding the need for baseline water quality data and monitoring, this topic will remain of the agenda for our next meeting.

- e) What is happening with the SEWFRC signs? Al Sikora said that he has not been able to finish the artwork for the signs, but as soon as he has he will get the signs on order. Al said his goal is to get this done before our next meeting.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Tom Slawski said that he had nothing to report.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Michelle Scott said there is nothing new to report except what is on their website. Jim Pindel pointed out that the compact council gave preliminary approval for the diversion and that he forwarded a new release that said that legislators in the state of Michigan were advising their governor to oppose the diversion. Francis Stadler said that the final vote on the diversion is scheduled for June 13th.
- c) Progress toward designation as a “National Water Trail” – Village of Waterford. Barbara Messick of the Village was not present. Al Sikora said he didn’t have anything to report.
- d) SEWFRC Website – Al Sikora said that the website is fine and up to date at this point.

Correspondence –

- a. 05/2/16 Email from Jim Pindel advising to mark your calendars for today’s meeting.
- b. 05/20/16 Email from Tom Slawski to Dean Falkner regarding WDNR’s Citizen-based Monitoring Network grants. The idea here is to use this grant program to increase the monitoring of the Fox River.
- c. 05/25/16 Email from Katelyn Bratz looking for the Cost Share Agreement for the Nature’s Classroom Project.
- d. 5/31/16 Emails from Dean Falkner & Shelley Tessmer regarding monitoring the Fox River and a grant program to help to pay for it.
- e. 06/01/16 Email from Tom Slawski with attached “Scope of Supply” for the survey of the expanded area of jurisdiction.
- f. 06/01/16 Forward of an email from the WDNR concerning listening session about possible changes to the WDNR administration of codes. Jim Pindel asked for any comment, which he could bring to the meeting.
- g. 06/01/16 Email forward stating that State of Michigan legislators asking Governor to oppose Waukesha diversion.

Miscellaneous Issues –

Alan Barrows said that a few years ago we spent \$600 for rock at the unofficial boat launch on the Fox River alongside of STH ES. At the time they decided on just using stone because someday the bridge would have to be reconstructed which would affect this launch site. The meeting regarding the reconstruction of the bridge is coming up this next week. Alan will attend this meeting to make sure that they realize that we have an unofficial launch at this location and it should be kept in place.

Jim Pindel reminded the commission that he sent around an invitation to a meeting with the WDNR concerning a listening session regarding the administrative codes used to administer grants like the ones we receive in the state budget through the WDNR. He said he will attend the meeting and ask that they consider removing the hard end dates for grant period. In other words allow many more extensions of the grant period. He also reminded everyone that he asked for any other suggested changes.

Katelyn Bratz pointed out that she is active in the swims system and uses it as an educational tool at Nature's School. She has student trained in it as swim monitors and she and/or them might be available help to us.

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

Meeting Closed at 3:14 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,
July 8, 2016 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)
Katelyn Bratz standing in for Barb Holtz (Town of Mukwonago) (Vice-Chairperson)
Alan Barrows (Waukesha County)
Chad Sampson (Racine County)
Doug Koehler (City of Waukesha)
Clement Abongwa standing in for Dan Treloar (Kenosha County)
Robert Bartholomew (Town of Vernon)
Dean Falkner (Village of Mukwonago)
Francis Stadler (Village of Big Bend)
Wayne Jensen (Village of Rochester)
Jeff Lang (Town of Burlington)
Tom Slawski (SEWRPC)
Michelle Scott (Wisconsin DNR)
Jim Ritchie (Wisconsin DNR)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Ken Miller (Town of Waukesha)

Also present: Paul Kling, Don Baron, John Bostrom of the WWMD, Dave Brown of the Village of Mukwonago, Andrew Lois of the Town of Wheatland and Rachel Sabre of the WDNR.

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. Jim Pindel handed out copies of our implementation plan to the new members of the commission that were present including Jeff Lang, Wayne Jensen, Clement Abongwa and Katelyn Bratz.

Minutes The minutes from the June 3, 2016 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 – Jeff Lang suggested that we dispense with the detailed examination of the report and so Jim Pindel only reviewed the highlights of changes to the June treasurer's report. The final payment was made for the 2016 Summit of \$1,466.25 and the \$10,000 Racine County allocation was deposited. It was also noted that we are now down to \$111,355.99 of available grant funds. It was motioned by Francis Stadler and seconded by Dean Falkner that the treasurer's report be accepted. The motion carried unanimously.

Old Business

- a) Fox River Partnership Summit: Tom Slawski reminded everyone that the date for the next summit is March 10th 2017. Tom also said that he is always looking for

topics for the summit. Jim Pindel suggested that a speaker could cover the topic of water quality and explain different parameters and limits involved in defining water quality.

- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that since our last meeting he sent the final plan set and contract to WE Energies requesting a meeting with them to go over the final design and is now waiting for a response from them. Alan also said that he met with Ron the director of Public Works for the Village of Mukwonago who told him that the private property owner next to the WE Energies site, Alex Seifert having seen the final design is now interested in at least discussing doing his site as well. Jim Pindel asked if the project would be completed by the end of September so it could be included in ENUM-19 funding. Alan said the project is expected to take 7 days to complete, so now all we are waiting for is a go ahead from WE Energies to get it done. Apparently someone needs to apply some pressure on WE Energies so we can get this accomplished.
- c) Wood Drive Erosion Control Project – Chad Sampson said that he had some good news the project has been cleared by the Wisconsin Historical Society which had been concerned about the 2 Native American Indian sites on this property. Chad said he did not talk to the contractor this week but will contact him when he gets back to work after this weeks' vacation. Chad said he had talked to Kevin Malchine who is anxious to get the project done. Chad also said that the contractor would probably install the drainage tile first and then let the area drain down or dry out for a while before completing his work. Jim Pindel asked Chad if the next project with Kevin Malchine would be the property he has on the East side of STH 164 where there has been some erosion. Jim also suggested that maybe we approach Kevin Malchine about employing the drainage tile water level control that Graef Engineering presented to us some time ago as an incentive to get this problem resolved. Chad said that a majority of the field has been converted to a hay field or alfalfa which by itself might elevate the problem. Jim Pindel said that the drain tile water control system was probably more useful for a food crop field and told Chad that he had the information from Graef if he needed it. Chad said he had the information as well.
- d) Malchine Farm field Erosion Control – This project report was made in conjunction with the previous report in (d) above.
- e) Waterford Impoundment ESR Project Dredging Permit: - Don Baron spoke for the WWMD and gave a short synopsis of the WWMD for the new commission members present. He said the WWMD was formed as a lake management district as approved by Racine County in January 2003. It only took 4 months to organize and apply for the district. Don said their district runs from the iron bridge on bridge road on the north to the Waterford dam on the south. Don brought along a large map of the district which was laid out on one of the back tables for anyone to view. Don said that they have over 1000 riparian landowners along the

waterway which is over 1200 acres in size. This waterway is one of the largest districts in southeastern Wisconsin. Don went on to say that the impoundment has been in existence for over 180 years and over that time has collected whatever silt and sediment has come down the river. The level of sediment build up has gotten to the point of making navigation and water recreation difficult. For this reason the WWMD has come to the SEWFRC on a number of occasions for funding. Don said a final complete permit application had been submitted to the WDNR, who then held a public hearing on the dredging project on June 27th which was attended by over 350 people. Don asked Michelle Scott to comment on the hearing and Michelle said that they received comments at the hearing and the comment period was held open for 10 days but now was closed. The WDNR must make a permit decision by July 20th. The questions and comments that the WDNR has been receiving have mostly been concerning the dredging depth, funding of the project and concerns by people who don't think their area of the impoundment is being dredged.

Paul Kling then took over for the WWMD and said that phase 4 of the project which took them through submittal of the dredging permit was complete and now they were moving forward with phase 5 which requires an additional permit from the WDNR. Phase 5 is primarily concerned with the disposal sites making sure that ground water is not contaminated and that the proper safe guards are in place such as possible liners at each of the 3 disposal sites. The first site is on WDNR land near the north end of the impoundment the second site is a gravel pit near the middle of the impoundment and finally there is the Super Mix site near the south end of the impoundment west of STH 83 along STH 20. The proposal from Graef for the phase 5 work comes to \$22,800 and the 90% cost share they are requesting from the commission amounts to \$20,520. Jim Pindel added that he didn't think we needed to review the project acceptance criteria because we had reviewed it initially back when we accepted phase 1 and this was just a continuation of the project. Jim Pindel motioned that we approve this project and the motion was seconded by Chad Sampson who wanted some additional discussion before we voted on it. Chad asked Paul for a further explanation of what work was being done for this additional \$20,520. Paul explained that there were two different sections within the WDNR who had to approve of this new permit. The one group includes Elaine Johnson and Michelle Scott who they have worked with throughout the permitting process and a different section of the WDNR involving Gerald Demers group. Paul referred to the proposal from Graef Engineering which stated that the services provided were the evaluation of potential impacts to groundwater due to potential leaching of minerals and organics into ground water at the 3 disposal sites. Graef would evaluate the 2 northern smaller sites first and then apply their findings to the larger Super Mix site. The evaluation would include qualitative evaluation of the soils underlying the sediment under the dewatering sites, evaluate the depth of ground water and attenuation to ground water using a soil water transport model and using screening level calculations. Estimation of initial mass of compounds subject to potential long-term leaching to surface waters and other losses including volatilization of ammonia. Also

included are a number of design alternatives to minimize the impacts on ground and surface water. Francis Stadler asked if this would be the last request for funding and Paul Kling said this should be the last request for regulatory issues. However it is likely that they will be back for additional funding for other issues such as putting together a bid package, evaluating the bids and possible some project management. Francis then asked where they get their money from for their 10% cost share and Paul said they tax their riparian owners and that the owners have already spent in excess of \$300,000 on this project. Paul also said that they have a reserve of over \$100,000 put away to help fund the dredging. Alan Barrows asking if there was anything in Graef's proposal guaranteeing the completeness of the submittal. Paul said that he discussed this point with Brian Schneider of Graef saying that we only have this one shot to get the permit approved. Paul said that he told Brian to work with Gerald Demers to make sure that everything needed is included in our submittal. Brian said that the submittal will be complete. Dean Falkner and Alan Barrows emphasized the importance of having some language in Grief's proposal guaranteeing the completeness of the submittal. They said that Graef should be held liable of any oversights or omissions in the submittal. Chad Sampson asked if there would be monitoring wells included as part of this design work. Paul said that this was to be determined as part of this study or evaluation. Chad indicated that he has been receiving complaints and hearing concerns from people near the disposal sites and Paul said that they will be held to clean water standards even more stringent than the drinking water standards. Al Sikora then asked for a vote on the motion to accept the phase 5 project and the motion passed unanimously.

- f) Schuetze Playground Storm Water Abatement: - Alan Barrows said he received an email from David Burch today and the rain garden still needs to be planted. They are anticipating that the project will be complete in a month.
- g) Graefenauer Shoreline Restoration: Alan Barrows said that the project is complete and the invoices have been sent out by the consultant involved. Alan said he still has to go there to make his certification of completion. Alan said he will do that in the next week. Jim Pindel said that at the last meeting we approved paying for 90% of the cost of the removal of 3 trees and asked what the cost would be and when it will be done. Alan said he did not have a cost and the problem is that they have just finished the planting of all the native plants and now do not want to disturb them until they are established and well rooted. So they are considering waiting until fall to cut the trees down.
- h) Nature's Classroom groundwater protection * erosion control: Katelyn Bratz. Katelyn said that EC3 should be there within the month to remove the invasive species in the next area to be cleared. Katelyn said that she and Jeff have been working on maintaining the area that they cleared last year. Katelyn said they have a lot of plants ready to be planted along the driveway once the construction is completed to allow for it.

New Business

- a) Election of Officers: Al Sikora has been fulfilling the duties of Chairman for some years now and has expressed a desire to move on from the commission however Al said that he would not leave us high and dry. So Al said he was willing to stay on as long as necessary but is looking for someone to take over his position. Barb Holtz was not present so there was no discussion regarding the Vice-Chairperson position. Jim Pindel said that the Secretary/Treasurer position was getting to be too much for him because of personal issues and would only be willing to continue in this capacity for 1 more year. Jim also said that whatever his position he would be willing to continue on with the treasurer's duties, seeing he was familiar with the funding and budgeting process. Jim explained the duties of the secretary and the treasurer and said maybe we could break them up a little bit so others could do parts of it like the meeting minutes. The commission was asked if anyone wanted to volunteer for any of the positions and no one came forward. Chad Sampson motioned that we keep the present set of commissioners, with the understanding that Al Sikora and Jim Pindel are looking for replacements, for the next year. The motion was seconded by Alan Barrows and the motion carried unanimously. Francis Stadler asked if Al Sikora would continue to maintain our website if and when he left the commission. Al said that he would continue supporting the website at no charge as long as we provide him with the data necessary to keep the website current.
- b) Decide on Meeting Location(s): Jim Pindel pointed out that we have been meeting at this location for some years now. He said it has been pointed out to him that Waterford was about exactly in the middle of the area of our jurisdiction and might be appropriate. We discussed if it would be better to move the location to the south then to the middle and then to the north with no decision being made. So it was decided that at the end of each meeting where we look for a date for the next meeting we will state we are looking for a date and location for the next meeting.
- c) Decide on a meeting Schedule: After a short discussion on whether to go to a set day of the month or just pick a date at the end of each meeting it was decided to stay the way we have been doing it and set a date at the end of each meeting.
- d) Notification of 'plan to attend' the next meeting: Jim Pindel pointed out that every month he sends out a meeting announcement in which he asks the commissioners to respond whether they will attend the meeting or not. Those who do not respond are called on the phone to make sure we have enough commissioners for quorum. Jim asked that the commissioners simply respond when they get the announcement whether they will attend or not. Dean Falkner pointed out that he and maybe other commissioners don't always open the email just read the subject line. It was decided that the subject line will be modified in the future to state "Commissioner Response requested".

- e) Any Suggestions concerning our meeting process: Tom Slawski said that he would like information about an upcoming project given to the commissioners in advance of the meeting when we vote on and approve a project. Tom felt this would help us make a more informed decision. Tom said that the present process is too rushed with hearing about a project for the first time, evaluating it and approving it in the span of a single meeting. The thought of modifying the Cost Share Agreement to require a months' notice of a presentation for funding was considered and then Al Sikora made the suggestion that we hear the presentation and review the Project Acceptance Criteria on the date of the presentation but do not vote on approval until the next month's meeting. This would give everyone a chance to think about it and make a more thoughtful decision the following month. Katelyn Bratz pointed out that when she was looking to apply for grant funds from us she was looking for a date or deadline for making the application. It was decided that we would wait until the next meeting to take a vote on approval of a project but we would have the ability to forgo this waiting period if a project was that time sensitive that it needed to get done right now or the applicant makes a reasonable case for needing the approval immediately. It was motioned by Dean Falkner and seconded by Francis Stadler that we amend the cost share agreement to state that as our norm we will listen to the project presentation and review the project acceptance criteria on the date of the presentation but not vote on approval of the project until the next month's meeting. The motion carried unanimously.
- f) Mukwonago Park Shoreline Restoration – Alan Barrows, Steve Brunner: Alan Barrows started by recapping what happened at our last meeting. He and Steve Brunner, who was not able to attend this meeting, made a presentation looking for \$88,000 funding for the Mukwonago Park which is in dire need of repair and shoreline work. Barb Holtz made a motion to fund half of the project cost but there was no second to the motion so it was tabled. Alan said that he has been in communication with the company in Madison that provides the native plant mats and they said if they receive an order before the end of July they could deliver the mats by September. The cost of the mats would be \$68,000. Alan said it is a project that needs doing and the county is willing to do the work. Jim Pindel said that his recollection was that Alan and Steve were supposed to go back and see how much they could pair down the project or limit how much of the project we would be responsible for. Jeff Lang asked how we know how many other projects are out there looking for funding. Jim Pindel said that at the start of the budgeting process he asks everyone for a list of possible projects and a rough cost estimate for them. Whatever projects come up are listed in the budget and are on our radar knowing that they are coming. The WWMD when they were in the mode of stopping the sediment from coming into their impoundment before they would start dredging the sediment out, were very good at notifying us of upcoming projects. On occasion Racine County has identified projects on the horizon. This last budget cycle no projects were identified for the upcoming year. The reality is that we find out about projects when someone comes to us to make a presentation. There doesn't seem to be any particular time of year when

- projects come in.
- g) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Dean Falkner said that he has been working with Shelley Tessmer, Andrew Craig and Tom Slawski to put together a plan. One area that is being considered is the 12-HUC area north of highway L, but Dean is not sure this is the right place to start. There has been a lot of email communication going on mostly asking how much data is required about an area before you can get started. Up until now they have been in a developmental stage and Dean hopes by our next meeting to come to us and say here is where we want to start. In discussions with Tom Steinbeck a waterworks man from downstream, they have found out about funding from the NRCS who will fund projects (at 70% of the cost) that are identified in the 9-Key elements plan such as storm water abatement and erosion control. With this federal funding and support from our commission with state funding we should be able to pay for all of the work identified in the 9-Key elements plan. Dean asked for authorization from the commission to get the details of what is necessary to get NRCS funding. Jim Pindel said that as a commissioner he has all the authority he needs to find out whatever it takes. Chad Sampson said that there is a deadline of December 10th for applying for grant funds to develop a 9-Key elements plan and that by then we need to identify a specific plan area and get a quote from SEWRPC or whomever to develop the actual plan and then apply for it. This 9-Key elements development grant is a 50% cost share and maybe we could provide the other 50% share if it is not a state funded grant.
 - h) Gauges: Why do we want more? What kind of gauges? When do we want them? Who will pay for the hardware, installation and maintenance? Tom Slawski had already left the meeting and no one else could address this issue.
 - i) What is happening with the SEWFRC signs? Al Sikora said that he sent the artwork for the smaller sign to Jim Pindel for approval, which he did and forwarded it to all the commissioners. Al said he will blow the artwork up for the larger sign and get it to the printer this next week.
 - j) Resolution in opposition to the proposed Waterford Impoundment drawdown: Jim Pindel said that the WWMD has proposed a drawdown of the Waterford impoundment starting September 19th. Originally the purpose of the drawdown was said to be reduction of aquatic invasive species, however the postcard sent out by the WWMD lists the first reason for the drawdown to be sediment compaction the second reason is aquatic invasive species reduction and the third to increase the river main channel depth. The sediment situation in the impoundment is being addressed by the dredging project. The reduction in aquatic invasive species is hit or miss depending on how cold it gets during the winter and finally the deepening of the main channel will send the silt in the channel downstream to the communities below. Jim Pindel provided written copies of the resolution to the commissioners and then reviewed it pointing out

that the points made for opposing the drawdown were only those that applied to our directives, listed at the start of the resolution, to protect water quality, to protect recreational use and to increase safety. Michelle Scott said that the WDNR has not received a request for a drawdown at this time and advised us that there is a meeting scheduled for next Tuesday 7/12/16 at the WWMD to address questions and comments concerning the drawdown. Michelle also said that once a drawdown is requested from the WDNR they will have to publish notification of the drawdown to make people aware of it. Michelle also asked that the reference to the WDNR in the last paragraph be deleted. Dean Falkner pointed out that if the silt in the main channel is flushed downstream it will affect the water quality monitoring especially regarding phosphorus that is being taken downstream to establish baseline conditions. This drawdown would completely destroy their work. Chad Sampson said that he would have to abstain from voting because he was not aware of what the counties position was regarding the drawdown. Jim Pindel asked Michelle Scott if the permit that the WWMD would apply for would be a general or individual permit and Michelle said she thought it would not be a permit at all just a temporary drawdown request. Don Baron of the WWMD spoke to the commission trying to clarify the situation. Don said that the WDNR originally proposed an 18 month drawdown but they realized that this would not be acceptable to the riparian owners, so they decided on a one winter drawdown. The drawdown is being sponsored by the WWMD committee that is charged with controlling the weeds in the impoundment. The whole thing started when Craig Helker of the WDNR made a presentation at the WWMD's January meeting and the project got on a fast track and unfortunately wound up falling right at the same time as the dredging permit application was coming to a head. There has been a lot of confusion among the riparian owners because many of them are hearing about the dredging project and the drawdown project at the same time. Don said there is a real concern on the dredging committee that this confusion could cause the dredging project which has been worked on intensely since 2008 to not pass when the riparian owners vote on approving it. Paul Kling of the WWMD added that he had asked the WDNR how far up the river would be affected by the drawdown and they said they did not know. He also asked what would be the effect downstream on the river and he was told they did not know. The WWMD wrote to Jeff Thornton, who used to be the SEWRPC representative on the SEWFRC before he retired, who recommended that the WWMD put off the drawdown until the dredging project is completed mostly because the confusion it is causing might jeopardize the dredging project. Dr. Thornton also pointed out that the effectiveness of the drawdown is dependent on how cold the weather gets during the drawdown, so there is no guarantee that it will be beneficial. Jeff Thornton's response to the WWMD ended by suggesting that they wait until the dredging is completed and then evaluate whether a drawdown is in order, which Don said makes a lot of sense. Don also said that the drawdown will remove 1 million pounds of phosphorus which will help the impoundment and all the communities downstream of the impoundment. Don also pointed out that the WWMD and the SEWFRC both have a lot of money invested in the dredging project and the drawdown could jeopardize its completion. Jeff Lang said that he

could vote in favor of the resolution if the phrase “as currently proposed” was added to the end of the resolution. Jim Pindel motioned that we approve the resolution as amended and the motion was seconded by Francis Stadler. The motion carried with 9 votes in favor of the resolution, 1 vote opposed and 3 commissioners abstaining.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Tom Slawski had left the meeting and we have not heard anything from Joe Miller of the FWA.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Al Sikora said that we all must be aware of the fact that the diversion was approved. Jeff Lang said that he had heard that the diversion as approved was not in compliance with Wisconsin state law which requires the diversion to apply to Waukesha’s entire service area. Jim Ritchie said that he had heard the same thing and that the Wisconsin administrative code might have to be changed to allow for the diversion. Jim said he was not sure what was being done in that regard. Jim Ritchie said that the City of Waukesha will now have to apply for some permits from the WDNR and then go on to do the design of how they will accomplish the diversion all of which will take time.
- c) Progress toward designation as a “National Water Trail” – Village of Waterford. Barbara Messick of the Village was not present. Al Sikora said he didn’t have anything to report. Jim Ritchie mentioned that there was a ribbon cutting event at the Village of Waterford a little while ago. Al Sikora said it was held in conjunction with a River Rhythms night and was attended by many dignitaries. The event lasted about ½ hour.
- d) SEWFRC Website – Al Sikora said that the website is fine and up to date at this point.

Correspondence –

- a. 05/2/16 Email from Jim Pindel advising to mark your calendars for today’s meeting.
- b. 05/20/16 Email from Tom Slawski to Dean Falkner regarding WDNR’s Citizen-based Monitoring Network grants. The idea here is to use this grant program to increase the monitoring of the Fox River.
- c. 05/25/16 Email from Katelyn Bratz looking for the Cost Share Agreement for the Nature’s Classroom Project.
- d. 5/31/16 Emails from Dean Falkner & Shelley Tessmer regarding monitoring the Fox River and a grant program to help to pay for it.
- e. 06/01/16 Email from Tom Slawski with attached “Scope of Supply” for the survey of the expanded area of jurisdiction.

- f. 06/01/16 Forward of an email from the WDNR concerning listening session about possible changes to the WDNR administration of codes. Jim Pindel asked for any comment, which he could bring to the meeting.
- g. 06/01/16 Email forward stating that State of Michigan legislators asking Governor to oppose Waukesha diversion.
- h. 06/29/16 Email received from Luke Roffler the senior fisheries biologist for the WDNR covering Racine, Kenosha and Walworth counties. Luke asked to be added to the list of people that the meeting announcement is sent to, so that he can arrange to come to one of our meetings in the future. Luke wants to get to know our commission.

Miscellaneous Issues –

Jim Pindel reported that as he said at the last meeting, he attended a meeting at the WDNR which was by invitation only. Jim said that we really should not have been invited. The purpose of the meeting (hearing session) was to get feedback from people who participated in the “Surface Water Grants” program to see how the code for this program could be revised to make it easier for people to apply and make it more efficient. Jim said he attended the opening explanation by the WDNR and the first breakout session. It became apparent that those who participated in this grant program had input to offer, but we (SEWFRC) have had no experience with this program so we had nothing to offer and so he left the meeting. Jim did point out that at this meeting he found out about the success Silver Lake in Kenosha county had with a herbicide applied by Wisconsin Lakes and Ponds Services that completely eliminated the Eurasian Water Milfoil and that it would not require treating for another 3 years.

Jeff Lang motioned that the meeting be closed and Chad Sampson seconded the motion that passed unanimously.

Meeting Closed at 2:50 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, August 12, 2016 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)
Alan Barrows (Waukesha County)
Chad Sampson (Racine County)
Dan Treloar (Kenosha County)
Robert Bartholomew (Town of Vernon)
Doug Koehler (City of Waukesha)
Dean Falkner (Village of Mukwonago)
Francis Stadler (Village of Big Bend)
Jeff Lang (Town of Burlington)
Andrew Lois (Town of Wheatland)
Tom Slawski (SEWRPC)
Michelle Scott (Wisconsin DNR)
Jim Ritchie (Wisconsin DNR)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Wayne Jensen (Village of Rochester)
Ken Miller (Town of Waukesha)
Commissioners from the City of Burlington, Town of Salem, Village of Silver Lake.

Also present: Don Baron of the WWMD, Dave Brown of the Village of Mukwonago, John Soneberg of the Village of Big Bend and Luke Roffler of the WDNR.

At 1:06 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. Jim Pindel passed around a draft copy of the new contact listing for the commission asking everyone to review it and make the necessary additions or corrections.

Minutes The minutes from the July 8, 2016 meeting were reviewed. It was motioned by Bob Bartholomew that the minutes be approved and the motion was seconded by Doug Koehler. The minutes were approved unanimously.

Treasurer Reports – Jim Pindel only reviewed the highlights of changes in the July treasurer's report. We received \$29.92 in interest bringing our Money Market account to a balance of \$176,140.37. There were no withdrawals. It was also noted that we are now down to \$90,835.99 of available grant funds. Jim also pointed out that the color coding in the left most column has some significance. Yellow means that it is data that must be entered. Green means that the number in this row is calculated by Excel. It was motioned by Jeff Lang and seconded by Dean Falkner that the treasurer's report be accepted. The motion carried unanimously.

Old Business

- a) Fox River Partnership Summit: Tom Slawski said there is nothing new to report. Tom also said that he is always looking for topics for the summit and things are just moving along.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that there was some progress this last week. He received a working agreement and a letter of permission from WE Energies to go onto their land until the end of the year. They will have to review the letter of permission among Waukesha County and the Village of Mukwonago. Alan also said that he received formal comment of the final design that he submitted to WE Energies. There were about 6 or 8 items that were not major and he will address them. The response to the comments will become part of the working agreement. Jim Pindel asked what are the chances of getting this project completed by the end of September when ENUM-19 runs out. Alan said he had no idea when it will be completed. After the meeting Jim Pindel gave a paper copy of a spreadsheet to Alan which showed that we must expend at least \$11,966.04 before the end of September to close out ENUM-19. Dean Falkner suggested that we use the person who sent us the letter of permission as our contact to keep things on track. Alan said that he approached WE Energies to be the sponsor of the project with us making direct payments to the contractors and they declined. So now it is up to Waukesha County and the Village of Mukwonago to work this out. It appeared that the Village would have to be the sponsor and the county will be the project manager. Our commission will pay the contractor Applied Ecological Systems directly.
- c) Wood Drive Erosion Control Project – Chad Sampson said that he did not have much to report at this time. He did contact both landowners and the contractor during this last month notifying them of the September 30 deadline to get the work done.
- d) Malchine Farm field Erosion Control – This project report was made in conjunction with the previous report in (c) above.
- e) Waterford Impoundment ESR Project Dredging Permit: - Don Baron spoke for the WWMD saying that they did get the dredging and wetland permits and now are working on the management (NR 135) and dewatering site permits. The WWMD held two informational meetings yesterday at the Waterford Town Hall, which were well attended. He said a major component of the meetings was to let the riparian owners know about and participate in a survey being conducted for the WWMD by UW-Whitewater. This survey will take the place of a straw vote that had been considered. It was felt that they could obtain more information about what the riparian owners want from the survey than from a straw vote. The results of the survey will help them decide whether to continue forward or not. Don said that majority of the people attending the meetings were in favor of dredging and of course there were also some opposed. Before the meeting Jim Pindel pointed out that we still need the “proof of payment numbers” for each invoice involved in the dredging permit application project that was recently

completed. Don said he would get this information to Jim Pindel.

- f) Schuetze Playground Storm Water Abatement: - Doug Koehler said that he had talked to the City Parks Department and they said they were trying to get the job completed by September 1st.
- g) Graefenauer Shoreline Restoration: Alan Barrows said that the project is complete and he is waiting for a corrected copy of the invoice from the contractor. He provided a Contracting and Planting Certification document to Jim Pindel and then said that once he has the corrected invoice and the proof of payment by Mr. Graefenauer that he paid his 10%, then we can send a check to the contractor to complete the project. We agreed that the tree cutting addition to this project would be treated as a completely separate project most likely under ENUM-20.
- h) Nature's Classroom groundwater protection - erosion control: Katelyn Bratz. Katelyn was not present. Barb Holtz said that she received an email from Katelyn that said that they have received the plants for the rain garden and were preparing to do the planting. She also said that the forestry mowing had been postponed because of the very dry conditions that might compromise the oak trees. Overall the project is still holding to its timeline.

New Business

- a) Modification of the "Applying for a Project" tab on our website: Jim Pindel stated that at our last meeting we decided to modify the "Cost Share Agreement" to say that we would vote on accepting a project at the next meeting after the presentation of the project is given. The idea here is to let everyone have a chance to think about the merits and possible consequences of a project before we vote on it. Barb Holtz asked if there was the possibility of voting on a project on the same day as the presentation for any reason. Jim Pindel said that at the previous meeting he said that if there were extenuating circumstances, such as it was time critical to start the project immediately possibly because of the time of the year, we could vote on the same day as the presentation. Barb Holtz also said that for the Town of Mukwonago, the information for a project has to be submitted two weeks before their board meeting so they can review the information in advance. After some discussion it was also decided to ask presenters to send an electronic version of their presentation to the Secretary which he will distribute to the commissioners so that they can think about the project before the presentation. This was another step toward our being more thoughtful and responsible with the grant funds we are entrusted with. Jim Pindel also said that he has slightly modified the Cost Share Agreement to add a space for the signers of the agreement to print their names. In the past we have found that we cannot identify a person from their signature. Barb Holtz asked if there

was somewhere that we could go to find all the documentation on a project. At this time all this information is kept in a paper project folder by Jim Pindel. The discussion then turned to the possibility of creating a repository on our website which would be a folder that only the commissioners could access with a special password. No discussion was made in this regard, but we should consider it again in the future. Jim Pindel mentioned that he has a large amount of documentation, some of which is on zip drives and audio cassettes and asked how long he has to hold onto them. Jim Ritchie said that he thought that grant documentation had to be kept for 20 years. This might be a good reason for developing a repository on our website.

- b) Mukwonago Park Shoreline Restoration – Alan Barrows, Steve Brunner: Alan Barrows said that the deadline for ordering the native plant sod mats has passed. He has not received a reduced request from their Parks Division so they would still be looking for the \$88,000 figure for the project. Jim Pindel pointed out that this dollar amount puts us in a rather tight situation. We only have about \$90,000 available in non-dedicated grant funds and this one project would take up almost all of it. Jim then asked all the commissioners present if they had any projects in mind that we need to consider for sharing in the \$90,000 we have left. No one had any projects in mind except Chad Sampson, who said that he had a couple projects in mind but didn't get all the facts and figures ready on time to present them to the commission today. With that being said Chad will have to send a synopsis of the projects or his presentation to Jim Pindel at least one week before our next meeting. At that meeting we can consider how to divvy up our remaining funds between Waukesha and Racine counties. Alan Barrows finished up by saying that the \$65,000 needed to purchase the native plant vegetative mats would be a good way to support the project and get it done before the June 30th deadline for ENUM-20.
- c) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Dean Falkner said that there is a location that would make sense as a starting area for a 9-key plan. It is an area where Mukwonago is taking data on the Fox River. Dean said that he has talked to Andrew Craig of the WDNR and Andrew said that they would prefer a couple of years of data to establish a baseline on an area before we go ahead and develop a 9-key plan for it. Dean said he is planning on doing the work to apply for 9-key plan development grant which needs to be applied for by the beginning of December. This is an EPA grant program. Dean said the cost for this plan development was estimated by Andrew Craig at about \$40,000. Dean said that the WWMD was interested in helping to support this development. Considering that the presently targeted area is not within the WWMD's area of jurisdiction, Dean thought that maybe the WWMD would consider paying in proportion to the length of river in the WWMD's area of jurisdiction to the length of the Fox River that will be covered by the 9-key plan. Dean said the plan right now is to submit the applications and if it turns out that we can do the work we are trying to get done without the 9-key plans then we haven't really spent any money, just time. Dean said that there are a lot of places

along the river that need remediation, so getting the 9-key plan would open the door for getting federal 319 funds to help pay for the projects. Dean said that the prioritized list of projects listed in the Graef survey we had done would all be included in the plan and the two highest priority projects would be his starting point. He pointed out that just finding and getting the cooperation of the landowners would be a job in itself. Dean said there is a federal grant program for NRCS that could provide funds to get these projects done. Both the 319 and NRCS grant programs provide for a 50% cost share and so others, possibly our commission, would have to come up with the other 50%. Dean said that at the end of the day the biggest obstacle will be getting the cooperation of the landowners. Dean also said that the NRCS would be willing to look at our projects on their own merit without our having a 9-key plan in place. Don Baron of the WWMD said that Shelley Tessmer comes to their meetings and make verbal reports which are not necessarily understood by everyone on the board. Don asked if they could get some written documentation on what is happening and what is needed. Jim Pindel pointed out that he received an email from Dean which did a pretty good job of summing things up and suggested that Dean forward it to Don Baron or modify it as necessary and send it to the WWMD. Dean said that Oconomowoc is doing much of this same work without a 9-key plan; they are doing it through an adaptive management plan which is not as difficult to develop. Jeff Lang made a motion to authorize Dean to seek out alternate funding sources and continue to apply for 9-key plan applications the motion was seconded by Alan Barrows and the motion passed unanimously.

At this point Jim Pindel asked to go off agenda and brought up the fact that we had solicited a proposal from the SEWRPC for a survey of the new territory we annexed to our area of jurisdiction. Jim said the proposed cost was \$27,000 and we put this amount in our 2016-2017 budget. Jim asked Tom Slawski if it was too late to undertake this survey this year and Tom said it was too late it would have to be put off until next summer. Jim Pindel asked Tom Slawski to prepare a presentation for the commission although we might not be able to afford it until we get additional funding in the next state budget. Tom said there are other options for paying for the survey, there are stream planning grants, or river protection planning grants, which could be used. Also Tom said we might be able to phase the project work to pay for it in parts not just the \$27,000 total. Tom was authorized to look into these other grant options to see how we could get this done in the most timely and cost effective manner. Tom pointed out that Rebecca Ewald and the National Water Trail group was interested in the results of our survey especially if it included data on the existing and potential kayak and canoe launch sites. Tom said that they were not waiting for us to do our survey and were doing this investigation on their own.

- d) Gauges: Why do we want more? What kind of gauges? When do we want them? Who will pay for the hardware, installation and maintenance? Tom Slawski said that he didn't have any additional information. He said that the sticking point would be that we don't have a way to pay for the maintenance of the gauges.

- Tom said the probable only way to get it done would be to get the municipalities to pay for the maintenance. Tom said he would continue to investigate what could be done to add gauging on the river especially to help measure the effects of the impending Waukesha diversion. Dean Faulkner pointed out that getting the data present being gathered by Waukesha, Mukwonago and Burlington might give us a baseline of where we are right now. Dean pointed out that this monitoring has already given us an idea of how much pollution is going on. Francis Stadler asked if there was a place where we could measure the river flow and water quality before and after the Waukesha diversion. Tom Slawski said he would look into it and see if he could identify a best location for measuring the effects of the impending diversion. Jeff Lang pointed out that we might be able to get some assistance if we reached out to the emergency preparedness divisions of each county because they have an interest in measuring the water flow and volume to plan for emergencies. Emergency preparedness groups were identified for Racine and Kenosha counties and for the Town of Burlington.
- e) What is happening with the SEWFRC signs? Al Sikora said that artwork is finished and at the printer. Since he didn't get a response to how big and where to locate the holes in the signs, he made his own decision of ¼ inch holes and chose the locations. Al expects the signs to be ready in a week or 10 days, certainly before our next meeting.
- f) Resolution in opposition to the proposed Waterford Impoundment drawdown: Jim Pindel said that drawdown was postponed and there will definitely be no drawdown this coming winter. He also said that the Village and Town of Waterford had also made resolutions opposing the drawdown. Jim Pindel also pointed out that the proponents of the drawdown said they were applying for a permit that would last for 5 years only allowing for one drawdown and that this was in direct conflict with what Michelle Scott said at our last meeting that you do not apply for a permit for a drawdown but fill out a temporary drawdown request form.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Tom Slawski pointed out that the FWA approached us asking for a letter of support for their application for 319 federal funding for their Champion of the Chain initiative. Tom said they were very appreciative of our quick response with the letter. Tom said he will try to get Joe Miller of the FWA to come up to one of our meetings and explain more about this initiative and the other work they are doing.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that as stated at the last meeting the diversion was approved by the Great Lake Coalition and now the City of Waukesha will have to start down the track of designing the things necessary to accomplish the diversion and apply for the different permits required which will

take at least two years. Jim Pindel asked about what would have to be changed with regard to the state administrative code. And Jim Ritchie said they will have to try to get the administrative code changed.

- c) Progress toward designation as a “National Water Trail” – Village of Waterford. Tom Slawski a member of the National Water Trail team said that they have another meeting scheduled for next Monday. The main work that they are accomplishing right now is gathering data on all the existing launches including what facilities are available, parking and ease of getting to the water. Also they are identifying other potential locations for launches to fill in the gaps. They have also contacted all of the counties asking for what data they have on existing launches. Dan Treloar said that Kenosha County has opened up its own Fox River Water Trail. The county has mapped out the trail provided signage and improved some of the launches. This work should work right in with the National Water Trail initiative being worked on by the Village of Waterford.
- d) SEWFRC Website – Al Sikora said that the website is fine and up to date at this point.

Correspondence –

- a. 07/10/16 Resolution opposing the Waterford Impoundment drawdown sent to the Village of Waterford, Town of Waterford, Racine County and the WWMD
- b. 07/10/16 Mark your calendars notice for today’s meeting
- c. 07/13/16 Email from Dean Falkner regarding effects of flushing phosphorus downstream if the Waterford impoundment is drawn down.
- d. 7/23/16 Village of Waterford Notice of Public Hearing concerning Waterford Impoundment drawdown on 8/2/16
- e. 08/01/16 Email from the FWA requesting a letter of support for their 319 grant fund application
- f. 08/02/16 Email with LoS attached sent to FWA for champion of the chain initiative.
- g. 08/12/16 Email from Dean Falkner with the attached letter of permission to enter WE Energies property where we want to do our erosion control project.

Miscellaneous Issues –

Al Sikora said that Dean Falkner has volunteered to take over the chairman position for the commission. Al said that he felt Dean was very qualified and so asked for a motion for electing Dean as the chairman. Alan Barrows motioned to elect Dean Falkner as the commission chairman and the motion was seconded by Jeff Lang. The motion carried unanimously. We all congratulated Dean on his appointment and thanked Al for his years of service.

Dan Treloar advised the commission that the Town of Salem and the Village of Silver Lake have decided to merge. The new municipality will be called the Village of Salem Lakes. The merger will go into effect on 2/14/17.

Jim Pindel asked Luke Roffler to introduce himself and explain to the group what he does. Luke said he is the fisheries man for the WDNR for Kenosha, Racine and Walworth counties. Luke said he has been in this position for the last 2 years and wanted to attend one of our meetings to see what we do. Luke said they do a fair amount of work on the Fox River including fish stocking, mostly walleye and northern pike. His group does regular surveys of fish on the main stem of the Fox River and tributaries and connected waterways such as Tichigan Lake. Next week they will be doing another round of catfish netting in the lower Fox River near the Illinois border. Luke said he is dedicated to making the Fox waterway a great fishing destination.

Don Baron asked if there was a stormwater runoff program by the state and how was it monitored. Jim Ritchie said that there are 3 different kinds of permits that address stormwater runoff; one for large municipalities, one for construction sites and one for industry. Each of these permits has a monitoring component. Don asked if it was possible to go to the WDNR website and check on the monitoring of runoff at the different locations. Jim Ritchie said that the permits could be reviewed but real time monitoring would not be found there. Don said that all the silt that comes down the river accumulates in the Waterford impoundment and so he would be looking to identify the sources of the silt and thinks it would be the responsibility of our commission to correct these sources of silt. Alan Barrow said that for construction site permit there is a term called presumed compliance. So if you follow technical standards, the word of the permit and have professional staff you are presumed to be in compliance.

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

Meeting Closed at 2:18 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,
September 16, 2016 at 1:00 PM.** (Meeting Location: Town of
Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend,
WI 53103.)

Commission members present:

Dean Falkner (Village of Mukwonago) (Chairman)
Katelyn Bratz standing in for Barb Holtz (Town of Mukwonago)
Al Sikora (Village of Waterford)
Alan Barrows (Waukesha County)
Chad Sampson (Racine County)
Dan Treloar (Kenosha County)
Wayne Jensen (Village of Rochester)
Doug Koehler (City of Waukesha)
Francis Stadler (Village of Big Bend)
Jeff Lang (Town of Burlington)
Jessie Medrow standing in for Jim Bergles (City of Burlington)
Tom Slawski (SEWRPC)
Jim Ritchie (Wisconsin DNR)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Robert Bartholomew (Town of Vernon)
Ken Miller (Town of Waukesha)
Andrew Lois (Town of Wheatland)
Michelle Scott (Wisconsin DNR)

Also present: Don Baron and Dick Kosut of the WWMD, Rebecca Ewald of the Village of Waterford, Bradley Steckart of Waukesha County and Michael Schwar of Stoney Point Hydrology.

At 1:02 PM, Chairman Dean Falkner called the SEWFRC meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed. Jim Pindel passed around a copy of the new contact listing for the commission asking everyone to review it and make the necessary additions or corrections.

Minutes The minutes from the August 12, 2016 meeting were reviewed. It was motioned by Doug Koehler that the minutes be approved and the motion was seconded by Alan Barrows. The minutes were approved unanimously.

Treasurer Reports – Jim Pindel only reviewed the highlights of changes in the August treasurer's report. We started the month with \$176,1430.37. We made a payment of \$36.69 for the name place holders and received \$29.92 in interest bringing our Money Market account to a balance of \$176,133.59. It was also noted that we are now down to \$90,835.99 of available grant funds. It was motioned by Alan Barrows and seconded by Doug Koehler that the treasurer's report be accepted. The motion carried unanimously.

At this point Jim Pindel passed out a spreadsheet to help explain our situation regarding grant funds. We have \$90,835.99 in undedicated grant funds, \$5000 in undedicated Racine County 2016 allocation and \$26,458.87 in non-grant funds. This gives us a total of \$122,294.86 that we can use for projects. However Jim Pindel pointed out that our operating costs yearly of about \$1000 are considerably greater than the about

\$400 we make in interest income. So we decided to keep the non-grant funds out of the project budget. Without the non-grant funds we have a total of \$90,835.99 available for projects. If we cover the additions and cost overruns of the project that are presently active we are down to \$72,590.27. If we cover all the projects that are on our radar we would be \$103,841.46 in debt. Since we cannot do this we will need to portion out the remaining funds over the projects we accept for grant funds.

Old Business

- a) Fox River Partnership Summit: Tom Slawski said there is nothing new to report.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that there has been a lot of activity and correspondence since our last meeting. Since the last meeting we formalized a final plan. WE Energies accepted the final plan in writing. Alan has applied for the required permits and is now waiting for WE Energies to electronically sign the permit. The contact person at the WDNR has said that she is familiar with the project and will expedite it through the system. WE Energies wanted a letter of permission to go onto their property to do the actual construction. Alan said he got it extended to last till the end of the year. The Village of Mukwonago's lawyer had some concerns with the language in the permission and this has caused a delay with correspondence back and forth. The Village has not signed the permission letter and so the project is hung up, because the Village is the one who will hire the contractor. Alan said that the ball is not in his court right now and the contractor is ready to go. Dean Falkner said that he has been in contact with the contractor who has insurance that he can use to protect the Village and hopefully this will get things moving.
- c) Wood Drive Erosion Control Project – Chad Sampson said that this project is ready to go. Based on the potential loss of CRP funding, detailed in the Malchine project below, Chad requested that we increase the SEWFRC commitment to this project from the present \$6000 by \$11,000 to a total of \$17,000. Chad motioned that we increase our share of the cost of this project by \$11,000 with \$2000 of this amount coming from the Racine County 2016 allocation to our commission. The motion was seconded by Jim Pindel. The motion carried unanimously. . Chad did say that if he gets the CRP funds he would not require the added \$11,000 from the commission.
- d) Malchine Farm field Erosion Control – Chad said that about August 24 he called Kevin Malchine and told him the contractor was ready to start the next Monday. Kevin said he didn't want the contractor to destroy the corn crop in this area. Chad said that he suggested to Kevin that someone might want to corn for silage right now so the crop could be harvested. Kevin tried some other farmers and it did not work out. Kevin finally said he wants us to hold off until the corn is harvested. At that time Chad emailed Jim Ritchie and Jim Pindel asking if we could possibly get another 3 month extension on ENUM-19. Chad never received any feedback. Jim Ritchie said that we could get another, absolutely final,

extension on ENUM-19. Chad asked Kevin when he would like to see the project completed and Kevin said the second or third week in October. Kevin asked Chad to give him a couple days' notice so that he could get the corn off. Chad said there is another problem. The Conservation Reserve Program (CRP) funded through the Department of Agriculture has placed a cap on all its funding and so the portion of this project and the Wood Drive project above may have disappeared. Chad said he keeps getting call from the CRP asking if the project is completed and he doesn't know how to respond to them. Chad did tell them that the projects will be completed but are not finished right now. The CRP told Chad the funds will not be available after September 30th. In light of the possible loss of CRP funding Chad said that the total cost of the Malchine project is \$40,174.50 and presently we have funded \$15,000 of that amount. Chad said he has to request our increasing our contribution from \$15,000 to \$30,000. Chad motioned that we increase SEWFRC's by another \$15,000 with \$3000 of that amount coming from Racine County's 2016 allocation to the commission. The motion was seconded by Jim Pindel and the motion carried unanimously. Chad did say that if he gets the CRP funds he would not require the added \$15,000 from the commission. At this point Jim Ritchie said that he will send a copy of the extension of ENUM-19 to Jim Pindel next week.

- e) Waterford Impoundment ESR Project Dredging Permit: - Don Baron spoke for the WWMD saying that the project has been completely finished and thanked the commission for its support. He said that Jim Pindel gave him the check for the final payment of \$80,880 just before the meeting started. The dredging permit and the Wetlands permit are complete and in hand. The water carriage permit is close to being completed and he expects it to be resolved by the end of next week. The permit at the disposal site is still being worked on and may take a while to get done. The WWMD used the services of the University of Wisconsin – Whitewater to run a survey of the districts riparian owners to get a sense of the support or opposition to the dredging project. There will be a meeting on September 22 to discuss the results of the survey. This meeting will be held at the Town of Waterford Hall. The WWMD's annual meeting will be held on Saturday September 24 at the Waterford High School, with registration starting at 9:30 AM. Don also said that there will be a meeting among the different WWMD subcommittees to work out their priorities. The WWMD asked for help from the SEWRPC who will provide the services of Tom Slawski to run this meeting. Jeff Lang pointed out that there is a DOT meeting for all the counties of the state on that same evening and cautioned that it could interfere with the attendance. Don didn't think that this would be a problem. Chad Sampson asked how many questions were included in the survey by UW Whitewater. Don said the survey was handled by Dave Spurlock of the WWMD and that the survey was short, about 9 questions. Don also said that of the approximately 1000 surveys only about 300 responded. The results of the survey will be announced at the WWMD's annual meeting.

- f) ESR Project disposal sites environmental impact: WWMD. Don Barons addressed this topic in the last point above saying it was being worked on and would take some time to complete.
- g) Schuetze Playground Storm Water Abatement: - Doug Koehler said that he hadn't heard anything about it. He did say that he made David Burch aware of the fact that the project had to be completed by the end of September.
- h) Graefenauer Shoreline Restoration: Alan Barrows said that the project is complete and he walked the site yesterday with the owner. There is still the work to be done on phase 3 which is the removal of some trees. The seeded vegetation is coming up nicely and a pleasant surprise is that some native vegetation like milkweed and some sages are coming up as well. Alan said that Tom Graefenauer had paid his portion of the cost of the project to the contractor. Jim Pindel added that he received a copy of the invoice for Tom Graefenauer's portion of the project marked paid in full and so sent the remainder of the cost of the project (our contribution) to the contractor EC3 in the amount of \$20,191.51.
- i) Nature's Classroom groundwater protection - erosion control: Katelyn Bratz. Katelyn said that they put off the cutting of the brush because of the drought conditions. They were concerned that they might damage the oaks. Katelyn said that they will get the contractor out in the next month now that the weather has turned cooler. The excavating is almost completed. There are a couple areas they decided not to wait, so they bought about \$1000 of plugs out of Natures Classroom funds, so they can start with plants rather than seeds. They are doing another prairie restoration program on their property using funds from the CRP program. Because they are buying the seed for this project and our project from the same supplier, they are receiving a quantity discount, which will save us some money on the cost of seed on our project. Katelyn said she will have the final costs for us at the next meeting. All the rain gardens are in and depending on the date of our next meeting, possibly all the seeding will be done by then.

New Business

- a) Modification of the "Applying for a Project" tab on our website: Jim Pindel stated that he reviewed the "Applying for a Project" tab yesterday and it was exactly as we want it to be. Al Sikora added that he posted the most current version of the Cost Share Agreement that you can link to from this tab.
- b) Mukwonago Park Shoreline Restoration – Alan Barrows said that he tried to get hold of Steve Brunner a couple times this last week but was unsuccessful. So Alan said the project will probably have to be put off this next year. Jim Pindel asked if it could be put off until after July 1st of next year so that we could use funds from hopefully our next ENUM. Alan said that one of the most important elements of this project was the beach itself and he thought that the beach needed to be fixed up before the beach season starts. Dean Falkner asked if the material

cost was the major cost of the project. Alan said that the native plant sod was the major expense and it saves on plant establishment and maintenance costs. With maintenance staff being reduced spending a little more on material costs to save on staff requirements makes sense.

- c) Village of Waterford East Shore river bank Restoration: - Rebecca Ewald. Rebecca made a PowerPoint presentation which included photos of the existing shoreline, which is east of the Village Hall on the east side of the river. The project consists of 100' of natural stone shoreline restoration and 200' of erosion retaining wall as well as two new public access sites. Rebecca showed the location of the site on an aerial map and photos of an existing dilapidated guard rail and an area where the shoreline is protected by concrete slabs stacked up 8' high. The timing of the project is to do the design work this fall, bid the project out in January 2017 with construction starting in spring of 2017 with completion sometime in summer. The total cost of the project of \$126,122 was broken down into \$16,122 for survey/design/permitting, \$10,000 for stone stabilization and \$100,000 for the erosion retaining wall. Rebecca finished up by showing some slides that depict the Village of Waterford as a "Leader in For River Stewardship." The slides showed the rain garden at Library Park, Whitford Park, the Village Hall Streambank Stabilization project the SEWFRC help finance back in 2008 and one of the new Canoe/Kayak Launches along the Fox River Water Trail. Tom Slawski asked if the design would consider installing some current deflectors to help reduce the strong flow running up against this shoreline. Rebecca said they would consider it and that in fact there is a large rock that somebody moved into place some time ago, which acts as a deflector protecting this shoreline. They are considering adding to this rock making it appear more natural. Jim Pindel informed Rebecca that we have changed out operating procedures and now wait until the next meeting to review the project acceptance criteria and vote on accepting a project. Jim also said that since we cannot possible fund the whole \$126,000 could Rebecca come back with some smaller portion of the project that possible we could afford. Rebecca said she will have more exact costs by our next meeting. So this project will remain on the agenda for next month.
- d) Aquatic Invasive Species detection, prevention and outreach for Waukesha County: Brad Steckart. Alan Barrows introduced Brad Steckart the newly appointed Invasive Species detection/prevention coordinator for Waukesha and Washington Counties. Brad explained the grant he is funded under. Brad is a resource that is 50% shared with each Waukesha and Washington counties. Brad said that in Waukesha County there are 88 lakes of which 14 are located within our area of jurisdiction. Some of these lakes like Rainbow Springs Lake, Lulu Lake, Phantom Lake and others eventually flow into the lower Fox River. Some of Brad's work besides locating and treating invasive species includes educating the public, putting up signage and running the clean boats/clean waters program. Brad passed out a handout in which he addressed each item in our Project Acceptance Criteria showing that he meets each and every one of them. Brad's

work is supported by annual grants or donations from a number of stakeholders. What Brad is looking for from us is a \$3000 grant that would be paid out at \$1000 per year for 3 years. Due to the fact that the other grants Brad receives are state grants we cannot support him with grant funds. So we will have to decide whether to fund his worthy cause from our non-grant funds. This decision will have to be made at our next meeting. Brad's handout also included some PowerPoint slides showing lake association training and involvement and detailed data on where he has accomplished Clean Boats/Clean Waters activities involving 2164 people and 800 boats throughout Waukesha County launches. Brad's handout concluded with a spreadsheet showing the planned budget for the next 3 years. With only one intern his 3 year cost would be \$156,000, with two interns his cost would be \$186,000 and in either case the Lakes Funding he expects is only \$150,000. Alan Barrows explained that one of the main things they intend to do in this next 3 year period is to develop a strategic plan of action for addressing different invasive species when they are discovered. Francis Stadler asked who will do the work of eliminating these invasive species when they are discovered and the answer is Brad will do the work himself or involve contractors or volunteers if need be. Dean Falkner made the comment that maybe we need to set a lower limit on our non-grant funds to make sure we have sufficient operating money. Alan Barrows pointed out that the entire Aquatic Invasive Species (AIS) Program for the State of Wisconsin is being reviewed and will probably be funded in a new way. The present scenario of searching out annual grants from different organizations is clumsy and difficult. Tom Slawski pointed out that prevention is the best means of controlling AIS and what Brad is doing is on the forefront the prevention efforts.

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- f) Ranke Barnyard runoff control Project: - Chad Sampson. This project is adjacent to and directly related to the previous project on the Haynes property. There is a lot of manure and animal waste coming off the barnyard running down the road ditch and eventually running into the pond on the Haynes property. Chad said that he visited the farm and talked to the lady who is in charge of the barnyard,

who said she cleans the barnyard daily. Chad said that there was just a little manure in the barnyard and it was much cleaner than many others he has seen. But eventually some of this waste makes its way down the road ditch to the neighbor's pond. What Chad is proposing is installing a 3' catch basin on the Ranke property before the runoff gets to the road ditch. Then run an 18" tile about 200' to an existing pasture where the water can run off and water the pasture vegetation. Beyond the pasture is a 40 acre farm field which will catch any of the water that flows through the pasture, fertilizing it. Chad said he does not have a firm bid on this work but would estimate it will cost in the \$11,000 range. Chad said he was thinking of requesting 90% cost share from the commission but is willing to wait and see how funds fall out on the other projects we are currently considering, like the Village of Waterford East Shore Stabilization. Chad said that the owner of the Haynes Pond had the water tested last year and its E.coli level was 20 time higher than the level that the WDNR allows for swimming beaches. She bought the pond so she and her grandchildren could go swimming and fishing in the pond and now that is not possible. Dean Falkner asked if there were any other funding options available for controlling barnyard runoff. Chad said that he thought to come to us first but now will have to look to other county funding possibilities. Jim Pindel asked if the pollution in the pond was affecting the ground water. Chad said the pond is an abandoned quarry built back in the 1920's or 1930's. The water level in the pond fluctuates quite a bit with the ground water level. However the water well on the property is fine and he has not received and complaints from neighbors.

- g) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Dean Falkner said that he already has an Adaptive Management Plan in place. He will be looking for controlling sources of pollution and erosion and will be applying for an EPA grant to federally fund some of this work. Dean said that controlling erosion is the biggest thing in regard to bringing the river into compliance.
- h) Gauges: Why do we want more? What kind of gauges? When do we want them? Who will pay for the hardware, installation and maintenance? Tom Slawski said that he didn't have anything to report at this time.
- i) What is happening with the SEWFRC signs? Al Sikora showed the commission one of the large and one of the small versions of the signs. He said all the rest of the signs were in his car and wanted to know who would be the keeper of the signs. Alan Barrows volunteered to keep the signs and Al would pass them over to Alan after the meeting. Al Sikora presented Jim Pindel with a copy of the invoice for the signs in the amount of \$806.12. Jim had given Al Sikora a check to cover this cost before Al picked up the signs. So it is already paid for. Rebecca Ewald asked if she could get one of the smaller signs to put up on one of her projects. One of the small signs was given to her. Then Alan Barrows said that he had other projects that signs would be appropriate for.

- j) Consideration of expanding our jurisdiction west to include Eagle Spring Lake: Jim Pindel recounted for the commission that Tom Day of the Eagle Spring Lake Association came to one of our meetings and explained the water sampling program they had instituted some years ago. Now they wanted to expand the number of sampling sites, but for the most part the new sampling locations fell outside of our area of jurisdiction. By watching our website or whatever means Tom Day became aware of the fact that with the changes made to the state statutes we now have the ability to expand our area of jurisdiction by a majority vote of the voting commissioners. Being aware of this desire and the fact that we had not even had a meeting which included the new member commissioner, we made the decision that we would not expand in any new direction until the new commissioners were involved to see if they had any pressing issues (projects) and give them a fair chance to be involved in any decision to include other entities that might be looking to share in our grant funds. Jim Pindel then said that considering the fact that we do not have enough funds to address all the projects that are looking for funding from us in our older existing territory and some new projects must start coming up from the new expanded territory to the south, it doesn't seem practical to expand anywhere else. Dean Falkner then said that the Graef survey we had done a couple years ago outlines at least 30 erosion control projects that need funding and if we have SEWRPC do a comparable survey on the new territory to the south we could have an even greater number of worthy projects. Dean also pointed out that erosion is the greatest contributor to high phosphorus levels in the river making it non-compliant in many locations. Alan Barrows said that Tom Day would want us to annex the Town or Village of Eagle so that our area of jurisdiction covers the areas where he presently and possibly will in the future have his water quality monitoring stations. Alan said that probably the next step would be to get MoU's from the Town and Village of Eagle requesting membership in the commission. The question then becomes who initiates getting these MoU's. For our expansion to the Illinois border, Tom Slawski and Jim Pindel made presentations to the different municipalities, introducing ourselves and encouraging their participation. So the question really comes down to do we want to do this. Alan Barrows said that he will explain this process to Tom Day and the Village and Town of Eagle, so they understand the process. Jim Pindel warned that if they provide their MoU's and come to us with a lot of enthusiasm they might be discouraged by the fact that we don't have any grant funds available at this time. Al Sikora said that he felt from an organizational perspective this is not the time for expansion. Dean Falkner said that Alan should present them with all the facts that we are not in a position to do them much good right now. Dean Falkner said he would also try to get this message to these people. Tom Slawski said that the Eagle Spring Lake group is an active conservation group keeping the Mukwonago River clean, participating in Clean Boats/Clean Rivers program and would make a good partner for our commission. Tom felt that it is more than money and we should consider including them in our commission sometime in the future. Tom Slawski pointed out that the state statutes did not give us any rules to go by only the ability to expand, it doesn't even say that the expansion(s) must be contiguous. In fact Tom

questioned whether we could annex a lake management district and not even the municipalities that encompass it.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Tom Slawski had nothing to report.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that design work has begun and they have started planning out what permitting will be required for the structures along the way. This process will take months.
- c) Progress toward designation as a “National Water Trail” – Village of Waterford. Rebecca Ewald said that things are going along great. Their Water Trail group has finalized the criteria for the water trail access sites along the river. They have also made a determination on how they will classify segments along the trail. In Wisconsin we are a little bit ahead of the curve probably just because Rebecca and Barbara Messick have been spending most of their leisure time paddling along different segments of the river gathering data. After paddling through Brookfield and down to the Barstow dam they decided that it might be better to wait for springtime to continue on. One of the problems they encountered was the algae bloom. Rebecca said that they are looking for help from anyone who will paddle between launches and report on the condition of the river and especially what are the conditions of the access points. She said if anyone wanted to or knew of anyone who wanted to participate they should let her know.
- d) SEWFRC Website – Al Sikora said that the website is fine and up to date at this point.

Correspondence –

- a) 08/15/16 Mark your calendars notice for today’s meeting
- b) 08/26/16 Email with link to article regarding Waukesha diversion from Barb Holtz
- c) 09/05/16 Forward of email from Alan Barrows with new plan for WE Energies site.
- d) 09/05/16 Forward of email from Don Baron of the WWMD concerning the Town of Waterford efforts to get state funding for the Waterford impoundment dredging and the comments by the City of Burlington regarding the effects of the Waukesha diversion.
- e) 09/07/16 Email from Dean Falkner with attached permission to go onto WE Energies property.
- f) 09/07/16 Email from SEWFRC to Senator Lazich congratulating her on her retirement and asking for identification and support from our next Champion.
- g) 09/09/16 Email with attached presentation from Rebecca Ewald for the East Shoreline Restoration project in the Village of Waterford

- e) 09/09/16 Forward of an email announcing that Outdoor Wisconsin will do a program featuring the Fox River Water Trail.
- f) 09/15/16 Email from Dean Falkner regarding expansion to the West to include Eagle Spring Lake group.

Miscellaneous Issues –

Jim Pindel said that he received an email note from Commissioner Michelle Scott stating “We had a baby girl on 8/17/16. Her name is Aubrey Cora Scott. She was born at 7 lbs. 10 oz. and 20” long. She said that we are all doing well. Congratulations to her and her family, she is the first sitting commissioner to have a baby.

Jim Pindel said he reviewed the Letters of Appointment for the sitting commissioners. Bob Bartholomew, Lee Manthey, Jim Pindel, Dean Falkner, Dave Brown, Al Sikora and Wayne Jensen have Letters of Appointment on file. Chad Sampson’s letter says it expires on 4/17/17, which should be revised to say forever or until a new commissioner is appointed. Ton Slawski’s letter says his term ends 6/15/16 which needs updating. Dan Treloar, Clement Abongwa, Alan Barrows, Doug Koehler, Barb Holtz, Katelyn Bratz, Ken Miller, Francis Stadler, John Soneberg, Jeff Lang, Jim Bergles and Andrew Lois do not have letters of appointment on file. Jeff Lang said he was told his letter was sent to Jim Pindel on several occasions, so Jim Pindel told Jeff to bring a copy to the next meeting.

Jim Pindel then asked if any of the new commissioners didn’t have a copy of our Implementation Plan and copies were given to Wayne Jensen and Dan Treloar.

When choosing the next meeting date, Alan Barrows said he could not make 10/14/16 but would get an alternate to attend.

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

Meeting Closed at 3:18 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, October 14, 2016 at 1:00 PM. (Meeting Location: Town of Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI 53103.)

Commission members present:

Dean Falkner (Village of Mukwonago) (Chairman)
Katelyn Bratz standing in for Barb Holtz (Town of Mukwonago)
Al Sikora (Village of Waterford)
Alan Barrows (Waukesha County)
Chad Sampson (Racine County)
Dan Treloar (Kenosha County)
Wayne Jensen (Village of Rochester)
Doug Koehler (City of Waukesha)
Francis Stadler (Village of Big Bend)
Jeff Lang (Town of Burlington)
Jessie Medrow standing in for Jim Bergles (City of Burlington)
Tom Slawski (SEWRPC)
Jim Ritchie (Wisconsin DNR)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Robert Bartholomew (Town of Vernon)
Ken Miller (Town of Waukesha)
Andrew Lois (Town of Wheatland)
Michelle Scott (Wisconsin DNR)

Also present: Don Baron and Dick Kosut of the WWMD, Rebecca Ewald of the Village of Waterford, Bradley Steckart of Waukesha County and Michael Schwar of Stoney Point Hydrology.

At 1:02 PM, Chairman Dean Falkner called the SEWFRC meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed. Jim Pindel passed around a copy of the new contact listing for the commission asking everyone to review it and make the necessary additions or corrections.

Minutes The minutes from the August 12, 2016 meeting were reviewed. It was motioned by Doug Koehler that the minutes be approved and the motion was seconded by Alan Barrows. The minutes were approved unanimously.

Treasurer Reports – Jim Pindel only reviewed the highlights of changes in the August treasurer's report. We started the month with \$176,1430.37. We made a payment of \$36.69 for the name place holders and received \$29.92 in interest bringing our Money Market account to a balance of \$176,133.59. It was also noted that we are now down to \$90,835.99 of available grant funds. It was motioned by Alan Barrows and seconded by Doug Koehler that the treasurer's report be accepted. The motion carried unanimously.

At this point Jim Pindel passed out a spreadsheet to help explain our situation regarding grant funds. We have \$90,835.99 in undedicated grant funds, \$5000 in undedicated Racine County 2016 allocation and \$26,458.87 in non-grant funds. This gives us a total of \$122,294.86 that we can use for projects. However Jim Pindel pointed out that our operating costs yearly of about \$1000 are considerably greater than the about

\$400 we make in interest income. So we decided to keep the non-grant funds out of the project budget. Without the non-grant funds we have a total of \$90,835.99 available for projects. If we cover the additions and cost overruns of the project that are presently active we are down to \$72,590.27. If we cover all the projects that are on our radar we would be \$103,841.46 in debt. Since we cannot do this we will need to portion out the remaining funds over the projects we accept for grant funds.

Old Business

- a) Fox River Partnership Summit: Tom Slawski said there is nothing new to report.
- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows said that there has been a lot of activity and correspondence since our last meeting. Since the last meeting we formalized a final plan. WE Energies accepted the final plan in writing. Alan has applied for the required permits and is now waiting for WE Energies to electronically sign the permit. The contact person at the WDNR has said that she is familiar with the project and will expedite it through the system. WE Energies wanted a letter of permission to go onto their property to do the actual construction. Alan said he got it extended to last till the end of the year. The Village of Mukwonago's lawyer had some concerns with the language in the permission and this has caused a delay with correspondence back and forth. The Village has not signed the permission letter and so the project is hung up, because the Village is the one who will hire the contractor. Alan said that the ball is not in his court right now and the contractor is ready to go. Dean Falkner said that he has been in contact with the contractor who has insurance that he can use to protect the Village and hopefully this will get things moving.
- c) Wood Drive Erosion Control Project – Chad Sampson said that this project is ready to go. Based on the potential loss of CRP funding, detailed in the Malchine project below, Chad requested that we increase the SEWFRC commitment to this project from the present \$6000 by \$11,000 to a total of \$17,000. Chad motioned that we increase our share of the cost of this project by \$11,000 with \$2000 of this amount coming from the Racine County 2016 allocation to our commission. The motion was seconded by Jim Pindel. The motion carried unanimously. . Chad did say that if he gets the CRP funds he would not require the added \$11,000 from the commission.
- d) Malchine Farm field Erosion Control – Chad said that about August 24 he called Kevin Malchine and told him the contractor was ready to start the next Monday. Kevin said he didn't want the contractor to destroy the corn crop in this area. Chad said that he suggested to Kevin that someone might want to corn for silage right now so the crop could be harvested. Kevin tried some other farmers and it did not work out. Kevin finally said he wants us to hold off until the corn is harvested. At that time Chad emailed Jim Ritchie and Jim Pindel asking if we could possibly get another 3 month extension on ENUM-19. Chad never received any feedback. Jim Ritchie said that we could get another, absolutely final,

extension on ENUM-19. Chad asked Kevin when he would like to see the project completed and Kevin said the second or third week in October. Kevin asked Chad to give him a couple days' notice so that he could get the corn off. Chad said there is another problem. The Conservation Reserve Program (CRP) funded through the Department of Agriculture has placed a cap on all its funding and so the portion of this project and the Wood Drive project above may have disappeared. Chad said he keeps getting call from the CRP asking if the project is completed and he doesn't know how to respond to them. Chad did tell them that the projects will be completed but are not finished right now. The CRP told Chad the funds will not be available after September 30th. In light of the possible loss of CRP funding Chad said that the total cost of the Malchine project is \$40,174.50 and presently we have funded \$15,000 of that amount. Chad said he has to request our increasing our contribution from \$15,000 to \$30,000. Chad motioned that we increase SEWFRC's by another \$15,000 with \$3000 of that amount coming from Racine County's 2016 allocation to the commission. The motion was seconded by Jim Pindel and the motion carried unanimously. Chad did say that if he gets the CRP funds he would not require the added \$15,000 from the commission. At this point Jim Ritchie said that he will send a copy of the extension of ENUM-19 to Jim Pindel next week.

- e) Waterford Impoundment ESR Project Dredging Permit: - Don Baron spoke for the WWMD saying that the project has been completely finished and thanked the commission for its support. He said that Jim Pindel gave him the check for the final payment of \$80,880 just before the meeting started. The dredging permit and the Wetlands permit are complete and in hand. The water carriage permit is close to being completed and he expects it to be resolved by the end of next week. The permit at the disposal site is still being worked on and may take a while to get done. The WWMD used the services of the University of Wisconsin – Whitewater to run a survey of the districts riparian owners to get a sense of the support or opposition to the dredging project. There will be a meeting on September 22 to discuss the results of the survey. This meeting will be held at the Town of Waterford Hall. The WWMD's annual meeting will be held on Saturday September 24 at the Waterford High School, with registration starting at 9:30 AM. Don also said that there will be a meeting among the different WWMD subcommittees to work out their priorities. The WWMD asked for help from the SEWRPC who will provide the services of Tom Slawski to run this meeting. Jeff Lang pointed out that there is a DOT meeting for all the counties of the state on that same evening and cautioned that it could interfere with the attendance. Don didn't think that this would be a problem. Chad Sampson asked how many questions were included in the survey by UW Whitewater. Don said the survey was handled by Dave Spurlock of the WWMD and that the survey was short, about 9 questions. Don also said that of the approximately 1000 surveys only about 300 responded. The results of the survey will be announced at the WWMD's annual meeting.

- f) ESR Project disposal sites environmental impact: WWMD. Don Barons addressed this topic in the last point above saying it was being worked on and would take some time to complete.
- g) Schuetze Playground Storm Water Abatement: - Doug Koehler said that he hadn't heard anything about it. He did say that he made David Burch aware of the fact that the project had to be completed by the end of September.
- h) Graefenauer Shoreline Restoration: Alan Barrows said that the project is complete and he walked the site yesterday with the owner. There is still the work to be done on phase 3 which is the removal of some trees. The seeded vegetation is coming up nicely and a pleasant surprise is that some native vegetation like milkweed and some sages are coming up as well. Alan said that Tom Graefenauer had paid his portion of the cost of the project to the contractor. Jim Pindel added that he received a copy of the invoice for Tom Graefenauer's portion of the project marked paid in full and so sent the remainder of the cost of the project (our contribution) to the contractor EC3 in the amount of \$20,191.51.
- i) Nature's Classroom groundwater protection - erosion control: Katelyn Bratz. Katelyn said that they put off the cutting of the brush because of the drought conditions. They were concerned that they might damage the oaks. Katelyn said that they will get the contractor out in the next month now that the weather has turned cooler. The excavating is almost completed. There are a couple areas they decided not to wait, so they bought about \$1000 of plugs out of Natures Classroom funds, so they can start with plants rather than seeds. They are doing another prairie restoration program on their property using funds from the CRP program. Because they are buying the seed for this project and our project from the same supplier, they are receiving a quantity discount, which will save us some money on the cost of seed on our project. Katelyn said she will have the final costs for us at the next meeting. All the rain gardens are in and depending on the date of our next meeting, possibly all the seeding will be done by then.

New Business

- a) Modification of the "Applying for a Project" tab on our website: Jim Pindel stated that he reviewed the "Applying for a Project" tab yesterday and it was exactly as we want it to be. Al Sikora added that he posted the most current version of the Cost Share Agreement that you can link to from this tab.
- b) Mukwonago Park Shoreline Restoration – Alan Barrows said that he tried to get hold of Steve Brunner a couple times this last week but was unsuccessful. So Alan said the project will probably have to be put off this next year. Jim Pindel asked if it could be put off until after July 1st of next year so that we could use funds from hopefully our next ENUM. Alan said that one of the most important elements of this project was the beach itself and he thought that the beach needed to be fixed up before the beach season starts. Dean Falkner asked if the material

cost was the major cost of the project. Alan said that the native plant sod was the major expense and it saves on plant establishment and maintenance costs. With maintenance staff being reduced spending a little more on material costs to save on staff requirements makes sense.

- c) Village of Waterford East Shore river bank Restoration: - Rebecca Ewald. Rebecca made a PowerPoint presentation which included photos of the existing shoreline, which is east of the Village Hall on the east side of the river. The project consists of 100' of natural stone shoreline restoration and 200' of erosion retaining wall as well as two new public access sites. Rebecca showed the location of the site on an aerial map and photos of an existing dilapidated guard rail and an area where the shoreline is protected by concrete slabs stacked up 8' high. The timing of the project is to do the design work this fall, bid the project out in January 2017 with construction starting in spring of 2017 with completion sometime in summer. The total cost of the project of \$126,122 was broken down into \$16,122 for survey/design/permitting, \$10,000 for stone stabilization and \$100,000 for the erosion retaining wall. Rebecca finished up by showing some slides that depict the Village of Waterford as a "Leader in For River Stewardship." The slides showed the rain garden at Library Park, Whitford Park, the Village Hall Streambank Stabilization project the SEWFRC help finance back in 2008 and one of the new Canoe/Kayak Launches along the Fox River Water Trail. Tom Slawski asked if the design would consider installing some current deflectors to help reduce the strong flow running up against this shoreline. Rebecca said they would consider it and that in fact there is a large rock that somebody moved into place some time ago, which acts as a deflector protecting this shoreline. They are considering adding to this rock making it appear more natural. Jim Pindel informed Rebecca that we have changed out operating procedures and now wait until the next meeting to review the project acceptance criteria and vote on accepting a project. Jim also said that since we cannot possible fund the whole \$126,000 could Rebecca come back with some smaller portion of the project that possible we could afford. Rebecca said she will have more exact costs by our next meeting. So this project will remain on the agenda for next month.
- d) Aquatic Invasive Species detection, prevention and outreach for Waukesha County: Brad Steckart. Alan Barrows introduced Brad Steckart the newly appointed Invasive Species detection/prevention coordinator for Waukesha and Washington Counties. Brad explained the grant he is funded under. Brad is a resource that is 50% shared with each Waukesha and Washington counties. Brad said that in Waukesha County there are 88 lakes of which 14 are located within our area of jurisdiction. Some of these lakes like Rainbow Springs Lake, Lulu Lake, Phantom Lake and others eventually flow into the lower Fox River. Some of Brad's work besides locating and treating invasive species includes educating the public, putting up signage and running the clean boats/clean waters program. Brad passed out a handout in which he addressed each item in our Project Acceptance Criteria showing that he meets each and every one of them. Brad's

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- g) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Dean Falkner said that he already has an Adaptive Management Plan in place. He will be looking for controlling sources of pollution and erosion and will be applying for an EPA grant to federally fund some of this work. Dean said that controlling erosion is the biggest thing in regard to bringing the river into compliance.
- h) Gauges: Why do we want more? What kind of gauges? When do we want them? Who will pay for the hardware, installation and maintenance? Tom Slawski said that he didn't have anything to report at this time.
- i) What is happening with the SEWFRC signs? Al Sikora showed the commission one of the large and one of the small versions of the signs. He said all the rest of the signs were in his car and wanted to know who would be the keeper of the signs. Alan Barrows volunteered to keep the signs and Al would pass them over to Alan after the meeting. Al Sikora presented Jim Pindel with a copy of the invoice for the signs in the amount of \$806.12. Jim had given Al Sikora a check to cover this cost before Al picked up the signs. So it is already paid for. Rebecca Ewald asked if she could get one of the smaller signs to put up on one of her projects. One of the small signs was given to her. Then Alan Barrows said that he had other projects that signs would be appropriate for.

- j) Consideration of expanding our jurisdiction west to include Eagle Spring Lake: Jim Pindel recounted for the commission that Tom Day of the Eagle Spring Lake Association came to one of our meetings and explained the water sampling program they had instituted some years ago. Now they wanted to expand the number of sampling sites, but for the most part the new sampling locations fell outside of our area of jurisdiction. By watching our website or whatever means Tom Day became aware of the fact that with the changes made to the state statutes we now have the ability to expand our area of jurisdiction by a majority vote of the voting commissioners. Being aware of this desire and the fact that we had not even had a meeting which included the new member commissioner, we made the decision that we would not expand in any new direction until the new commissioners were involved to see if they had any pressing issues (projects) and give them a fair chance to be involved in any decision to include other entities that might be looking to share in our grant funds. Jim Pindel then said that considering the fact that we do not have enough funds to address all the projects that are looking for funding from us in our older existing territory and some new projects must start coming up from the new expanded territory to the south, it doesn't seem practical to expand anywhere else. Dean Falkner then said that the Graef survey we had done a couple years ago outlines at least 30 erosion control projects that need funding and if we have SEWRPC do a comparable survey on the new territory to the south we could have an even greater number of worthy projects. Dean also pointed out that erosion is the greatest contributor to high phosphorus levels in the river making it non-compliant in many locations. Alan Barrows said that Tom Day would want us to annex the Town or Village of Eagle so that our area of jurisdiction covers the areas where he presently and possibly will in the future have his water quality monitoring stations. Alan said that probably the next step would be to get MoU's from the Town and Village of Eagle requesting membership in the commission. The question then becomes who initiates getting these MoU's. For our expansion to the Illinois border, Tom Slawski and Jim Pindel made presentations to the different municipalities, introducing ourselves and encouraging their participation. So the question really comes down to do we want to do this. Alan Barrows said that he will explain this process to Tom Day and the Village and Town of Eagle, so they understand the process. Jim Pindel warned that if they provide their MoU's and come to us with a lot of enthusiasm they might be discouraged by the fact that we don't have any grant funds available at this time. Al Sikora said that he felt from an organizational perspective this is not the time for expansion. Dean Falkner said that Alan should present them with all the facts that we are not in a position to do them much good right now. Dean Falkner said he would also try to get this message to these people. Tom Slawski said that the Eagle Spring Lake group is an active conservation group keeping the Mukwonago River clean, participating in Clean Boats/Clean Rivers program and would make a good partner for our commission. Tom felt that it is more than money and we should consider including them in our commission sometime in the future. Tom Slawski pointed out that the state statutes did not give us any rules to go by only the ability to expand, it doesn't even say that the expansion(s) must be contiguous. In fact Tom

questioned whether we could annex a lake management district and not even the municipalities that encompass it.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Tom Slawski had nothing to report.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that design work has begun and they have started planning out what permitting will be required for the structures along the way. This process will take months.
- c) Progress toward designation as a “National Water Trail” – Village of Waterford. Rebecca Ewald said that things are going along great. Their Water Trail group has finalized the criteria for the water trail access sites along the river. They have also made a determination on how they will classify segments along the trail. In Wisconsin we are a little bit ahead of the curve probably just because Rebecca and Barbara Messick have been spending most of their leisure time paddling along different segments of the river gathering data. After paddling through Brookfield and down to the Barstow dam they decided that it might be better to wait for springtime to continue on. One of the problems they encountered was the algae bloom. Rebecca said that they are looking for help from anyone who will paddle between launches and report on the condition of the river and especially what are the conditions of the access points. She said if anyone wanted to or knew of anyone who wanted to participate they should let her know.
- d) SEWFRC Website – Al Sikora said that the website is fine and up to date at this point.

Correspondence –

- a) 08/15/16 Mark your calendars notice for today’s meeting
- b) 08/26/16 Email with link to article regarding Waukesha diversion from Barb Holtz
- c) 09/05/16 Forward of email from Alan Barrows with new plan for WE Energies site.
- d) 09/05/16 Forward of email from Don Baron of the WWMD concerning the Town of Waterford efforts to get state funding for the Waterford impoundment dredging and the comments by the City of Burlington regarding the effects of the Waukesha diversion.
- e) 09/07/16 Email from Dean Falkner with attached permission to go onto WE Energies property.
- f) 09/07/16 Email from SEWFRC to Senator Lazich congratulating her on her retirement and asking for identification and support from our next Champion.
- g) 09/09/16 Email with attached presentation from Rebecca Ewald for the East Shoreline Restoration project in the Village of Waterford

- e) 09/09/16 Forward of an email announcing that Outdoor Wisconsin will do a program featuring the Fox River Water Trail.
- f) 09/15/16 Email from Dean Falkner regarding expansion to the West to include Eagle Spring Lake group.

Miscellaneous Issues –

Jim Pindel said that he received an email note from Commissioner Michelle Scott stating “We had a baby girl on 8/17/16. Her name is Aubrey Cora Scott. She was born at 7 lbs. 10 oz. and 20” long. She said that we are all doing well. Congratulations to her and her family, she is the first sitting commissioner to have a baby.

Jim Pindel said he reviewed the Letters of Appointment for the sitting commissioners. Bob Bartholomew, Lee Manthey, Jim Pindel, Dean Falkner, Dave Brown, Al Sikora and Wayne Jensen have Letters of Appointment on file. Chad Sampson’s letter says it expires on 4/17/17, which should be revised to say forever or until a new commissioner is appointed. Ton Slawski’s letter says his term ends 6/15/16 which needs updating. Dan Treloar, Clement Abongwa, Alan Barrows, Doug Koehler, Barb Holtz, Katelyn Bratz, Ken Miller, Francis Stadler, John Soneberg, Jeff Lang, Jim Bergles and Andrew Lois do not have letters of appointment on file. Jeff Lang said he was told his letter was sent to Jim Pindel on several occasions, so Jim Pindel told Jeff to bring a copy to the next meeting.

Jim Pindel then asked if any of the new commissioners didn’t have a copy of our Implementation Plan and copies were given to Wayne Jensen and Dan Treloar.

When choosing the next meeting date, Alan Barrows said he could not make 10/14/16 but would get an alternate to attend.

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

Meeting Closed at 3:18 PM

THE NEXT OFFICIAL MEETING WILL BE Friday, October 14, 2016 at 1:00 PM. (Meeting Location: Town of Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend, WI 53103.)

Commission members present:

Dean Falkner (Village of Mukwonago) (Chairman)
Barb Holtz (Town of Mukwonago) (Vice-Chairperson)
Leif Hauge standing in for Alan Barrows (Waukesha County)
Chad Sampson (Racine County)
Doug Koehler (City of Waukesha)
Andrew Lois (Town of Wheatland)
Robert Bartholomew (Town of Vernon)
Francis Stadler (Village of Big Bend)
Jeff Lang (Town of Burlington)
Jim Bergles (City of Burlington)
Tom Slawski (SEWRPC)
Jim Ritchie (Wisconsin DNR)
Rachel Sabre standing in for Michelle Scott (Wisconsin DNR)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Al Sikora (Village of Waterford)
Wayne Jensen (Village of Rochester)
Ken Miller (Town of Waukesha)

Also present: Dan Treloar, Clement Abongwa of Kenosha County, Don Baron and Dick Kosut of the WWMD, Rebecca Ewald of the Village of Waterford, Lee Manthey of the Town of Vernon and Michael Schwar of Stoney Point Hydrology.

At 1:03 PM, Chairman Dean Falkner called the SEWFRC meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed. Jim Pindel passed around a copy of the new contact listing for the commission asking everyone to review it and make the necessary additions or corrections.

Minutes The minutes from the September 16, 2016 meeting were reviewed. It was motioned by Chad Sampson that the minutes be approved and the motion was seconded by Doug Koehler. The minutes were approved unanimously.

Treasurer Reports – Jim Pindel only reviewed the highlights of changes in the September treasurer's report. We started the month with \$176,133.59. We made payments of \$806.12 for SEWFRC signage, \$80,880.00 as final payment to the WWMD for the dredging permit application project, \$20,191.51 payment to EC3 as the final payment for the Graefenauer shoreline restoration project and received \$23.53 in interest bringing our Money Market account to a balance of \$74,279.49. Chad Sampson noted that the Treasurer's report did not reflect the increase in the Wood Drive storm water and erosion control project going from \$6000 to \$17,000 with \$2000 of that being taken from the 2016 Racine County allocation. Chad further noted that the Malchine farm field project did not reflect the increase from \$15,000 to \$30,000 with \$3000 of it coming from the 2016 Racine County allocation. It was motioned by Bob Bartholomew and seconded

by Doug Koehler that the treasurer's report as amended/corrected be accepted. The motion carried unanimously.

Old Business

- a) Fox River Partnership Summit: Tom Slawski reminded everyone that next year's Summit will be held on 3/10/17. Tom also said that he is continuing to look for topics and speakers for the summit, so if anyone has any ideas, please let Tom know. Tom said he noted that Jim Pindel suggested a talk on water quality and the program is slowly taking shape.
- b) Mukwonago River shoreline restoration at WE Energies Site. Dean Falkner said we finally have documents that all the parties can agree to. The last signature that is needed is from Waukesha County. Once it is obtained we can begin work. The contract is written and certificate of insurance is in place. Jim Pindel asked when work will begin and Dean said that purchase of materials will happen soon and some of the shoreline restoration can be done this year, but the plantings will have to wait until next spring.
- c) Wood Drive Erosion Control Project – Chad Sampson said that he has been waiting for the corn to be harvested and it was harvested last weekend. Chad then contacted the contractor who said he is busy on other projects at the moment and will not be able to start on the Wood Drive and Malchine Farm Field projects until about October 20th or 21st.
- d) Malchine Farm field Erosion Control –This project was covered in the Wood Drive project above.
- e) ESR Project disposal sites environmental impact: Don Baron spoke for the WWMD saying that the carriage water permit has been approved in draft form. The final permit will be issued with the dewatering site permit. Don said that with regard to the dewatering permit they have a model completed which addresses the ground water and all the chemical element that are being deposited. The results of the model were sent to Jerome at the WDNR and they are waiting on his response. These are the last two permit that are needed before they can go out for bids from the contractors who will do the actual work. When Don said a vote will be taken after the bids are obtained, several commissioners inquired about the vote. It was clarified that there are about 1023 properties around the impoundment with many of these properties being annexed to each other and a few owned by the state or the local municipalities, resulting in about 830 riparian owners who will vote based on the final cost and the final determination of what grant funds can be applied so the riparian owner will vote on the exact amounts that they will have to contribute to the cost of dredging. Chad Sampson said that he had some problems with the data submitted by Super Mix; he wanted to know exactly how many cubic yards of material were being deposited, how much was being taken off site. Chad said that he provided Super Mix with a check list of the

items he wanted addressed.

- f) Schuetze Playground Storm Water Abatement: - Doug Koehler said that he talked to the Parks Department and they were busy with other projects and hadn't gotten around to finishing this project off. Jim Pindel reminded Doug that they have to get this project, which was to be completed by the 4th of July, done by the end of the year to get our grant funding.
- g) Graefenauer Shoreline Restoration (Tree Removal): Leif Hauge said that he didn't know anything more than what was in last month's meeting minutes and Alan Barrows would have to bring us up to date.
- h) Nature's Classroom groundwater protection - erosion control: Katelyn Bratz. Katelyn said that since the last meeting they have planted about 1 acre of seed and will continue for the rest of the month, completing the project by the end of November as originally scheduled.

New Business

- a) Decide how we interpret the Wisconsin Statutes that states a commissioner" all of whom shall be residence of the river county": Jim Ritchie said that he received the emails from Jim Pindel regarding this situation and that he forwarded this to the WDNR attorneys for their interpretation of the residency requirement. Jim Ritchie said he would push for some review on this topic. Dean Falkner asked if the residency requirement had been eliminated throughout the state and Jim Ritchie said he would ask the same of their lawyer. When asked Dan Treloar said that the way their county lawyer interpreted the state statute, you must be a resident of the county, so he and Clement Abongwa would be attending meetings, but not as commissioners, and so Kenosha County would appoint residence as the official commissioner and alternate for the county. Jim Pindel then said that this is another time in which we need legal counsel and have nowhere to go. He pointed out that at budget time he looked into the requirement for us to publish our notice of public hearing and budget and it referred to another place in the state statutes where it stated that the newspapers were not allowed to charge us for the publications. However this statute referred to another statute where it looked like we have to pay. We have been paying for years and it would be great if we found out that we didn't have to pay. We need recourse to a lawyer with knowledge to interpret the state statutes.
- b) Mukwonago Park Shoreline Restoration – Leif Hauge asked exactly what we wanted to know. Jim Pindel said that in previous meetings we asked Alan Barrows and Steve Brunner to pare down their request for funds because we couldn't afford the entire project. Later when we looked at possible scenarios of how we might spend the remaining grant funds available, Leif said that Steve Brunner would take whatever he could get and then work around it.

- c) Village of Waterford East Shore river bank Restoration: - Rebecca Ewald.
Rebecca said that since our last meeting they have reviewed the project and using some of the existing rock was able to reduce the cost of the project from \$126,000 to \$71,000. Rebecca said that this change will make the project look more natural and enhance the beauty of the area. At this point we reviewed the Project Acceptance Criteria and the project passed mightily scoring 45 of a possible 55 points.
- d) Aquatic Invasive Species detection, prevention and outreach for Waukesha County: Neither Brad Steckart nor Alan Barrows were present to address this item. Jim Pindel pointed out that this request is for funding from our non-grant funds. Jim provided the fact that he calculated our average annual operating cost at \$1,187.79 considering the website hosting, publication of our budget and notification of our annual public hearing and office supplies. At this rate we have enough non-grant money to cover more than the next 30 years. Jim also said that it was inconceivable that the Fox River Commission would not fund an effort to address Aquatic Invasive Species detection and eradication in Waukesha County which would not only help Waukesha County but all communities downstream of there. Barb Holtz motioned that we provide the \$1000 per year for 3 years as requested by Brad Steckart, the motion was seconded by Chad Sampson and the motion carried unanimously.
- e) Haynes Grade Stabilization Project: Chad Sampson. Chad made a PowerPoint presentation at the last meeting on this project. Chad said that in light of the high demand for grant funds and our running out of available grant funds, he will sit on this project until new grant funds become available.
- f) Ranke Barnyard runoff control Project: - Chad Sampson. . Chad made a PowerPoint presentation at the last meeting on this project. Chad said that in light of the high demand for grant funds and our running out of available grant funds, he will sit on this project until new grant funds become available. It was decided to take these two projects off the agenda until Chad brings them up again at the appropriate time.

At this time Jim Pindel passed out a spreadsheet similar to the one he provided at the last meeting, which shows exactly where we stand with remaining grant funds. Again it shows that we cannot fund all of the projects we know about. By reducing the SEWRPC survey cost by 10% and reducing the cost of the Village of Waterford's engineering costs for the East Shore Project by 50% and dropping the two new Racine County projects, which Chad said he was willing to do until new grant funds are available, we were left with \$25,639. Jim suggested that we use \$25,000 of these funds toward the Mukwonago Park shoreline restoration and the \$639 to cover the tree removal at the Graefenauer site. Leif Hauge said that he texted Steve Brunner and Steve said that he would be happy to get whatever support we were willing to provide and would adjust the project accordingly. Rebecca Ewald previously told us the overall cost of the East Shore Project had

dropped from \$126,000 to \$71,000, which has some effect on these numbers. Rebecca volunteered to send a breakdown of the costs to Jim Pindel to help us rework the spreadsheet and make some final decisions. Jim Pindel said that once he gets the cost breakdown from Rebecca, he will rework the spreadsheet and send it to all the commissioners, so they can review it and come to our next meeting prepared to divvy up the grant funds. Dean Falkner said that in our last budget we listed some of the erosion control projects identified by Graef Eng. and wanted to know if they were included in these calculations. Jim Pindel said they were listed in the budget as proposed projects but had not been voted on or accepted by the commission to dedicate grant funds to them.

- g) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Dean Falkner said that erosion has long been identified as a problem by SEWRPC and others for a long time. Dean then referred to a Power Point presentation that he sent to Jim Pindel yesterday, which Jim forwarded to all the commissioners yesterday as well. The purpose of the presentation was to provide a strategy to improve water quality and control sediment on the Fox River. Dean went on to state that the Fox River is listed on the WDNR's impaired waters list for failing to meet the phosphorus water quality standard of 0.1 mg. P/liter. The sediment associated with erosion impacts the recreational use of the river and adds to its phosphorous content. Funding projects to address these issues is consistent with our Implementation Plan. Dean pointed out that we funded a survey by Graef Eng. which identified, prioritized and estimated the cost of many erosion locations from Waukesha to the dam in Waterford. He also said that next year we expect to do the same sort of survey by SEWRPC from the Waterford dam to the Illinois border. Dean said that the challenges are getting access to the erosion sites, owner cost and maintenance requirements, resolution of contract issues, project bidding and construction. Dean's presentation, four copies of which were passed around to the commissioners by Jim Pindel, showed tables of the phosphorus content at CTH I, CTH ES, CTH L and highway 83. The phosphorus concentrations meets the water quality criteria at CTH L and CTH ES and Dean indicated that by eliminating some of the erosion sites we could meet the quality standard at CTH I and CTH ES. Dean pointed out that Adaptive Management is a WDNR process for wastewater plants to identify and correct problems in the watershed. Dean went on to innumerate all that needs to be done along the Fox River to meet the goals of the Adaptive Management Process. Dean said that the most important need to get this program going is to have someone dedicated to getting the job done, like a retired person who has the time to do it. Dean identified himself as this person and has the project management background and is willing to facilitate the necessary communications between individuals and government organizations. Dean ended up by saying he will continue the Adaptive Manage effort for 2016 and 2017, apply for an EPA grant to fund the 9-Key elements plan for 2017 and continue to monitor the Fox River from May to October 2017. Dean said that he has begun studying the Graef report and has started communicating with the land owners. Dean said that instead of bringing a project to the commission and then doing the engineering,

planning and contract discussions, he is going to get all this ground work completed so that when grant funds are available he is ready to go. Dean said that two sites owned by Waukesha County and one owned by the WDNR are among the top 10 sites listed by Graef as worst erosion sites. Dean said he has two meetings next week with Waukesha County to discuss its sites and asked who he should contact at the WDNR about their erosion site. At the end of the discussion it became apparent that some of the commissioners did not received the email forward of this Power Point presentation, probably due to the size of the attachment causing it to be blocked by some firewalls. Dean said he would convert it to a .pdf file which will be much smaller and resend it to Jim Pindel who can forward it to everyone including Don Baron who asked for a copy.

- h) Gauges: Why do we want more? What kind of gauges? When do we want them? Who will pay for the hardware, installation and maintenance? Tom Slawski said that he didn't have anything to report at this time.

Tom took this opportunity to discuss the funding for the SEWRPC survey of the Fox River south of the Waterford dam. Tom wanted Rachel Sabre to know that he intended to apply for a Stream Planning Grant which could provide \$10,000 toward its cost. Rachel reminded Tom that the grant application must be in by December 10th. Tom said that Racine and Kenosha counties would be the applications so that these non-state funds could be used in conjunction with SEWFRC grant funds. Tom pointed out that once the southern portion of the river is surveyed we need to integrate this data with the Graef Eng. data to prioritize the entire Fox River in out jurisdiction.

- i) Consideration of expanding our jurisdiction west to include Eagle Spring Lake: Dean Falkner started by saying that some of us were very impressed with the sampling Tom Day has accomplished. Tom Day of the Eagle Spring Lake Association said that he is not interested in getting just Eagle Springs Lake into our jurisdiction, but all of Waukesha and Walworth Counties. He said he is interested in getting all of the Mukwonago River watershed, which extends even farther than the two counties, into our jurisdiction. The headwaters of the Mukwonago River are in Waukesha County and then it flows down into Walworth County. Tom said that he came to our commission some years ago looking to see if we would expand west beyond the Town of Mukwonago, he is an advocate for the entire Mukwonago River watershed. Tom said that they did a chemical analysis on the Mukwonago River from 2004 to 2007 and published the data. It was based on Eagle Springs Lake and Phantom Lake getting two \$10,000 grants. They repeated the study in 2012 with Eagle Springs Lake funding the project by itself. Tom said that he sent a request for funding for one more sampling to our commission to be done either this fall or early next spring. Tom said most of the sampling occurs in areas that our jurisdiction currently does not include. Tom estimated that there are 7 or 8 locations west of our area of jurisdiction. After the samples are collected they are sent to a lab in Steve's Point for analysis and then the report is published, which is then compared to the data taken previously. Tom said that he thought we would be interested in the nutrient

levels entering the Fox River from the Mukwonago River. At this point Tom Slawski said that maybe we could expand to include the entire Mukwonago River watershed. This resulted in a lengthy discussion. Is it possible to include the Mukwonago watershed as such without including the municipalities it flows through? Must we include in our membership each of the municipalities involved? Can we include these municipalities without including the county that they exist in? No one on the commission is capable of answering these questions. Tom Day said that he would be willing to do the ground work of contacting the municipalities and Walworth County to do whatever is needed to be done. Tom said that he is waiting on us to tell him what to do and so we are at a stalemate because we don't know what must be done.

If we had access to an attorney or some resource that is proficient in interpreting the Wisconsin State Statutes, we would ask the following questions:

- 1) Can we expand our jurisdiction to include the Mukwonago watershed without including the municipalities and counties it includes?
- 2) Can we include a municipality as a commission member without including their county, such as Walworth County?
- 3) Regarding State Statute 33.55 which states "The board of commissioners shall consist of the following persons, all of whom shall be residents of the river county." Does this mean that the commissioner must live in the same river county as he represents. Does working full time in the river county count as residency? Can the commission through motion and vote decide that we interpret working full time (especially for the county) in a river county as fulfilling the residency requirement?
- 4) Regarding State Statute 33.60 6 (c) which states "The commission shall publish as a class 1 notice under Ch. 985 in Racine and Waukesha counties." Note that Kenosha County was inadvertently left out. Ch. 985 states the newspapers shall not charge for the publication, but then it refers to somewhere else in the Statutes where maybe we do have to pay for the publication. Do we have to pay?

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Tom Slawski had nothing to report.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that he read that the City of Waukesha hired a consultant to oversee the design and real estate transactions.
- c) Progress toward designation as a "National Water Trail" – Village of Waterford. Rebecca Ewald said that they have been making progress. They are in the process of logging access sites; they started here in Wisconsin and are getting started in

Illinois. Rebecca said that she is hoping by next summer to have actual trail data for different sites. Then they will be able to make their application for National Water Trail status. Rebecca pointed out that they have been getting great support from SEWRPC. Tom Slawski and others have attended their core development meetings on a monthly basis. They will be meeting again this coming Monday.

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

Correspondence –

- a) 08/15/16 Mark your calendars notice for today's meeting
- b) 08/26/16 Email with link to article regarding Waukesha diversion from Barb Holtz
- c) 09/05/16 Forward of email from Alan Barrows with new plan for WE Energies site.
- d) 09/05/16 Forward of email from Don Baron of the WWMD concerning the Town of Waterford efforts to get state funding for the Waterford impoundment dredging and the comments by the City of Burlington regarding the effects of the Waukesha diversion.
- e) 09/07/16 Email from Dean Falkner with attached permission to go onto WE Energies property.
- f) 09/07/16 Email from SEWFRC to Senator Lazich congratulating her on her retirement and asking for identification and support from our next Champion.
- g) 09/09/16 Email with attached presentation from Rebecca Ewald for the East Shoreline Restoration project in the Village of Waterford
- e) 09/09/16 Forward of an email announcing that Outdoor Wisconsin will do a program featuring the Fox River Water Trail.
- f) 09/15/16 Email from Dean Falkner regarding expansion to the West to include Eagle Spring Lake group.
- g) Emails between Dean Falkner and Tom Slawski looking for funding means for erosion control projects.

Miscellaneous Issues –

There were no miscellaneous issues.

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

Meeting Closed at 2:26 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,
November 11, 2016 at 1:00 PM.** (Meeting Location: Town of
Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend,
WI 53103.)

Commission members present:

Dean Falkner (Village of Mukwonago) (Chairman)
Barb Holtz (Town of Mukwonago) (Vice-Chairperson)
Alan Barrows (Waukesha County)
Chad Sampson (Racine County)
Doug Koehler (City of Waukesha)
Robert Bartholomew (Town of Vernon)
Al Sikora (Village of Waterford)
Francis Stadler (Village of Big Bend)
Jeff Lang (Town of Burlington)
Wayne Jensen (Village of Rochester)
Jessie Medrow standing in for Jim Bergles (City of Burlington)
Tom Slawski (SEWRPC)
Jim Ritchie (Wisconsin DNR)
Rachel Sabre standing in for Michelle Scott (Wisconsin DNR)
Jim Pindel (Town of Waterford) (Secretary/Treasurer)

Commission members absent:

Andy Buehler (Kenosha County)
Andrew Lois (Town of Wheatland)
Ken Miller (Town of Waukesha)

Also present: Barbara & Don Baron, Kathy Aron of the WWMD, Rebecca Ewald of the Village of Waterford, Katelyn Bratz of the Town of Mukwonago and Michael Schwar of Stoney Point Hydrology.

At 1:04 PM, Chairman Dean Falkner called the SEWFRC meeting to order. The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed. Jim Pindel passed around a copy of the new contact listing for the commission asking everyone to review it and make the necessary additions or corrections.

Minutes The minutes from the October 14, 2016 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.

Treasurer Reports – Jim Pindel only reviewed the highlights of changes in the October treasurer's report. We started the month with \$74,279.49. We received \$12.62 in interest bringing our Money Market account to a balance of \$74,292.11. It was motioned by Alan Barrows and seconded by Al Sikora that the treasurer's report be accepted. The motion carried unanimously.

Old Business

- a) **Fox River Partnership Summit:** Tom Slawski said that he is continuing to develop the program and is trying to lock in some speakers. Tom said that he is coordinating his efforts with some of the people in Illinois and hopefully he will have more to report at our next meeting.

- b) Mukwonago River shoreline restoration at WE Energies Site. Alan Barrows passed out copies of an aerial view of the project area which also included some photos of the site and a cross section view that showed the details of the design. Alan then went on to give a history of the project. Alan said that this project has been on the books for about 7 years. It started in the summer of 2008; the Village of Mukwonago restored the shoreline of Indianhead Park just across the river from this project site. This project was a success and the SEWFRC kicked in \$90,000 toward the Park project. This new project takes up about 400' of shoreline 3' to 4' high owned by two private individuals. In 2009 the Village of Mukwonago asked their engineering consultants to contact the two land owners to see if they were interested in fixing up their shorelines. Both parties were interested but said up front that they did not want to pay for it. The SEWFRC agreed to pay for the engineering of the design, bid documents and permits for the project that cost us \$22,500. The estimated cost of the project came in at \$125,000. Some effort then went into finding funding for the project from the summer of 2009 to the summer of 2010 without any success and the project was put on hold from 2010 to the summer of 2012. At that time Jim D'Antuono, who was the WDNR representative on our commission, said that it was ridiculous for us to spend all this money on a design and not have the project come to fruition. So they organized a coalition of the WDNR, the Village of Mukwonago, Waukesha County and the SEWFRC to try to get things moving again. They all met with the property owners on site to review what could or should be done. At that time Alan said that he volunteered to be project manager, so that someone would be in place to oversee construction once funding was obtained. From the summer of 2012 to 2013 they worked on revising the plans for the project. Alan was able to get the CAD drawings of the original design from Rupert Mielke and these were used as a starting point for the revised plans. In the spring of 2014 Dean Falkner, at the time employed by the Village of Mukwonago, came forward and said that the Village would accept the position of Sponsor. This way the Village would contract the contractor, pay him when the work was done and then get reimbursed by whoever was funding the project. This was very helpful because the land owners were unwilling to assume this responsibility. At this time Alan put out the project for bid and the bids came back ranging from \$55,000 to \$80,000. In the spring of 2014 the SEWFRC committed to paying 100% of the low bid of \$55,000. The project sat dormant until the summer of 2015 with a major problem being that one of the land owners wanted 100' in the middle of the project area to be done by his contractor instead of the contractor that was selected. Trying to get two different contractors working in the same location was difficult to impossible and so the project sat again. In the summer of 2015 the land owner who wanted the 100' done by his contractor said he didn't have the money to do it and so Alan asked his low bid contractor to bid on doing the whole project including the 100' section. The bid came in at about \$65,000, so Alan came to the commission and we agreed to pay 100% of this new project cost. Now fully funded in June 2015 Alan passed the design to the owners for approval which took till September. Two weeks later they got the permit but by this time the construction window was gone for the year. So the project went on

- hold again. As of today a lot of the paperwork is in order and there is very little that needs to be done, but of course the work will have to wait for next spring. The Village of Mukwonago's lawyers wanted to review the contract language and this took some additional time but is now in order. A new problem that has come up is the landowner does not want to be responsible for maintenance of the site for the next 10 years, which is standard practice. So Alan is investigating rock riprap and other options that would eliminate the need for maintenance.
- c) Wood Drive Erosion Control Project – Chad Sampson said that machinery is on site and the contractor should start either Monday or Tuesday this coming week. He expects the contractor to start by laying the 15" drain tile. Chad said that his staff has been on site the last few days shooting grades and finding the existing tiles. One small problem is that the existing drain tile runs into an out lot owned by the subdivision. Chad said you can see the tiles piled up about 1000' to 1500' from STH 164 and eventually they will work their way right up to STH 164. Chad said that the Wood Drive project will use up all the SEWFRC funds allocated to it but the Malchine project may get some of the federal money and so there may be \$5000 to \$10,000 left over that the commission can use for other projects. At the end of the day it was decided that Chad would advise Jim Pindel as soon as possible, probably early December, how much was available and Jim would ask Alan Barrows to make sure he purchased materials in excess of this amount with delivery before the end of the year, so we can be sure to use up all the funds in ENUM-19. Alan Barrows said that he has a location to store materials if we purchase them this year.
- d) Malchine Farm field Erosion Control – This project was covered in the Wood Drive project above.
- e) ESR Project disposal sites environmental impact: Don Baron spoke for the WWMD saying that Graef Eng. contacted the WDNR concerning an exemption for the ground water runoff and it is apparently denied because of the arsenic in the sediment. There is more checking to be done concerning the ammonia that might go off into the air and phosphorus that might leach out to the ground. If the exemption goes through it will be sent to Racine County. Don asked Chad Sampson if there has been any action on the letter from Super Mix that was sent to the County. Chad said that their zoning technician sent a list of requirements to Super Mix and he was not sure if there has been any response. Don said that Graef was waiting on information from the WDNR so they could model the ground water effects so that this information could be sent to the County. Don said that he has heard that the phosphorus they remove from the impoundment might be worth trading credits. The financial committee of the WWMD is trying to find out whom in the WDNR to contact to understand the trading credits. Barbara Baron thanked the FRC for its financial support in getting the dredging permit. Barbara asked if we had been made aware of the results of the survey the WWMD ran to find out how much support there is among its riparian owners. Jim Pindel said that Don Baron made that report in the past. Barbara pointed out

that the survey showed that by more than a 2:1 ratio the riparian owners support the dredging project if they have to contribute up to ½ of the cost. Barbara said that they have a subcommittee working on getting grants and funding and she expects to have a final vote by the riparians in late spring or summer of next year. Barbara also mentioned the blue algae problem they have on Waterford Lake which has been posted by Racine County that you cannot swim in it or allow animals to drink it. The water will be tested again next spring. The WWMD will have to revise their lake management plan to address the blue algae problem

- f) Schuetze Playground Storm Water Abatement: - Doug Koehler said that he passed by the site on his way to the meeting and could see that work has begun. Doug said the some grading has been done including the base of the rain garden and some plugs have been planted there as well. There was also some grading of a path around the rain garden. They told Doug they will get it done but have not given him a date yet. We are all aware that the work must be completed this year.
- g) Graefenauer Shoreline Restoration (Tree Removal): Alan Barrows said that the bid came in for phase 3 of this project which is the removal of 4 pine trees. Alan reminded the commission that when we approved the tree removal we limited the cost to \$2500. The cost has come in at \$2,600 and so our cost share of 90% comes within budget at \$2,340.
- h) Nature's Classroom groundwater protection - erosion control: Katelyn Bratz. Katelyn said that they have EC3 coming out next week to do some tree removal which should not take more than a couple days. Katelyn said that they will be picking up the rest of the seed for the project next week and will proceed to plant it. She said they expect to complete the project by the end of the month.

New Business

- a) How do we handle interpretations of Wisconsin State Statutes regarding:
 - 1, Can we expand our jurisdiction to include the Mukwonago watershed without the municipalities and counties.
 - 2, Can we include a municipality without its county
 - 3, How do we interpret "residents of the river county".
 - 4, Do we have to pay to publish our budget & public meeting notice?
 - 5, Are we bound by the Open Meetings Law?
 - 6, Should we hire an attorney?

Dean Falkner indicated that he knew that Jim Ritchie had not heard back from the WDNR's attorney and he said that he contacted a Paul Ferguson who was listed in the presentation concerning the 'Open Meetings Law' but had not heard back from him. Jim Ritchie said that he forwarded the summary of our questions/concerns to the program attorney but she just hasn't had time to review

them and get back to him. Jim said he will contact her and email all of us with her response. Dean Falkner said he would be happy to contact whomever to get things going or maybe we should just hire an attorney. Jim Pindel pointed out that Tom Day was not present today and he wants to know exactly what he has to do and we just don't know what to tell him.

- b) Mukwonago Park Shoreline Restoration – Alan Barrows said that initially the County has requested \$88,000 for this project which was deemed too expensive. Then they identified the cost of just the shoreline materials at \$68,000 which was also too expensive. Alan said that Steve Brunner has been able to drop the size of the project down to \$35,390. This was done by having the county apply some of its resources to the project like buying 100' of fiber coconut logs and matting as well as pay for all the labor. This would include matting along the shoreline and about 70' of biologs. One of the main reasons for this project is the contamination caused by the geese and so the short grass prairie all along the shoreline would prevent the geese from coming in and out of the water easily. Alan said that the county is committed to doing the project and this is another case where he could purchase materials immediately.
- c) Village of Waterford East Shore river bank Restoration: - Rebecca Ewald. Rebecca said that she provided a cost breakdown to Jim Pindel for the reduced cost project she mentioned at our last meeting and now was present to answer any questions and to see what we might be able to do to help the Village.

Jim Pindel then passed out a paper copy of a spreadsheet he prepared and had emailed to all the commissioners beforehand. The spreadsheet started by listing all of the available grant funds of \$71,260.59 which matches up with the treasurer's report. However previously at this meeting we assigned \$300 of grant funds to help sponsor the SSW summit and we were given the actual cost of the Graefenauer phase 3 tree removal of \$2,340, so Jim Pindel using his laptop with the excel spreadsheet subtracted out these two new costs bringing the available grant funds down to \$68,620.59. Jim then proceeded to go through the amounts he suggested for each of the line items from Rebecca's cost breakdown. After some discussion the percentage allotted to the \$45,000 worth of fieldstone boulders was reduced from 20% to 15% making the amount we provide to the Village of Waterford and Waukesha County for its Mukwonago Park project more closely aligned. At the end of the day we will be providing \$23,400 to the Village of Waterford for its East Shore project and \$18,220.59 to Waukesha County for its Mukwonago Park Shoreline Restoration. This still leaves the \$27,000 allocated for the SEWRPC survey from the Waterford Dam to the Illinois border. Jim Ritchie asked Rebecca if the shoreline restoration will go on this coming spring with the amount we propose for the Village and Rebecca said it will get done this coming spring no matter what. Then Jim Ritchie asked Alan Barrows if any or all of the Mukwonago Park project could be put off until later in the summer when we might have new ENUM money to spend. Alan said that some of the work will probably not be done until later in the year. So therefore it

- is possible that Waukesha County could request additional funds from the commission later next year. It was motioned by Chad Sampson and seconded by Al Sikora that we allocate our remaining grant funds as listed above. The motion passed unanimously.
- d) Aquatic Invasive Species (AIS) Summit: Kathy Aron. Kathy said that she was looking to us for some low level support for a Starry Stone Wort (SSW) and all other AIS Summit to be run on 1/20/17 at the Veterans Terrace in Burlington. Kathy said that the attendees will be contractors and manufacturers involved in SSW treatment as well as WDNR department staff and researcher and others involved in SSW detection and eradication. Dean Falkner asked Alan Barrows if Brad Steckart, who we are funding, the AIS manager/coordinator for Waukesha and Washington counties was aware of this effort. Alan said he will contact Brad to make sure he is aware of it. At that time Kathy said she had talked to Brad but she wasn't sure he intended to come to the summit. Jim Ritchie pointed out that there is a conflict between closing boat launches to prevent SSW spread and the WDNR's responsibility to provide public access to waterways. Kathy said this would be one of the points of discussion at the summit. Jim Pindel asked Kathy if she was obtaining any other state grant funds and she said she was not. Then Jim Pindel asked her how much money she was looking for us to provide and Kathy said \$300. Alan Barrows motioned to provide the \$300 for the SSW Summit and Jeff Lang seconded the motion. The motion passed unanimously.
- e) Consideration of developing a USEPA 9-Key Elements Watershed Management Plan – Dean Falkner said that in the last week he met with people from Waukesha County regarding erosion at the Fox River Trail Park. Dean said that after a very short conversation it was determined that it would cost over \$300,000 to fix just the one area of the Park. Dean said there is another area just across the river which has significant erosion. Dean said that between the two erosion areas it would easily take over \$500,000 to repair them both and there were another 10 areas of erosion identified in the Graef survey in Waukesha County. With this many locations that need attention it makes it all the more important to submit a grant application to the EPA for developing a 9-Key elements plan, which should make additional funding sources available. Dean then asked the WDNR personnel present if the Village of Mukwonago or the SEWFRC should apply for the EPA grant. Jim Ritchie said that municipalities are eligible to apply for EPA grants but wasn't sure that other units of government are eligible. Dean said that because the Village was dedicated to cleaning up these erosion sites the Village will go ahead and apply for the EPA-319 grant. Dean said he is also considering applying for a monitoring grant and Rachel Sabre said she would talk to Michelle Scott about it this coming week.
- f) Gauges: Why do we want more? What kind of gauges? When do we want them? Who will pay for the hardware, installation and maintenance? Tom Slawski said that he didn't have anything to report at this time.

- g) Consideration of expanding our jurisdiction west to include Eagle Spring Lake: Dean Falkner stated that we still have not heard from the WDNR attorney and so we don't know exactly what has to be done in this regard.

Reports and Updates

- a) Report on activities of Fox Waterway Agency (FWA) of Illinois – Tom Slawski
Tom said that he had some contact with Joe Miller of the FWA but was unable to get together with him. Tom said he will try to get Joe to attend our next meeting.
- b) Possible diversion of City of Waukesha water treatment plant discharge away from the Fox River: Jim Ritchie said that he had nothing new to report since our last meeting.
- c) Progress toward designation as a “National Water Trail” – Village of Waterford.
Rebecca Ewald said that she had nothing new to report at this time.
- d) SEWFRC Website – Al Sikora said everything was up to date with the information he has been provided.

Correspondence –

- a) 10/18/16 Email from Dean Falkner with .pdf file attachment of his Power Point presentation concerning how to improve water quality
- b) 10/18/16 Email from Jim Pindel to mark your calendars for today's meeting
- c) 10/18/16 Email with attached revised (corrected) September Treasurers Report
- d) 10/18/16 Email from Jim Pindel to Jim Ritchie listing 4 points that need clarification in the Wisconsin State Statutes
- e) 10/20/16 Forward of emails between Kathy Aron and Tom Slawski looking for funding for a SE Wisconsin AIS Summit
- f) 10/25/16 Email from Jim Pindel to Jim Ritchie with attached Power Point presentation, which indicates that we are subject to the Open Meetings Law
- g) 10/27/16 Email with attached MU Magazine article concerning reclaiming phosphorus from impaired waters.
- h) 10/27/16 Email from Jim Pindel to Alan Barrows asking him to advise Brad Steckart that we will provide \$1000 per year for 3 years to help fund his program. Alan Barrows reminded Jim Pindel that Waukesha County wants a letter of support for Brad's ASI efforts. Jim said he would get it done.

Miscellaneous Issues –

Alan Barrows said that the Friends of the Mukwonago River contacted him asking for any information he could provide on projects that we have done in the Mukwonago River watershed for their newsletter. Alan said that he did not know if this would be a paper newsletter or an electronic newsletter. Alan in response showcased projects we have done going back to as far back as the Rainbow Springs culvert removals and other older projects and also listed the projects we are currently working on like the Graefenauer

shoreline restoration. Alan also made them aware of projects that are just queueing up like some of the AIS projects, the WE Energies shoreline restoration and the Fox River Summit. Katelyn Bratz said that she is writing an article for the newsletter for the Natures Classroom.

Jim Pindel advised the commission that the Town of Waterford empowered him to choose his own alternate commissioner. Jim said that he asked Shelley Tessmer to be his alternate knowing that if she takes his place she will be responsible for providing the meeting minutes. Jim said he would take care of providing the agenda and treasurers' reports.

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

Meeting Closed at 2:22 PM

**THE NEXT OFFICIAL MEETING WILL BE Friday,
January 13, 2017 at 1:00 PM.** (Meeting Location: Town of
Vernon Fire Station #1, W233 S7475 Woodland Lane, Big Bend,
WI 53103.)