

MINUTES

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

PLANNING AND RESEARCH COMMITTEE

Tuesday, November 9, 2010

1:34 p.m.

SEWRPC Office Building
Commissioners' Conference Room
W239 N1812 Rockwood Drive
Waukesha, Wisconsin

Present:

Excused:

Committee Members:

Daniel S. Schmidt, Chairman
Gregory L. Holden, Vice-Chairman
Kimberly L. Breunig
William R. Drew
Susan S. Greenfield
William E. Johnson
Mary Kacmarcik
John Rogers
Robert W. Pitts
Daniel W. Stoffel
David L. Stroik
John F. Weishan, Jr.

Gilbert B. Bakke
Nancy Russell
Paul G. Vrakas

Other Commissioners:

James T. Dwyer

Staff:

Kenneth R. Yunker
Michael G. Hahn
Elizabeth A. Larsen
Robert P. Biebel
Debra A. D'Amico

Executive Director
Chief Environmental Engineer
Business Manager
Special Projects Engineer
Executive Secretary

ROLL CALL

Chairman Schmidt called the meeting to order at 1:34 p.m. Roll call was taken and a quorum was declared present. Mr. Yunker noted that all Commission members were invited to attend this meeting, and for the record that Commissioners Bakke, Russell, and Vrakas who are Committee members, and Commissioners Buestrin, Greene, Hansen, and Wirth who are not Committee members had asked to be excused.

APPROVAL OF MINUTES OF MEETING OF AUGUST 17, 2010

Chairman Schmidt asked if there were any changes or additions to the August 17, 2010, meeting minutes.

On a motion by Mr. Pitts, seconded by Mr. Johnson, and carried unanimously, the minutes of the meeting of August 17, 2010, were approved as published.

CONSIDERATION OF THE FOLLOWING MATERIALS ATTENDANT TO SEWRPC PLANNING REPORT NO. 52, A REGIONAL WATER SUPPLY PLAN FOR SOUTHEASTERN WISCONSIN:

Pages 701 through 750 of Chapter X, "Recommended Water Supply Plan" (copy attached to Official Minutes)
Chairman Schmidt asked Mr. Biebel to review with the Committee and all the Commission members Pages 701 through 750 of Chapter X, "Recommended Water Supply Plan."

Mr. Biebel noted that pages 681 through 700 of Chapter X were reviewed and approved at the Planning and Research Committee's August 18, 2009 meeting. He then briefly summarized each section of this Chapter and encouraged questions and comments from all in attendance.

During Mr. Biebel's Chapter X review, the following questions and comments were made and addressed:

1. In response to a specific inquiry by Mr. Rogers relative to Village of Elm Grove's water supply during Mr. Biebel's summary description of Map 123, he stated that the Village of Elm Grove is currently served by private wells.
2. Mr. Rogers then inquired about whether other regions have prepared plans like the Commission's regional water supply plan. Mr. Biebel indicated that there are a few regions in the nation which have regional water supply plans, citing one done by the Chicago Metropolitan Agency for Planning. He noted the Commission's regional water supply plan is unique with respect to the detailed technical and quantitative evaluation of alternatives, and that the water supply plans for other regions are largely policy plans.
3. A discussion relative to those communities straddling the Lake Michigan basin ensued. Mr. Biebel stated that, under the Great Lakes Compact, those communities only need the State of Wisconsin Governor's approval to use Lake Michigan water. In response to Mr. Stroik's inquiry relative to the possibility of a straddling community annexing additional land beyond the Lake Michigan basin and extending Lake Michigan water to this annexed area with only the Governor's approval, Mr. Biebel responded that providing Lake Michigan water to a straddling community with a Governor's approval was limited to the community's corporate boundaries which existed when the compact was enacted and implemented by State legislation. In response to an inquiry by Ms. Greenfield, Mr. Biebel stated that the diversion of Lake Michigan water in the Kenosha area is considered differently under the law as it had been approved prior to the compact.

4. In response to Mr. Stoffel's inquiry, Mr. Biebel explained why the plan recommends increased reliance on the shallow aquifer for water supply. He noted the significant drawdown that has occurred in the deep aquifer, and the effect of the layer of Maquoketa shale which separates the shallow and deep aquifer in much of the Region, and greatly limits recharge of the deep aquifer. He noted that the shallow aquifer would not experience the same drawdown concern, although there may be some limited drawdown extending 500 to 1,000 feet from large capacity municipal wells.
5. Mr. Rogers asked what would happen if the recommended use of Lake Michigan water by the Waukesha area is not implemented. Mr. Biebel responded that the regional water supply plan evaluated a number of alternative plans including an alternative which only differed from the final recommended plan with respect to Waukesha water supply--one alternative proposing a Lake Michigan water supply and the other a groundwater water supply. Mr. Yunker then emphasized that the regional water supply plan is an advisory plan, and its implementation will be monitored by Commission staff. He indicated that should there be a need to change the plan, its amendment will be considered. He stated that major re-evaluations and updates of the plan could be expected on a ten-year cycle.
6. Ms. Breunig inquired about how sewage treatment is provided for municipalities in Milwaukee County which have a Lake Michigan water supply. Mr. Biebel responded that the Metropolitan Milwaukee Sewerage District (MMSD) serves all communities in Milwaukee County with the exception of the City of South Milwaukee which has its own sewage treatment facility. Ms. Breunig asked whether consideration was given to the City of Waukesha's wastewater being piped to and treated by MMSD. Mr. Biebel responded that MMSD currently does not have the capacity to treat Waukesha's wastewater.
7. In response to a question by Mr. Weishan, Mr. Biebel responded that the staff followed the 2007 Wisconsin Act 227 with respect to considering Lake Michigan and groundwater alternative sources of supply for the City of Waukesha, and more specifically with respect to the definition of "reasonable water supply alternative" to Lake Michigan water. Mr. Weishan expressed concern that the Commission was developing a water supply plan to serve a land use plan, and rather a land use plan should be developed which would be based upon water supply considerations. Mr. Biebel responded that an explicit element of the regional water supply study was the consideration of whether there was a need to revise the regional land use plan due to water supply considerations. If that proved to be the case, the regional water supply plan was to include recommendations for regional land use plan amendment. Mr. Biebel noted that the study concluded that either Lake Michigan or groundwater would provide adequate water supply for the City of Waukesha. Lake Michigan was recommended as a preferred alternative largely due to environmental considerations.
8. Mr. Rogers inquired about the potential environmental impacts if the regional water supply plan is not approved and implemented. Mr. Biebel stated that there would likely be continued drawdown of the deep aquifer, greater loss of baseflow to surface water systems with attendant reductions in stream flow and wetlands due to likely increased use of the shallow aquifer, and continued discharges of chlorides from water softeners.
9. Mr. Weishan asked if consideration in developing the final plan recommendations should be given to whether any of the Great Lakes Governors would block the implementation of Waukesha's proposed use of Lake Michigan water. Mr. Yunker responded that the staff and Advisory Committee have developed after years of study what they believe to be the best recommended plan. Implementation of this plan should then be pursued, and if the plan is not implemented, then consideration should be given to amending the plan.

10. Mr. Biebel confirmed to Mr. Stoffel that the water withdrawn from Lake Michigan for the City of Waukesha must be returned as treated wastewater to Lake Michigan.
11. In response to an inquiry by Mr. Pitts, Mr. Biebel stated that Commission staff held nine public hearings and a workshop in Waukesha where 180 people in total made comments, and that the regional water supply plan is an advisory plan.
12. Mr. Weishan expressed concern that there may be more communities outside the Lake Michigan basin in 20 years that will be pursuing Lake Michigan water. Mr. Biebel responded that the plan considered forecast needs to the year 2035. He also noted that a plan alternative had examined greater expansion of Lake Michigan water use outside the Lake Michigan basin, and had rejected that alternative based on cost-effectiveness. He noted that under the recommended plan a significant rebound in the level of the deep aquifer was projected. Mr. Weishan then expressed concern over the number of existing water utilities in the Region. Mr. Biebel responded that one of the guiding principles the staff follows is the reliance on existing entities and authorities, unless they are not working well or efficiently.
13. In response to a question by Mr. Stroik, Mr. Biebel stated that cost estimates for the recommended plan were adjusted to current year costs based on the Engineering News-Record construction cost index.

There being no further comments or questions relative to pages 701 through 750 of Chapter X, Mr. Biebel reminded the Commissioners that Appendix O had been reviewed and approved at the Planning and Research Committee's August 18, 2009 meeting. He then proceeded to review Appendix P, "Chapter 7, Summary and Conclusions, Socio-Economic Impact Analysis of the Regional Water Supply Plan for Southeastern Wisconsin" (copy attached to Official Minutes). Mr. Biebel noted in his review that Appendix P is Chapter VII, "Summary and Conclusions," of the socio-economic impact analysis of the regional water supply plan that was prepared by the University of Wisconsin-Center for Economic Development.

Chapter XI, "Plan Implementation" (copy attached to Official Minutes)

There being no questions or discussion following Mr. Biebel's review of Appendix P, Chairman Schmidt asked Mr. Biebel to review with the Committee Chapter XI, "Plan Implementation." During the review, he noted that based on comments at the last Commission meeting, a recommendation was added with regard to the return flow component associated with the City of Waukesha Water Utility conversion to a Lake Michigan supply. The addition to the plan recommends that an oversight committee be formed by the Wisconsin Department of Natural Resources (WDNR) to provide guidance in the planning, operation, and monitoring of the return flow. The committee would be comprised of representatives of the agencies and units of government most directly affected, including the WDNR, Milwaukee County, Racine County, Waukesha County, the Milwaukee Metropolitan Sewerage District, the City of Waukesha Water Utility, SEWRPC, and the local units of government, including the City of Milwaukee, within which the affected streams are located, with the final composition of the committee depending upon the return flow option involved.

Mr. Stoffel suggested that the regional water supply plan consider recommending additional groundwater recharge through application of farming practices that reduce or eliminate tillage of fields. He noted that "no-till" farming methods retain stormwater and minimize stormwater runoff, result in higher crop yields, and represent no additional costs. After a short discussion, it was agreed to include reduced and no tillage farming method recommendations in the regional water supply plan.

Mr. Biebel then reviewed with the Commissioners Appendix Q, "Model Resolution for Endorsement of the Regional Water Supply Plan for Southeastern Wisconsin" (copy attached to Official Minutes). This document is included in each regional water supply plan as a format for all the governmental entities within the seven county Region to consider for their official endorsement of the regional water supply plan.

Mr. Biebel continued and reviewed with the Commissioners Appendix R, "Funding and Technical Assistance Information" (copy attached to Official Minutes). He explained that Appendix R lists all the funding agencies and opportunities, including grants, programs, and loan funds.

Chapter XII, "Summary" (copy attached to Official Minutes)

There being no further questions or discussion on Chapter XI, "Plan Implementation," including Appendix Q, "Model Resolution for Endorsement of the Regional Water Supply Plan for Southeastern Wisconsin," and Appendix R, "Funding and Technical Assistance Information," Chairman Schmidt asked Mr. Biebel to review with the Committee Chapter XII, "Summary."

During Mr. Biebel's review of Chapter XII, the following questions and comments were made and addressed:

1. In response to an inquiry by Mr. Stroik, Mr. Biebel responded that once the regional water supply plan is adopted, a newsletter will be prepared of the final recommended plan adopted by the Commission. Mr. Yunker noted that the newsletter is mailed to elected officials from the Region, Commission Advisory Committee members, the media, and interested citizens. Mr. Biebel then said that Don Behm of the "Milwaukee Journal Sentinel" will be writing an article about the final recommended plan. It was suggested by Mr. Pitts and Mr. Rogers that the Commission staff meet with the editorial board of the newspaper. Mr. Yunker suggested that such a meeting be done in conjunction with the book documenting the history of the Commission's 50 years of service.
2. Ms. Greenfield noted her concerns of the potential environmental impacts of possible return flow of Waukesha area treated wastewater on the Root River, and also Underwood Creek. She stated that her questions regarding potential impacts could not be addressed until preliminary engineering and environmental impact statements had been completed. Mr. Weishan stated that he shared those concerns, as well as concerns regarding potential impacts on streambank erosion and water quality. Mr. Biebel responded that while those issues would not be fully addressed until preliminary engineering was complete, changing the location of discharge of City of Waukesha wastewater--which would occur after preliminary engineering and environmental impact studies were complete--would require a change in the regional water quality management plan. This would require Commission review and approval, and potential recommendation to the Wisconsin Department of Natural Resources.

Mr. Biebel also noted that the regional water supply plan recommended that the City of Waukesha consider alternatives for the return of treated wastewater including a pipeline to Lake Michigan, the preparation of an environmental impact statement, and an oversight committee including affected local units of government be created to oversee the engineering and environmental studies. He noted that the system planning had indicated the return flow may be expected to be of higher quality than existing streamflow, the additional flow may promote improvements in habitat, and, if the wastewater return flow was actively managed, flow would be to the Fox River during times of potential flooding. Mr. Biebel also noted that a community with Lake Michigan water supply--most likely the City of Milwaukee--would also have to agree to provide water to the City of Waukesha.

Mr. Johnson expressed concern that the Commission advances plans which attempt to provide recommendations which are best for the entire Region, but many units of government endorse, and implement, only those elements of the plans which they support.

There being no further questions and discussions, on a motion by Mr. Rogers, seconded by Ms. Breunig, to recommend to the full Commission approval of the remaining sections of the regional water supply plan and the adoption of the regional water supply plan including the addition of a recommendation of "no-till" farming

practices to enhance groundwater recharge, was carried by a vote of 8 ayes to 3 nays, with Ms. Greenfield, Mr. Weishan, and Mr. Johnson voting against.

CONSIDERATION OF AMENDMENT TO THE REGIONAL WATER QUALITY MANAGEMENT PLAN

Sewer Service Area Plan for the City of New Berlin (copy attached to Official Minutes)

Chairman Schmidt asked Mr. Yunker to review with the Committee a proposed amendment to the adopted regional water quality management plan pertaining to the sanitary sewer service area for the City of New Berlin. A copy of the preliminary draft of a SEWRPC Staff Memorandum dated December 2010, concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Yunker indicated that by letter dated August 17, 2010, the City of New Berlin requested that the Commission amend the City of New Berlin sanitary sewer service area tributary to the Milwaukee Metropolitan Sewerage District (MMSD). That area is currently documented in SEWRPC Community Assistance Planning Report No. 157, *Sanitary Sewer Service Area for the City of New Berlin, Waukesha County, Wisconsin*, dated November 1987, as amended. The purpose of this amendment is to include within the planned New Berlin sewer service area certain lands located outside the currently adopted sewer service area.

Mr. Yunker directed the attention of the Committee members to Map 1 of the memorandum document, indicating that the proposed amendment involves the addition to the sewer service area of a site encompassing 7.7 acres in the south central area of the City of New Berlin. The site is proposed to be developed as an expansion of the BuySeasons facility, recently constructed on the parcel to the south. He noted that Map 2, an aerial photo, shows that the subject site does not encompass any environmental corridors or isolated natural resource areas.

Mr. Yunker noted that a public hearing on the proposed sewer service area amendment, sponsored jointly by the City of New Berlin and the Regional Planning Commission, is scheduled for November 10, 2010. He said that the Commission staff is not aware of any opposition to the proposed amendment.

Mr. Yunker noted that the subject site is included in the MMSD planned area for wastewater treatment as defined in the year 2020 MMSD facilities plan. The wastewater flows from the site would be able to be accommodated via the wastewater flow allocations for the City of New Berlin under that facilities plan. He indicated that the proposed amendment is consistent with regional plans. He said that the Commission staff recommends approval of the proposed amendment, subject to a receipt of a positive report from the November 10th public hearing.

There being no questions or discussion, on a motion by Mr. Drew, seconded by Mr. Pitts, and carried by a vote of 10 ayes and 1 abstention by Mr. Stroik, the SEWRPC Staff Memorandum dated December 2010, was approved and recommended to the Commission for adoption.

CONSIDERATION OF DRAFT OF THE COMMISSION 2011 OVERALL WORK PROGRAM

Chairman Schmidt noted that copies of the 2011 Overall Work Program (OWP) draft for the Commission had been provided to all Commission and Committee members for review prior to the meeting. He asked Mr. Yunker to briefly review the document with the Commissioners.

Mr. Yunker then led the Commissioners through a review of the Overall Work Program (OWP), calling particular attention to a number of major planning efforts. Overall, he said, the work program calls for a level of effort very close to that envisioned when the 2011 budget was approved in June.

At the conclusion of his remarks, Mr. Yunker commented that the work program was reviewed by representatives

of the Federal and State transportation funding agencies at an intergovernmental agency staff meeting held on October 5, 2010.

There being no questions or discussion, on a motion by Mr. Pitts, seconded by Ms. Greenfield, and carried unanimously, the Committee acted to recommend approval of the 2010 Overall Work Program to the Commission.

CORRESPONDENCE/ANNOUNCEMENTS

Chairman Schmidt asked Mr. Yunker if there was any correspondence or announcements. Mr. Yunker reported there was no correspondence to report and no announcements.

ADJOURNMENT

There being no further business to come before the Committee, on a motion by Ms. Greenfield, seconded by Mr. Stoffel, and carried unanimously, the meeting was adjourned at 4:10 p.m.

Respectfully submitted,

Kenneth R. Yunker
Deputy Secretary

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