

Commission members present:

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

Commission members absent:

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

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

At 1:05 PM, Chairman Al Sikora called the SEWFRC meeting to order.
The Pledge of Allegiance was recited. Roll call was taken and a quorum was confirmed.

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

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

Old Business

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

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

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

New Business

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

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

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

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

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

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

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

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

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

Reports and Updates

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

Correspondence –

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

Miscellaneous Issues –

There were no miscellaneous issues.

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

Meeting Closed at 3:00 PM

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