

**MINUTES**

**SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION**

**PLANNING AND RESEARCH COMMITTEE MEETING**

Tuesday, August 7, 2018

1:30 p.m.

SEWRPC Office Building  
Commissioners' Conference Room  
W239 N1812 Rockwood Drive  
Waukesha, WI 53187-1607

**Present:**

**Excused:**

Commissioners:

Daniel S. Schmidt, Chairman  
Jose Delgado, Vice Chairman  
Steve Bostrom  
Charles L. Colman  
Michael A. Crowley  
Aloysius Nelson  
Robert W. Pitts  
Jennifer K. Rothstein  
Nancy Russell  
Jeffrey D. Schleif  
Peggy L. Shumway  
David L. Stroik

Brian R. Dranzik  
William R. Drew  
James A. Ladwig  
Theodore Lipscomb, Sr.

Staff:

|                     |                                     |
|---------------------|-------------------------------------|
| Michael G. Hahn     | Executive Director                  |
| Kevin J. Muhs       | Deputy Director                     |
| Elizabeth A. Larsen | Assistant Director – Administration |
| Laura K. Herrick    | Chief Environmental Engineer        |

**ROLL CALL**

Chairman Schmidt called the Planning and Research Committee meeting to order at 1:30 p.m. Roll call was taken and a quorum was declared present. Chairman Schmidt indicated for the record that Commissioners Dranzik, Drew, Ladwig, and Lipscomb, had asked to be excused.

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**APPROVAL OF MINUTES OF THE MAY 8, 2018, MEETING**

Chairman Schmidt asked if there were any changes or additions to the May 8, 2018, meeting minutes.

Mr. Schleif noted that meeting minutes incorrectly state that Chairman Schmidt asked Mr. Hahn to provide and update to Foxconn.

Ms. Larsen indicated that the meeting minutes had been corrected to reflect that Chairman Colman asked Mr. Hahn to provide the Foxconn update.

On a motion by Mr. Nelson, seconded by Mr. Crowley, and carried unanimously, the minutes of the May 8, 2018, Planning and Research Committee Meeting were approved.

**CONSIDERATION OF AMENDMENT TO THE REGIONAL WATER QUALITY MANAGEMENT PLAN**

Mr. Hahn noted that the Village of Germantown had very recently requested an additional expansion of the sewer service area. He said that, because sufficient time was not available to incorporate that request in the plan amendment prior to the August 7 Planning and Research Committee meeting, consideration of an amendment to the regional water quality management plan for the Germantown sanitary sewer service area had been removed from the agenda. He notified the Committee members that a special Planning and Research Committee meeting to consider the Germantown amendment will be held at 2:45 p.m. on September 12, immediately prior to the quarterly Commission meeting at 3:00 p.m. on that date.

**Greater Kenosha Sanitary Sewer Service Area** (Copy attached to Official Minutes)

Chairman Schmidt asked Mr. Hahn to review with the Committee the proposed amendment to the adopted regional water quality management plan pertaining to the Greater Kenosha sanitary sewer service area. A copy of the preliminary draft of a SEWRPC Staff Memorandum dated September 2018, concerning this matter had been provided to the Committee members for review prior to the meeting.

Mr. Hahn indicated that by letter dated November 13, 2017, the Kenosha Water Utility on behalf of the Village of Somers requested that the Southeastern Wisconsin Regional Planning Commission (SEWRPC) amend the Greater Kenosha sanitary sewer service area tributary to the City of Kenosha wastewater treatment plant. That area is currently documented in a SEWRPC report titled *Amendment to the Regional Water Quality Management Plan – Greater Kenosha Area*, dated December 2001, as amended. He said that the basic purpose of the amendment would be to expand the sewer service area to include certain additional lands along the IH 94 corridor that were subject to the approved boundary agreement between the City of Kenosha, the Village of Somers, the Town of Paris, and the Kenosha Water Utility.

He directed the attention of the Committee members to Map 1, which identifies the proposed 6.4 square miles located on both sides of IH 94, north of CTH E to be added to the sanitary sewer service area. He noted this area includes 0.3 square mile of environmentally significant land, 0.5 square mile of existing urban land, and 5.6 square miles of agricultural and other open land. He then noted that under planned conditions, the subject site would be in industrial/business park, commercial, and residential uses. The areas proposed to be developed as residential use would accommodate about 3,630 housing units with an estimated population of 8,930 persons.

Mr. Hahn said that Maps 3 through 6 provide a more detailed delineation of the amended sewer service area, including environmentally significant lands reflecting the Commission's 2010 environmental corridor

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mapping, the 2010 Wisconsin Wetland Inventory, and the 2012 Federal Emergency Management Agency flood insurance maps.

Mr. Hahn stated that the proposed addition to the Greater Kenosha sanitary sewer service area represents an increase in the planned sewer service area of about 7 percent. He also stated there should be no significant adverse water quality impacts attributable to the development of the planned sanitary sewer service area, assuming that all applicable Federal, State, and local permits are obtained and that proper site development and construction practices are employed.

Mr. Hahn noted that the City of Kenosha wastewater treatment plant has a capacity of about 28.6 millions of gallons per day (mgd) and a current hydraulic loading of about 22.8 mgd. He said that the development of the area proposed to be added to the sewer service area is anticipated to generate an average annual sewage flow of 3.0 mgd. He added that combining that flow with the addition over time of flows from development of other parts of the sewer service area could result in a total flow to the treatment plant that could approach or exceed the current plant capacity. He concluded by noting that the Kenosha Water Utility should consider initiating facility planning in the near future to address the potential need to add treatment capacity.

Mr. Hahn noted that the expansion is consistent with the land use component of the VISION 2050 regional land use and transportation plan, with the regional water quality management plan, and with Chapter NR 121 of the *Wisconsin Administrative Code* governing the preparation of areawide water quality management plans.

He then said the public hearing was held on July 30, 2018, that no objections to the proposed amendment were expressed at the hearing, and that the Board of Water Commissioners of the Kenosha Water Utility approved the sewer service area amendment on July 30, following the public hearing.

Mr. Hahn called attention to Appendix A which provides job/housing balance information developed under the Southeastern Wisconsin Regional Planning Commission (SEWRPC) regional housing plan. He noted that neither the City of Kenosha nor the Village of Somers are projected to have a shortage of affordable housing compared to job wages.

Mr. Hahn then stated that it is recommended that the Commission formally amend the Greater Kenosha sanitary sewer service area. Upon approval the amendment will go to the Wisconsin Department of Natural Resources (WDNR) for approval and the WDNR will then provide the amendment to the U.S. Environmental Protection Agency for certification.

Mr. Delgado noted that the sewage treatment plant capacity analysis refers to average annual wastewater flows, but peak flows are important to consider when evaluating capacity. Mr. Hahn agreed, and noted that the treatment plant is designed to handle peak flows, that average annual flows are related to peak flows, and that the SEWRPC and WDNR staffs evaluate a plant's ability to treat peak flows during reviews of plant facilities plans. Mr. Hahn further stated that when peak plant capacity is exceeded, some treatment plants have methods in place to bypass some of the treatment processes to avoid damage to the system while still attempting to meet permit effluent limits.

In response to an additional inquiry by Mr. Delgado, Mr. Hahn stated that of the 6.4 square miles, 5.6 square miles is agricultural or other open land, 0.5 square mile is urban land, and 0.3 square mile is environmentally significant land.

Mr. Colman asked about the yellow area on the northwest corner of Map 1.

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[Secretary's Note: That area was added to the Greater Kenosha sanitary sewer service area in 1996 to reflect a proposal to serve that area with a future force main, but a force main has not been installed.]

In response to an inquiry by Ms. Rothstein, Mr. Hahn stated that neither the City of Kenosha nor the Village of Somers are projected to have a shortage of affordable housing compared to job wages.

There being no further questions or comments, on a motion by Mr. Pitts, seconded by Mr. Bostrom, and carried unanimously, the Amendment to the Greater Kenosha sanitary sewer service area, was approved.

#### **UPDATE ON HAZARD MITIGATION PLANS**

Chairman Schmidt asked Mr. Hahn to provide an update on hazard mitigation planning completed by the Commission staff.

Mr. Hahn introduced Ms. Laura Herrick, Chief Environmental Engineer. Ms. Herrick reviewed the Power Point presentation, "Update on Hazard Mitigation Plans."

During the presentation the following questions were asked and answered.

In response to an inquiry by Mr. Schleif, Ms. Herrick stated that structures along the Lake Michigan shoreline are discussed in the coastal hazards section of the hazard mitigation plans.

In response to an inquiry by Ms. Rothstein, Mr. Hahn stated that the Commission has advocated for adoption of uniform structure setback requirements along the Lake Michigan coastline throughout the Region.

In response to an inquiry by Mr. Colman, Ms. Herrick stated that wildfire hazard mitigation planning is not conducted in the Region.

In response to a second inquiry by Mr. Colman, Ms. Herrick noted that hazard mitigation plans are updated every five years.

In response to an inquiry by Mr. Delgado concerning progress made on reducing the opportunity for harm, Ms. Herrick stated that progress is being made through implementation of flood mitigation projects within the Region. For example, Kenosha County has acquired 106 homes along the Fox River in the last 20 years, permanently removing them from the floodplain.

Mr. Hahn added that the Commission has been monitoring hazard mitigation for 50 years and progress is being made. However, due to climate change there will likely be future increases in extreme storms and flooding.

Mr. Delgado then asked if there is an awareness of flooding in the Counties and how to prevent flooding as new development occurs. Mr. Hahn stated that communities in the Region have stormwater ordinances that require new development to account for the additional impervious surface with stormwater control features. Foxconn is an example of this, with stormwater detention basins designed for their Area 1 site as required by the Mount Pleasant post-construction stormwater management ordinance. Mr. Delgado stated that flooding is no longer an issue in Elm Grove due to the large flood control project completed in the Village. Mr. Hahn noted that the Elm Grove project was recommended under the Underwood Creek stormwater drainage and flood control plan prepared by the Commission in collaboration with the City of Brookfield and the Village of Elm Grove.

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**UPDATE ON CHLORIDE IMPACT STUDY**

Chairman Schmidt asked Mr. Hahn to provide an update on activities related to the Chloride Impact Study.

Mr. Hahn asked Ms. Laura Herrick to update the Committee. Ms. Herrick reviewed the Power Point presentation, "Status of the Chloride Impact Study for the Southeastern Wisconsin Region."

During this presentation the following comments and questions were made.

Mr. Colman asked about the use of brine solution for winter road maintenance.

[Secretary's Note: Salt brine is applied to roads prior to an anticipated freezing rain or snow event as a liquid anti-icer. Such applications are becoming more common as municipalities refine their winter maintenance programs to improve efficiency and effectiveness. Other anti-icing agents, such as cheese brine (a waste product from the cheese making process), or beet juice, can be effective, but have the negative effect of increasing the biochemical oxygen demand in receiving water bodies.]

In response to an inquiry by Ms. Rothstein, Ms. Herrick stated that, as the study progresses, staff are gathering road deicing data from communities for all practices, including salting, sanding/salting, and other products.

In response to an inquiry by Mr. Colman, Ms. Herrick stated that the goal is to place the conductance sensors in a minimum of three feet of water to avoid winter ice issues and freezing.

In response to an inquiry by Mr. Schleif, Mr. Hahn stated that salt in a lake can create a density plume that settles at the bottom of the lake.

In response to an inquiry by Mr. Nelson, Ms. Herrick stated that purpose of the private access letters is to obtain permission from property owners to put the telemetry unit on their property.

Ms. Russell asked if there was any indication that chloride is getting into the groundwater. Mr. Hahn stated that chloride levels have been rising in well water in the Region, and that the study will acquire available well monitoring data obtained by others.

In response to an inquiry by Mr. Stroik, Mr. Hahn stated that chloride is a conservative substance, meaning that biological processes do not break it down. Chloride does become diluted in the environment, but does not adhere to soil particles for potential settling and removal.

**UPDATE ON ADOPTION OF MILWAUKEE AND ROCK RIVER BASINS TOTAL MAXIMUM DAILY LOAD STUDIES**

Chairman Schmidt asked Mr. Hahn to provide an update on the adoption of the Milwaukee and Rock River Basins Total Maximum Daily Load (TMDL) Studies.

Mr. Hahn stated that, as has been discussed at Planning and Research Committee meetings over the last year and a half, two amendments will be forthcoming to amend the regional water quality management plan to incorporate the TMDLs developed for the Milwaukee and Rock River Basins.

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Mr. Hahn summarized the draft resolution for incorporation of the Milwaukee River Basin TMDLs, noting that:

- The guiding plans for the Milwaukee River Basin are SEWRPC Planning Report No. 30, *A Regional Water Quality Management for Southeastern Wisconsin – 2000* and SEWRPC Planning Report No. 50, *A Regional Water Quality Management Plan Update for the Greater Milwaukee Watersheds*, published in 2007 and amended in 2013.
- The Milwaukee Metropolitan Sewerage District worked to develop third-party TMDLs for total phosphorus, total suspended sediment, and fecal coliform bacteria in the Milwaukee River Basin in collaboration with the U.S. Environmental Protection Agency (USEPA), the Wisconsin Department of Natural Resources (WDNR), SEWRPC, the Southeastern Wisconsin Watersheds Trust, Inc., CDM Smith, and several subconsultants.
- The water quality modeling analysis conducted for the TMDL study was based on models developed for SEWRPC Planning Report No. 50.
- On March 9, 2018, the USEPA determined that the TMDLs for the Milwaukee River Basin, as documented in *Final Report – Total Maximum Daily Loads for Total Phosphorus, Total Suspended Solids, and Fecal Coliform – Milwaukee River Basin, Wisconsin*, March 19, 2018, meet the requirements of Section 303(d) of the Clean Water Act and USEPA’s implementing regulations at 40 Code of Federal Regulations Part 130.
- Implementation of the recommendations of SEWRPC Planning Report No. 50 would represent significant progress toward meeting the established TMDLs by cost-effectively reducing loads of total phosphorus, suspended sediment, and fecal coliform to the waterbodies of the Milwaukee River Basin.
- The *Wisconsin Statutes* and Chapter NR 121 of the *Wisconsin Administrative Code* call for inclusion of total maximum daily loads in areawide water quality management plans, and once a TMDL is approved by the USEPA, the TMDL is automatically incorporated into all applicable areawide water quality management plans.

In response to an inquiry by Ms. Rothstein, Mr. Hahn stated that there could be a potential to trade pollution credits when implementing programs to comply with permit conditions calling for progress toward meeting TMDLs. As an example, a wastewater treatment plant that would need to achieve phosphorus reductions and would incur significant expense in modifying its processes to achieve those reductions, may be allowed to execute an agreement with an upstream agricultural producer to pay for the installation of agricultural runoff management practices to reduce pollution loads.

In response to an inquiry by Mr. Schleif, Mr. Hahn stated that agricultural pollution sources could be reduced using riparian buffers and grass waterways.

In response to a second inquiry by Mr. Schleif, Mr. Hahn stated that the WDNR does not measure the actual pollutant reductions at installed practices, but does ensure the practices are properly installed and maintained.

Mr. Hahn then stated that the guiding regional plan for the Rock River Basin is Planning Report No. 30, *A Regional Water Quality Management for Southeastern Wisconsin – 2000*. He noted that the Rock River Basin TMDL study was prepared for the USEPA and WDNR, and he pointed out similarities and differences between the Milwaukee River Basin resolution and the Rock River Basin resolution.

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Mr. Hahn noted that, at its November 6 meeting, the Committee will be asked to consider recommending that the resolutions be forwarded to the full Commission for approval.

**NEXT MEETING**

The next meeting of the Planning and Research Committee will be a special meeting held on September 12, 2018, immediately prior to the full Commission meeting. The next regularly-scheduled Committee meeting will be held on Tuesday, November 6, 2018, at 1:30 p.m.

**CORRESPONDENCE/ANNOUNCEMENTS**

There was no correspondence or announcements.

**ADJOURNMENT**

There being no further business to come before the Committee, on a motion by Mr. Pitts, seconded by Mr. Schleif, and carried unanimously, the meeting was adjourned at 2:43 p.m.

Respectfully submitted,

Michael G. Hahn  
Deputy Secretary