MINUTES

SEWRPC ADVISORY COMMITTEE ON REGIONAL WATER QUALITY MANAGEMENT PLAN UPDATE FOR THE GREATER MILWAUKEE WATERSHEDS

DATE: May 24, 2006

TIME: 1:30 p.m.

PLACE: City of Mequon City Hall Upper Level Council Chambers 11333 N. Cedarburg Road Mequon, Wisconsin

<u>Committee Members Present</u> Daniel S. Schmidt, Chairman Michael G. Hahn, Secretary

Julie A. Anderson Martin A. Aquino (for Jeffrey J. Mantes) Michael J. Ballweg

John R. Behrens

Marsha B. Burzynski (for Charles J. Krohn) Judy Jooss (for Diane M. Georgetta) James F. Lubner

Gary A. Mick Matthew Moroney

Cheryl Nenn Jeffrey S. Nettesheim Dean Perlick (for Joyce Fiacco)

Stephen Poloncsik (for Peter G. Swenson) Kevin Richards (for Charles A. Peters) Kevin L. Shafer Debora Sielski (for Paul E. Mueller) Thomas A. Wiza

<u>Staff Members and Guests</u> Troy E. Deibert (for William Krill) Thomas M. Slawski SEWRPC Commissioner Chief Environmental Engineer, Southeastern Wisconsin Regional Planning Commission Director, Racine County Division of Planning and Development Environmental Manager, Environmental Engineering, City of Milwaukee Crops and Soils Agent, University of Wisconsin-Extension, Sheboygan County Commissioner-Secretary, Silver Lake Protection and Rehabilitation District Regional Water Quality Planner, Wisconsin Department of Natural Resources Town and Country Resource Conservation and Development, Inc. Sea Grant Advisory Services Specialist, University of Wisconsin Sea Grant Institute Director of Environmental Services, Milwaukee County Executive Director, Metropolitan Builders Association of Greater Milwaukee Riverkeeper/Project Director, Friends of Milwaukee's Rivers Senior Utility Engineer, Village of Menomonee Falls Manager of Planning, Dodge County Land Resources and Parks Department Senior Staff Engineer, U.S. Environmental Protection Agency U.S. Geological Survey Executive Director, Milwaukee Metropolitan Sewerage District

Assistant Administrator for Planning, Washington County Director of Engineering and Public Works, City of Cedarburg

Water Resources Engineer, HNTB Corporation Principal Planner, Southeastern Wisconsin Regional Planning Commission

WELCOME AND INTRODUCTIONS

Mr. Schmidt thanked the Advisory Committee members for attending this meeting. He indicated that roll call would be accomplished with a sign-in sheet circulated by Commission staff.

APPROVAL OF MINUTES OF THE MEETING OF MARCH 28, 2006

Mr. Schmidt asked if there were any additions or revisions to be made to the minutes of the March 28, 2006, meeting of the Committee.

Mr. Lubner said that the revision to Table VII-16 on page 114 of Technical Report No. 39 which is described on page 4 of the minutes should probably be handled differently. He suggested entitling the combined category "Crustacea and Insects."

[Secretary's Note: The suggested change was made.]

Ms. Jooss noted that the second last sentence in the second paragraph on page 5 of the minutes should be revised to omit the word "along" and that "natures" should be changed to "nature."

There being no further additions or revisions, the minutes were approved as revised, on a motion by Ms. Jooss, seconded by Ms. Anderson, and carried unanimously.

CONSIDERATION OF SUBSECTION ENTITLED "TOXICITY CONDITIONS OF THE MILWAUKEE RIVER," FROM CHAPTER VII, "SURFACE WATER QUALITY CONDITIONS AND SOURCES OF POLLUTION IN THE MILWAUKEE RIVER WATERSHED," SEWRPC TECHNICAL REPORT NO. 39, WATER QUALITY CONDITIONS AND SOURCES OF POLLUTION IN THE GREATER MILWAUKEE WATERSHEDS

Mr. Schmidt asked Mr. Slawski to review the subsection from the preliminary draft chapter.

Mr. Lubner pointed out typographical errors or minor omissions on pages 4, 17, 18, 19, and 20.

[Secretary's Note: Those errors or omissions were corrected.]

Mr. Behrens asked that the Commission staff provide an evaluation of the significance of the 5,200 kilogram PCBs found in sediment in the Estabrook Impoundment and also of the five to 15 kg increase in the annual mass transport of PCBs in the Milwaukee River through resuspension of sediment and dissolution of PCBs stored in sediment in the Impoundment, as noted on page 2. Mr. Lubner suggested that converting the 100,000 cubic yards of sediment containing the PCBs to a weight in kg might be useful in making such evaluations.

[Secretary's Note:	The following text was added after the second sentence of the first paragraph on page 2:
	"This volume represents the equivalent of approximately 8,300 standard dump truck loads of contaminated sediment containing approximately 1,000 gallons of PCBs. This represents the largest known single deposit of PCBs in the Milwaukee River watershed outside of the Milwaukee Harbor estuary."
[Secretary's Note:	The following text was added after the fourth sentence of the first paragraph on page 2:
	"This suggests that resuspension of sediment and dissolution of PCBs stored in sediment in the impoundment constitutes a major source of PCBs to the Milwaukee Harbor estuary."

Referring to Figures VII-43C through 43H which present concentration of various constituents in the tissue of fish, Mr. Lubner asked of how many samples each symbol in the graphs was representative. Mr. Slawski replied that each symbol represents a single fish or a small assemblage. Mr. Lubner then inquired whether the text indicates only a small number of samples are available to assess toxic substances in aquatic organisms. Mr. Slawski replied that the text did mention the small sample size.

[Secretary's Note: The fourth paragraph on page 15 states that the number of samples screened for pesticide contamination was small. The following paragraph was added following the first partial paragraph on page 6:

"It is important to recognize that the number of individual organisms and the range of species taken from this watershed that have been screened for the presence of mercury contamination are quite small. Because of this, these data may not be completely representative of the body burdens of mercury carried by aquatic organisms in the River and its tributaries."

The following paragraph was added following the first paragraph on page 14:

"It is important to recognize that the number of individual organisms and the range of species taken from this watershed that have been screened for the presence of PCB contamination are quite small. Because of this, these data may not be completely representative of the body burdens of PCBs carried by aquatic organisms in the River and its tributaries."]

CONSIDERATION OF SUBSECTION ENTITLED "WET-WEATHER AND DRY-WEATHER LOADS," FROM CHAPTER VII OF SEWRPC TECHNICAL REPORT NO. 39

Mr. Schmidt asked Mr. Hahn to review this subsection with the Committee.

Mr. Hahn noted that this subsection was intended to replace the entire subsection reviewed at the March 28, 2006, Committee meeting. At that meeting he noted that the Commission staff intended to further investigate the relationship between loads in the main stem of the Milwaukee River at the U.S. Geological Survey stream gages at Pioneer Road in Ozaukee County and downstream at Port Washington Road in Milwaukee County. He said that the previous analysis had used the full period of flow record at each gage to establish their flow duration relationships. (The Estabrook Park gage has a much longer period of record than the Pioneer Road gage.) When the flow duration relationships for each gage were based on the 1981-2004 period for the Pioneer Road gage, the relative wet- and dry-weather loads results were more in line with expectations.

Mr. Lubner noted typographical errors or minor omissions on pages 27 and 31.

[Secretary's Note: Those errors or omissions were corrected.]

CONSIDERATION OF EXCERPT FROM SECTION ENTITLED "ACHIEVEMENT OF WATER USE OBJECTIVES IN THE MILWAUKEE RIVER AND ITS TRIBUTARIES," FROM CHAPTER VII OF SEWRPC TECHNICAL REPORT NO. 39

Next, Mr. Hahn reviewed this excerpt which was inserted on page 181 of the preliminary draft chapter. The excerpt presents summary information on sampling for pesticides, PCBs, PAHs, other organic compounds, and metals. The concentrations are evaluated relative to achievement of established water quality standards and criteria.

A motion to approve the preceding three inserts to preliminary draft Chapter VII, "Surface Water Quality Conditions and Sources of Pollution in the Milwaukee River Watershed," as amended, was made by Ms. Anderson and seconded by Mr. Lubner and was carried unanimously by the Committee.

CONSIDERATION OF CHAPTER VI, "LEGAL STRUCTURES AFFECTING THE REGIONAL WATER QUALITY MANAGEMENT PLAN UPDATE," SEWRPC PLANNING REPORT NO. 50, A REGIONAL WATER QUALITY MANAGEMENT PLAN UPDATE FOR THE GREATER MILWAUKEE WATERSHEDS

Mr. Schmidt asked Mr. Hahn to review the preliminary draft chapter.

Mr. Hahn noted that after a series of Committee meetings that focused on review of the technical report, presentation of this chapter marked a return to review of the planning report.

Mr. Behrens asked that the list of the greater Milwaukee watersheds in the first paragraph on page 1 be clarified.

[Secretary's Note: The fourth sentence in the first paragraph on page 1 was revised as follows (in this and all following revisions, added or revised text is indicated in bold type):

"The regional water quality management plan update is intended to focus on water quality issues and problems and on the recommended water use objectives and standards for the greater Milwaukee watersheds (**the** Kinnickinnic, Menomonee, Milwaukee, and Root River **watersheds** and **the** Oak Creek watershed), the Milwaukee Harbor Estuary, and nearshore Lake Michigan areas comprising the study area."]

Ms. Anderson noted the use of the acronym POTW in the bulleted item on top of on page 7. The committee briefly discussed the application of this acronym for publicly owned treatment works, since it is easily confused with the acronym POWTS which stands for "private onsite wastewater treatment systems".

[Secretary's Note: The first reference to POTWs in the chapter occurs in the first bulleted item of the Watershed-Based Permitting subsection on page 6. The text was revised by adding "publicly owned treatment works preceding "POTW" and enclosing "POTW" in parentheses.

In addition, the first section on page 28 was revised as indicated below:

"Regulation of Private Onsite Wastewater Treatment Systems

Sections 59.70 and 145.01(5) of the *Wisconsin Statutes* require that all Wisconsin counties, except counties with a population of 500,000 or more, adopt and administer an ordinance regulating private **onsite wastewater treatment** systems (**POWTS**) within the County. In accordance with Chapters 59 and 145 of the State statutes, all counties in the regional water quality management plan study area, with the exception of Milwaukee County which is excluded from this requirement, have enacted regulations applying to **POWTS**. The codes regulate the location, construction, installation, design, use, and maintenance of **POWTS** in the Counties. Regulations in the ordinance pertaining to **POWTS** apply throughout each County, including cities and villages as well as unincorporated areas. The County sanitary codes establish site requirements for soil absorption sewage disposal systems, including percolation rates and minimum allowable depth to groundwater and bedrock, **and other POWTS that may be permitted under Chapter Comm 83 of the** *Wisconsin Administrative Code.*"]

Mr. Behrens asked that the date of currency of Chapter Comm 83 of the *Wisconsin Administrative Code* be added to the last sentence of the second last paragraph on page 21.

[Secretary's Note: That sentence was revised as follows:

"Basic regulations governing the installation of private sewage systems are set forth in Chapter Comm 83 of the *Wisconsin Administrative Code*, dated January 2004."]

Ms. Anderson noted that the reference to the Caddy Vista Sanitary District in the second sentence of the second paragraph on page 27 should be revised since, as a result of the recent incorporation of Caledonia as a Village, the Caddy Vista District is now part of Caledonia Sewer Utility District No. 1. Ms. Anderson said that the former sanitary districts in the Village of Caledonia are now under the jurisdiction of the Village Board of Trustees.

[Secretary's Note: The second paragraph on page 27 was revised as follows:

"There are three town sanitary districts in the regional water quality management plan study area. These are the Town of Scott Sanitary District No. 1 in Sheboygan County, and the Wallace Lake Sanitary District and Silver Lake Sanitary District, both in Washington County. As noted above in the Utility Districts subsection of this report, upon incorporation of Caledonia as a Village, the Caddy Vista Sanitary District was dissolved and brought under the jurisdiction of Caledonia Sewer Utility District No. 1. The Village of Caledonia is now studying how to legally structure the Crestview Sanitary District and the North Park Sanitary District. Upon incorporation of the Village, those two Districts were placed under the jurisdiction of the Village Board of Trustees, with the former Sanitary District Board members now serving as commissioners."

To further explain the change in status of the former Caddy Vista Sanitary District, a footnote was added at the end of the second paragraph in the *Utility Districts* subsection on page 26.

"Upon incorporation of Caledonia as a Village in 2006, the Caddy Vista Sanitary District was dissolved and brought under the jurisdiction of Caledonia Sewer Utility District No. 1."]

Mr. Hahn noted that Table VI-2 on page 46 would be updated to include missing information that was not available at the time the chapter was drafted.

[Secretary's Note: A revised Table VI-2 is attached as Exhibit A.]

At the conclusion of the Committee review, Mr. Shafer commended the Commission staff on their work on the chapter.

A motion to approve preliminary draft Chapter VI, "Legal Structures Affecting the Regional Water Quality Management Plan Update," as amended, was made by Mr. Moroney and seconded by Mr. Shafer and was carried unanimously by the Committee.

REVISION TO CHAPTER VI, OF SEWRPC PLANNING REPORT NO. 50 MADE FOLLOWING COMMITTEE MEETING

During review of the chapter following the Committee meeting, the Commission staff noted that the subsection on State of Wisconsin nonagricultural nonpoint source pollution control standards did not include information on post-development infiltration and wetland setback standards.

[Secretary's Note: The following paragraphs were added after the first partial paragraph at the top of page 20:

"Section NR 151.12 of the *Wisconsin Administrative Code* requires infiltration of postdevelopment runoff from areas developed on or after October 1, 2004, subject to specific exclusions and exemptions as set forth in Sections 151.12(5)(c)5 and 151.12(5)(c)6, respectively. In residential areas, either 90 percent of the annual predevelopment infiltration volume or 25 percent of the post-development runoff volume from a two-year recurrence interval, 24-hour storm, is required to be infiltrated. However, no more than 1 percent of the area of the project site is required to be used as effective infiltration area. In commercial, industrial and institutional areas, 60 percent of the annual predevelopment infiltration volume or 10 percent of the post-development runoff volume from a two-year recurrence interval, 24-hour storm, is required to be infiltrated. In this case, no more than 2 percent of the rooftop and parking lot areas are required to be used as effective infiltration area.

Section NR 151.12 also generally requires impervious area setbacks of 50 feet from streams, lakes, and wetlands. This setback distance is increased to 75 feet around Chapter NR 102-designated Outstanding or Exceptional Resource Waters or Chapter NR 103-designated wetlands of special natural resource interest. Reduced setbacks from less susceptible wetlands and drainage channels of not less than 10 feet may be allowed."]

DETERMINATION OF NEXT MEETING DATE AND LOCATION

The next meeting of the Advisory Committee was scheduled for Tuesday, August 29, 2006, beginning at 1:30 p.m. at the Mequon City Hall in the upstairs Council Chambers.

ADJOURNMENT

The May 24, 2006, meeting of the Advisory Committee on the regional water quality management plan update was adjourned at 2:52 p.m. on a motion by, Mr. Wiza, seconded by Mr. Behrens and carried unanimously by the Committee.

* * *

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Exhibit A

Table VI-2

WPDES PERMIT INFORMATION FOR PUBLIC AND PRIVATE SEWAGE TREATMENT FACILITIES

	WPDES Permit			S Permit Effluent Limits												
				во	D ₅	СВС	DD ₅ ^a	Total Suspended Solids Phosphorus		ļ	Ammonia Nitroge	en	Total C (resi	hlorine dual)	Fecal Coliform	
Facility Name	Number	Effective Date	Expiration Date	Weekly Average	Monthly Average	Weekly Average	Monthly Average	Weekly Average	Monthly Average	Monthly Average	Daily Maximum	Weekly Average	Monthly Average	Daily Maximum	Weekly Average	Geo Mean
Public Facilities																
Milwaukee Metropolitan Sewerage District Jones Island Treatment Plant		04/01/03	3/31/08	45 mg/l	30 mg/l			45 mg/l	30 mg/l	1.0 mg/l				38 μg/l	36 µg/l	400 cells/ 100 ml
Milwaukee Metropolitan Sewerage District South Shore Treatment Plant		04/01/03	3/31/08	45 mg/l	30 mg/l			45 mg/l	30 mg/l	1.0 mg/l		Variable ^b		38 μg/l	80 µg/l	400 cells/ 100 ml
City of Cedarburg	0020222	07/01/03	06/30/08	10 mg/l (229 lbs/day) , 15 mg/l (344 lbs/day) ^c	10 mg/l, 15 mg/l [¢]			15 mg/l (344 lbs/day)	15 mg/l	1.0 mg/l		2.0 mg/l, 4.0 mg/l [¢]				400 cells/ 100 ml ^d
City of Racine	0025194	04/01/03	03/31/08	45 mg/l	30 mg/l			45 mg/l	30 mg/l	1.0 mg/l				38 µg/l	80 µg/l	400 cells/ 100 ml
City of South Milwaukee	0028819	01/01/06	12/31/10	45 mg/l	30 mg/l			45 mg/l	30 mg/l	1.0 mg/l						400 cells/ 100 ml ^d
City of West Bend	0025763	10/01/05	06/30/10	10 mg/l	10 mg/l			10 mg/l	10 mg/l	1.0 mg/l	9.4 mg/l	4.8 mg/l ^e , 3.6 mg/l ^f , 6.9 mg/l ^g 11.1 mg/l ^h	2.1 mg/l ^e , 1.9 mg/l ^f , 3.0 mg/l ^g , 5.0 mg/l ^h	38 µg/l	8.0 µg/l	400 cells/ 100 ml
Village of Campbellsport	0020818	07/01/02	06/03/07	10 mg/l				10 mg/l				0.77 mg/l ⁱ , 4.0 mg/l ^j				400 cells/ 100 ml
Village of Cascade	0031372	10/01/05	09/30/10	45 mg/l ^j	30 mg/l ^j	40 mg/l ⁱ	25 mg/l ⁱ	60 mg/l	60 mg/l	3.8 mg/l ^k 1.0 mg/l ^l	6.4 mg/l ^l	20 mg/l ^m , 32 mg/l ⁿ	12 mg/l ^m , 16 mg/l ⁰ , 19 mg/l ⁿ	38 µg/l	23 µg/l	400 cells/ 100 ml
Village of Fredonia	0020800	01/01/05	12/31/09			40 mg/l	25 mg/l	45 mg/l	30 mg/l	1.0 mg/l ^p	17 mg/l ^q		26 mg/l ^q	38 µg/l ^r		400 cells/ 100 ml ^d
Village of Grafton	0020184	07/01/02	06/30/07	35 mg/l 45 mg/l ^C	30 mg/l			35 mg/l, 45 mg/l ^c	30 mg/l	1.0 mg/l		2.1 mg/l. 9.8 mg/l ^C	37 Ibs/day, 175 Ibs/day ^C	38 µg/l ^r	20 µg/l ^r	400 cells/ 100 ml ^C
Village of Jackson	0021806	10/01/05	09/30/10	12 mg/l, 17 mg/l ^C				12 mg/l		1.0 mg/l	14 mg/l	8.5 mg/l, 7.4 mg/l, 5.0 mg/l, 8.4 mg/l, 14 mg/l ^S	4.3 mg/l, 5.7 mg/l, 3.9 mg/l 7.0 mg/l ^t	38 µg/I ^r	7.7 μg/l ^r	400 cells/ 100 ml ^d
Village of Kewaskum	0021733	01/01/05	12/31/09	10 mg/l (63 lbs/day), 18 mg/l (113 lbs/day) ^C	10 mg/l, 18 mg/l ^C			10 mg/l (63 lbs/day), 18 mg/l (113 lbs/day) ^C	10 mg/l, 18 mg/l [¢]	1.0 mg/l	24 mg/l	6.4 mg/l, 14.3 mg/l, 8.8 mg/l ^U	8.1 mg/l, 11.5 mg/l, 7.1 mg/l ^U			400 cells/ 100 ml ^d
Village of Newburg	0024911	10/01/02	09/30/07	45 mg/l	30 mg/l			45 mg/l	30 mg/l							400 cells/ 100 ml ^d
Village of Random Lake	0021415	12/29/95	12/31/00	30 mg/l	15 mg/l			30 mg/l	20 mg/l	1.0 mg/l		3.0 mg/l ⁱ , 6.0 mg/l ^j		37 µg/l	8.1 µg/l	400 cells/ 100 ml

Table VI-2 (continued)

	WPDES Permit				Effluent Limits											
				BC	BOD ₅ CBOD ₅ ^a Total Suspended Solids Phosphorus			Total Phosphorus	Ammonia Nitrogen			Total Chlorine (residual)		Fecal Coliform		
Facility Name	Number	Effective Date	Expiration Date	Weekly Average	Monthly Average	Weekly Average	Monthly Average	Weekly Average	Monthly Average	Monthly Average	Daily Maximum	Weekly Average	Monthly Average	Daily Maximum	Weekly Average	Geo Mean
Public Facilities (continued)																
Village of Saukville	0021555	01/01/04	12/31/08	35 mg/l (470 lbs/day), 45 mg/l ^C	30 mg/l			35 mg/l (470 lbs/day), 45 mg/l C	30 mg/l	1.0 mg/l		18 mg/l (242 lbs/day), 4.7 mg/l (63 lbs/day), 8.1 mg/l (109 lbs/day) ^V				400 cells/ 100 ml ⁰
Village of Union Grove	0028291	01/01/04	12/31/09	30 mg/l	15 mg/l			30 mg/l	20 mg/l	1.0 mg/l	11.4 mg/l	31 mg/l ^h , 5.6 mg/l ^w	12.5 mg/l ^h , 2.3 mg/l ^W			
Town of Scott ^X	0036684	7/1/03	06/30/08													
Town of Yorkville	0029831	1/1/05	12/31/09	30 mg/l	20 mg/l			30 mg/l	20 mg/l							
Private Facilities																
Fonks Mobile Home Park	0026689	01/01/06	12/31/10	30 mg/l	20 mg/l	30 mg/l	20 mg/l									
Kettle Moraine Correctional Institution	0060721	07/01/03	06/30/08		50 mg/l											
Long Lake Recreation Area	0060356	04/01/06	03/31/11		50 mg/l								-			2,000,000 MPN/g TS ^y

^aCarbonaceous biochemical oxygen demand.

 b Weekly limitations on total ammonia nitrogen in mg/l at the MMSD South Shore Treatment Plant are as follows:

Month	pH 7.0	pH 7.1	pH 7.2	pH 7.3	pH 7.4	pH 7.5
June July August	16.7 11.3 11.1	16.7 8.8 8.7	13.1 8.8 8.7	13.1 8.8 6.7	13.1 6.8 6.7	13.1 6.8 6.7
September	12.7	12.7	10.0	10.0	10.0	10.0

^CMay-October, November-April.

^dMay-September only.

^eApril-May.

^fJune-September.

g_{October.}

h_{November-March.}

ⁱMay-October.

j_{November-April}

^kEffective through December 2009.

^IEffective January 1, 2010.

^mEffective for April, after January 1, 2010.

ⁿEffective for November-March, after January 1, 2010.

^OEffective for May-September, after January 1, 2010.

^pLimit effective starting March 1, 2005; monitoring begins January 1, 2005.

 q_{Limit} effective starting January 1, 2008. Alternate daily maximum limit may be reached if pH adjustment is chosen.

^rMay-September or whenever chlorinating.

^SApril, May, June-September, October, November-March.

^tApril & October, May, June-September, November-March.

^UMay-October, November-March, April.

^vMarch-May, June-August, September-November.

WApril-October

^XThe Scott Sanitary District provides treatment through an absorption pond. Thus, the following limits apply to grab samples collected from eight monitoring wells.

Parameter	Units	Preventative Action Limit	Enforcement Standard	Frequency
Nitrogen, Nitrite + Nitrate (as N) Dissolved Chloride Dissolved pH (Lab and Field) Nitrogen, Ammonia Dissolved Nitrogen, Organic Dissolved Solids, Total Dissolved	mg/l mg/l Standard Units (su) mg/l mg/l	3.4 125.0 8.2 2.1 2.2 568.0	10 250 N/A N/A N/A N/A	Quarterly Quarterly Quarterly Quarterly Quarterly Quarterly

^yMonitor only during operating season, May 1st- October 31st.

Source: Wisconsin Department of Natural Resources and SEWRPC.