

Friends of the Mukwonago River



Longear Sunfish
(*Lepomis megalotis*)

The Mukwonago River watershed is home to over 50 species of fish including the threatened Longear Sunfish (*Lepomis megalotis*), several species of rare freshwater mussels, an incredible diversity of wetlands, and some of the highest water quality in Southeastern Wisconsin. The mission of the Friends of the Mukwonago River is to protect the Mukwonago River and its associated watershed ecosystems by way of education, advocacy, and promotion of sound land use throughout the watershed.

2007-8 NEWSLETTER

Welcome to the 2007-8 newsletter of the Friends of the Mukwonago River

First off, congratulations are in order! Ezra, a founder and our current Vice President/Secretary, and his wife Paola are new parents. Their baby girl was born in late October, and everyone is doing great.

On to news from the watershed: The Friends' focus has shifted a little bit lately. The constant flurry of development proposals in the watershed has slowed considerably, a reflection of the trend toward stagnation in real estate markets nationwide. Analysts predict this trend will continue for some time, though interest rates, government stimulus packages, and other variables may push in the other direction.

This "breather" in the pace of development should allow the various communities in the watershed to get their "Smart Growth" comprehensive land-use plans in place. If you live in the watershed, please get involved in the process in your community! The completion of these plans will allow better management of growth when the market picks up again. The development slowdown has also given us an opportunity to work on education and other projects that will mitigate previous damage to the stream and/or water quality in the area. As always, there is a lot going on and much to tell you about.

Thank you again for your support!

*Nancy Gloe, President/Treasurer
(262) 782-8876
E-mail address will be changing soon.
Please use telephone for now.*



**A sign along Highway E in North Prairie.
A developer selling raw land?!**

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Update

Village of Mukwonago's Stormwater Committee

As reported in our last newsletter, the DNR issued a MS4 municipal stormwater permit to the Village of Mukwonago on January 1, 2007. The DNR issues these permits to municipalities to help them reduce the water-quality deterioration their stormwater runoff causes in nearby lakes and streams, as well as to help them prevent further impacts.

The village's permit sets forth a goal of reducing "to the maximum extent practicable" the volume of total suspended solids (sediments) flowing into the stream with runoff. The goal is to reduce the volume of these pollutants going into the stream by 20% by the end of 2008 and 40% by 2013.

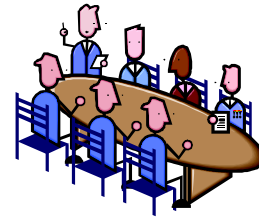
Another permit requirement set forth by the state is that the village must "...notify the public of activities required by...the permit and encourage input and participation from the public regarding these activities." Accordingly, the village assembled a stormwater committee consisting of village staff and elected officials, local citizens and business leaders, staff from the DNR, Friends' President/Treasurer Nancy Gloe, and Friends' member and village resident Jan Bernhagen. The committee met for the first time in May 2007 and has met several times since. Nancy chairs the committee, a signal of the positive working relationship between the Friends and village government.

DNR grant

The DNR has awarded the village a grant of \$60,000 to help it determine how to best reach the permit's goals. Ruckert-Mielke, the village's engineering and planning firm, has assembled in-depth background information on the village's stormwater system, projected rainfall, and projected future growth. They have put all of this into a computer model, to help guide decision-making on the most cost-effective ways to address stormwater runoff issues.

Options for stormwater improvements are likely to be limited in areas that are already developed; particularly given the village's limited financial resources. One "best management practice" that may prove useful to mitigate existing problems,

however, is the construction of one or more stormwater detention pond(s) downstream from developed areas of the village where no stormwater controls currently exist. Although the permit only requires the village to address water *quality* impacts, stormwater detention ponds could have a



positive impact on water *quantity* as well. It is difficult for aquatic organisms—fish, mussels, wetland plants—to survive in an environment where water levels rise and fall

quickly due to runoff from adjacent extensive impervious areas during rain events. Stormwater management practices such as detention ponds capture stormwater runoff and release it into the river slowly, having allowed some sediments and pollutants to settle out, providing both water quality and quantity benefits. Fortunately, when the area was developing, the village insisted that land next to the river be left open. This leaves potential areas where new ponds can be sited.

The village will also likely implement an education program for residents regarding yard waste, chemical lawn fertilizer use, pet waste, etc. Taken collectively, individual actions by residents can have a major impact on local water quality.

As for mitigating future damage to the river from stormwater runoff, the committee is currently working on a revision to the village's stormwater ordinance. The stormwater system in the Gateway District, for example, was designed with cutting-edge technology to control construction-site erosion and post-construction stormwater run-off. It is expected that a revised ordinance will require future large-scale developments to address water quality *and* water quantity issues.

Finally, while the village must take steps to meet the permit requirements, the committee's recommendations are advisory only. The village board ultimately has to make any and all decisions on stormwater and development projects. Therefore, it never hurts for the members of the board to hear from constituents about the value of the Mukwonago River, and the Phantom Lakes, and of keeping these resources in good shape for current and future generations of residents.

On the land development front...



As mentioned above, the pace of development has slowed, but there have been a couple of proposals near the Mukwonago River and Jericho Creek by local developers/landowners in 2007. Here's what's happening and what we've done to try to make these proposals more watershed friendly.

Tekaver property,

Village of Mukwonago

In September 2006, the Village of Mukwonago received a proposal from the landowner, Jeff Tekaver, to rezone 22.58 acres of land near the upper end of Lower Phantom Lake from A-1 (agricultural) to R-7 (single-family residential) for the purpose of constructing a 6-lot subdivision. The land is just east of the southeast corner of Highways LO and I and just west of the village's parkland along Lower Phantom Lake. The land contains a considerable amount of wetland and designated Primary Environmental Corridor, although there is enough upland area for the landowner to try and squeeze in several lots and homes.

This proposal drew fierce opposition from the property's neighbors. When the controversial nature of the proposal became apparent, the village asked for input from the Friends. The village has always slated any upland area on the parcel for residential development. Although the land is environmentally significant, according to a recent inventory by staff from SEWRPC (the Southeastern Wisconsin Regional Planning Commission), the property contains no threatened or endangered plants or animals.

Since the Friends had no grounds for opposing development on the upland portions of the property, we decided to insist that the land be developed in an environmentally sensitive way. The original proposal was to simply carve up the parcel into the biggest lots possible; giving four of the six lots considerable wetland acreage.

The village does not have a conservation subdivision ordinance which would allow smaller lots and common open space that could be protected in its natural state, so the Friends asked for the smallest possible lot size under the village's zoning to minimize impervious surfaces and thus problematic runoff to the river, and we asked that the

Environmental Corridor areas and wetlands be given by the developer to the Waukesha County Land Conservancy or Waukesha County to be preserved forever. We also asked for a buffer between the lots and the wetlands so that space would be available for the treatment and slowing of stormwater runoff.

Bruce Kaniewski, from Ruckert-Mielke, drew up several alternative development proposals under the R-7 and R-1 zoning categories. He recommended the most river-friendly design. More recently, we've heard that Waukesha County has raised concerns about the development's setback to the wetlands and Hwy LO. We'll keep watching this development.

Circle C-Z Plaza, LLC (former Michaelis farm) property, Town of Eagle

The Campbell/Zakrzewski family has owned this property for roughly 7 or 8 years, having purchased it from the Michaelis family following the death of long-time owner/farm family matron, Bessie Michaelis. The Campbell/Zakrzewski family has significant land holdings in the Town of Eagle, some of which have been farmed historically and much of which they are now seeking to develop.

This property is immediately adjacent to Jericho Creek, the Mukwonago River's main tributary. Roughly one-third of the property's 100 acres is designated as Environmental Corridor and the rest as farmland, including the historic farmstead. The owners are seeking approval to develop the parcel as a single-family residential subdivision of between 20 and 25 homes.

The Friends will continue to follow the process to approve this development, with the goal of ensuring that the development of this property will have as little impact as possible on Jericho Creek and ultimately the Mukwonago River.

Watershed happenings...

Help for the River's mussel population

As covered in our 2006 newsletter, the State of Wisconsin closed the statewide inland (i.e., all but the Mississippi River and Lake Michigan) mussel harvest as of October 1, 2006.

Mussels (freshwater clams) are considered one of the most endangered animal families in North America. The Mukwonago River's mussels have undergone significant population declines in recent years. One of the biggest problems that the Mukwonago's mussels faced over the past several years was over-harvesting by humans. (The impact on mussels from poorly planned development can be significant, too).

The DNR has now placed signs at various parking areas along the river announcing the closure (and, at one location, the resulting fines for violating the rule). The signs are, importantly, written in English, Spanish, and the Hmong language.

Hopefully the river's mussels can now begin the long slow process of repopulating the "mussel shoals" and at some point we or possibly our children can enjoy seeing these interesting little creatures in significant numbers once again. If you haven't already, please see the "Glacial Refuge" video for more information on the fascinating, secret life of our freshwater mussels.



Dispute over new high-capacity wells continues

The battle over groundwater in this watershed and others continues. In the summer of 2005, the Lake Beulah Protection and Improvement Association filed suit against the DNR over their approval of a high capacity well permit for the Village of East Troy. The Beulah group argued that the DNR should have studied potential impacts to a nearby wetland and the lake before issuing a permit.



Walworth County Circuit Court Judge James Carlson rejected the claim, however, on the grounds that state law clearly defines what

information the DNR can use when reviewing an application. At the time of the ruling, the only thing the DNR could consider is whether a new well would adversely impact an existing high-capacity well. More recent legislation, passed in 2006, allows consideration of environmental impacts to a limited number of surface water resources.

The issue will continue to be aired in the courts, however. Earlier this year, the Eagle Spring and

Phantom Lakes Management Districts and several Lake Beulah residents filed a lawsuit which took a different tack. The Wisconsin Constitution sets the public's rights to enjoy the water resources of the state; combined with case-law precedent generated over the years, this body of law is known as Wisconsin's public trust doctrine. The new suit claims that by approving the East Troy well without proper study of the effects the DNR has failed to uphold its responsibilities to the public under the state's constitution.

We hope that the state legislature is paying attention and that they will write a Phase 2 to the groundwater quantity legislation enacted in 2006. These regulations should provide a balance between concerns about impacts from groundwater pumping on local surface water resources and the needs of high capacity groundwater users (municipalities, farmers, industry, etc.). In the future we hope these decisions can be based on good science rather than the outcome of protracted court battles.

Meyer Preserve--gift to Nature Conservancy, public

One of the largest donations ever in Wisconsin to The Nature Conservancy will help preserve an important part of the Mukwonago River watershed.

Long-time Milwaukee Journal-Sentinel executive Newell Meyer, who died in August of 2006, and his wife Ann, who died in 2004, left 374 acres of land near the headwaters of the north branch of the Mukwonago River in the Town of Eagle to The Nature Conservancy for a public nature preserve.

The land contains prairie, a sedge meadow, wetlands, oak savanna, spring outlets, and farmland. It is home to a wide variety of birds, including sandhill cranes. The \$12.5 million gift includes about \$8 million to maintain and expand the

preserve. The preserve will eventually be open to the public for photography, hiking, and bird watching.

It is not possible to overstate the importance of such gifts to the river and its watershed. Any stream biologist will tell you that if you mess up the headwaters of a stream, you'll never have anything other than a messed-up stream.

We salute the Meyers for their wonderful gifts and for their conservation ethic. The Meyer Preserve will forever be a place where people can learn about and enjoy nature in the outstanding Mukwonago River watershed. It will be a place where people can renew their ties to the land. It will be a place that will be forever wild.

Terrifying turtle tales—what early summer will bring

Crawling at barely 0.2 miles per hour*, the turtle competes for road space with the 45-miles-per hour, 3500-pound car for a short time in June. It's no surprise that the turtle often loses in this contest.

This contest occurs each year from late May through June as the turtles living in the Mukwonago River area travel anywhere from 500 feet to two miles away from water to upland sites where they lay eggs. In most areas they usually must cross a roadway on this important procreative trek.

Road dangers

State wildlife officials annually remind motorists to be alert for turtles crossing the roads in search of nesting sites. "Highway mortality continues to pose a major threat to our native turtle populations," said Bob Hay, DNR amphibian and reptile biologist.

Of the 11 species in Wisconsin, most turtles (7 out of 11) are listed as endangered, threatened, or species of special concern.

Officials suggest that to conserve the dwindling numbers of turtles, motorists should not only watch for and avoid turtles on the road during this time, but they should go as far as to help turtles cross the road. At www.dnr.wi.gov search for the article, "Why Did the Turtle Cross the Road?" and click on

***425 ft. covered in 25 minutes according to the National Wildlife Federation magazine. Time varies per species.**



"Protect Turtles", a 3 min. video, explaining what you can do. Some suggestions:

Slow down near wetlands.

Avoid turtles on the road if you can do so safely.

If safe, move the turtle off the road.

Move it in the direction it was heading.

Make donations to the DNR and the Knowles-Nelson Stewardship Fund.

Road signs to alert drivers and barriers along roads for the turtles have proven to be effective.

In "Fast Decline of Slow Species" in the National Wildlife Federation's magazine, writers called the North American turtles' fate "a quiet crisis." Most of the nation's 46 freshwater species of turtles face such danger that the experts in the article warn they could all be extinct before the next century.

Other dangers

Since most turtles killed on the road are breeding females, local turtle populations can be dramatically

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Terrifying turtle tales, cont.

impacted by the death of even one turtle. Many turtles do not mature to breeding age for years. For instance, Wisconsin's threatened Blanding's turtle takes 14-20 years before reaching sexual maturity!

Loss of nesting habitat

Even if this female makes it across the road to her familiar nesting territory, she may find a manicured yard instead of her familiar untamed territory. If she selects a nesting site here, the untended nest and eggs face the usual predators (skunks, raccoons, cranes, etc.) and the lawnmowers, cats, and dogs. Biologist Hay said, "...as few as 5% of the eggs survive to hatch...only one in 100 may survive to reproductive age! That one may be crossing the road as you drive by.

For more information on Wisconsin state turtles, go to www.dnr.wi.gov

Watershed studies due by Dec. 2009

In the summer of 2007, the Phantom Lakes Management District received a \$10,000 DNR River Protection Grant for a watershed study focusing on the lower reaches of the Mukwonago River. The year before that, the Eagle Spring Lake Management District received a similar grant for the upper portion of the watershed.

These grant applications and the scope of the watershed study were all worked out with the involvement of the Friends and our other partners participating in the Mukwonago River Watershed Initiative. These watershed studies will help us and our other watershed partners pinpoint the problems and needs facing the watershed. They will help us

put our efforts and your contributions to the best possible use.

Unfortunately, watershed studies take time. The Southeastern Wisconsin Regional Planning Commission will do the work, and they have committed to having both studies completed by December 2009.



Other Friends involvements...

Planned watershed protection/restoration efforts

Restoring and preserving the quality of a watershed is a long-term endeavor. We know about some of the watershed's problems and their solutions. When the studies described above yield information, it will help us and our partners connect the rest of the dots.

We have been doing our own stream-bank monitoring on the Mukwonago River and Jericho Creek. With a few notable exceptions (particularly the golf course) the bed and banks of the main stem of the Mukwonago River are in remarkably good shape.

Jericho Creek is in considerably less good shape. DNR staff tell us that the creek is doing a poor job of supporting the cold-water species (including

trout). This is not surprising due to the many stream-bed enlargements and channel straightening activities that have occurred over the years. Enlargements or ponds slow and warm the water, making it unsuitable for cold-water species. Straightening the natural meanders of a stream destroys cover and habitat that fish and other species need to survive.

We plan to work on the obvious problems as landowners express their willingness to have repairs done on their property and as grant monies become available. As our knowledge deepens, we and our partners in conservation will be in a position to map out a strategy to target our efforts to maximize stream protection and restoration efforts.

Waukesha County Board reaffirms value of the Mukwonago River

In February 2007, watershed landowner Cheryl Berg asked the Waukesha County Board of Supervisors to remove her 96-acre property in the Town of Mukwonago (right on the Mukwonago River!) from the County's Park and Open Space plan, ostensibly to enhance the development potential of the property.

Lands designated in the Park and Open Space Plan are considered ecologically valuable and the county agrees to pay fair market value to purchase these lands for conservation, should the landowner be willing to sell.

The Friends attended the county board's hearing on this request and spoke against Mrs. Berg's proposal. We asked that the wetlands along the river continue to be designated for county ownership and that only

the uplands be allowed to be developed in an environmentally sensitive manner.

The county board went beyond our request and kept the entire parcel in Park and Open Space designation due to the steep slopes on the property's upland. The board correctly reasoned that development on steeply sloping land can do serious damage with runoff to the river and erosion.

The Friends try to strike a balanced and reasonable middle-ground approach on development issues. The county board, however, was way ahead of us on this one. They deserve much credit for their knowledge of sound land-use principles and their recognition of the importance of the Mukwonago River.

Town of Mukwonago purchase of development rights proposal

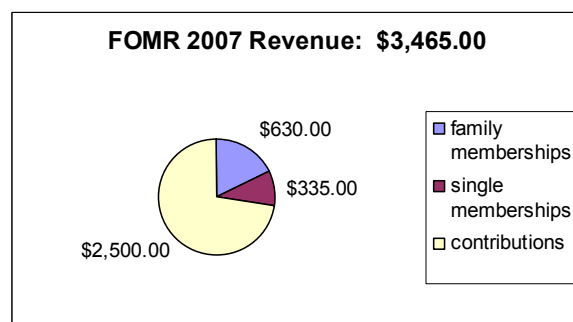
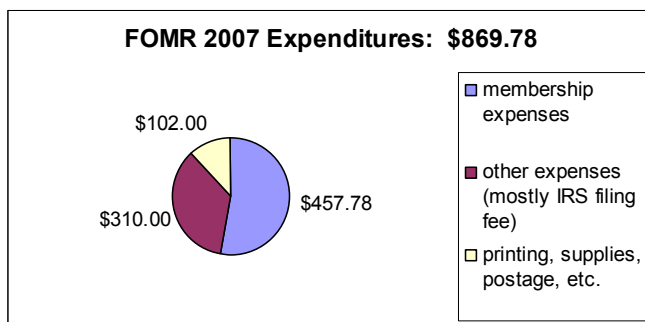
After countless hours over three years of planning and education by the Town of Mukwonago Purchase of Development Rights (PDR) Committee, which included our own Ezra Meyer, Town of Mukwonago voters turned down the purchase of development rights referendum last April by 65%-35%.

Many similar land conservation proposals were approved by voters across the nation last spring. Unfortunately, southeast Wisconsin proved to be

less fertile ground. Being on the same ballot as a large school referendum didn't help matters. We believe that well-planned PDR programs are worthwhile and should be funded; especially in an important area like the Mukwonago River watershed. Hopefully the Town won't give up easily and the time to try again will be in the near future. Nothing worthwhile comes easily, as they say. Win, lose, or draw, we thank the members of the town's PDR Committee for all of their hard work.

Friends of the Mukwonago River financials

Below is our financial statement for 2007. Contact our President/Treasurer, Nancy Gloe, if you would like additional information on our financials for this year.



Remember that your contributions to the Friends are considered charitable donations and are potentially tax deductible. We are recognized by the IRS as a 501c3 tax-exempt charitable organization.

2008 annual membership meeting

The 2008 annual membership meeting for the Friends of the Mukwonago River will be held in March. As we are still, at the time of publication, seeking commitments from some speakers we'd like you to hear this year, we do not yet have a specific date. Please watch for a post card on this event soon. We hope you'll join us.

Education connection...

The Friends recently made another great education connection. In addition to our connections with Eagleville School, we've forged ties with Parkview Middle School in Mukwonago. Parkview science teacher Paul Shedivy showed our video to his students this past spring then took up a collection for the Friends. We'd like to extend a big thank you to Paul and his students for that.

Paul then invited us to speak to his classes about the wonderful resource in their back yard. Nancy eagerly agreed and timed the visit for a day that the DNR was doing a fish shocking survey on Jericho Creek. This gave the students a chance for some hands-on learning.

The DNR lent us about eight different species of fish. We had some warm-water fish, such as bluegill, pumpkinseed, and rock bass. Others were "transitional" cold-water fish (not true cold-water species such as brook trout, but fish that require

cooler temperatures), such as chub, stoneroller, and blunt-nose minnow. We set up two tanks: one with cold water and the other warm. We had the students monitor the tanks' temperatures and helped them learn to identify the various fish species.

Paul also brought in some invertebrates that he'd gotten from the Mukwonago River to help the students learn about the river's food chain. Nancy also talked to the students about why the Mukwonago River is so special, what threats the stream faces, and what the Friends are doing to address those threats.

At the end of the day Paul reported that many of his students were very interested in the presentation and that he considered the program to be a great success. We hope to repeat this program on a regular basis. Again, we extend our thanks to Paul for giving us this great educational opportunity.

Parkview Middle School students enjoy discovering facts and fish of the Mukwonago River



Preventing the spread of the VHS fish virus—what you can do

(Excerpted from the website of the WDNR—see <http://dnr.wi.gov/fish/vhs/> for more information)

The Natural Resources Board passed new statewide emergency rules effective November 2, 2007, to prevent the spread of the new fish disease, viral hemorrhagic septicemia, or VHS. It's important that every one of us who enjoys Wisconsin's waters does their part to prevent the spread of this harmful fish virus, including into the Mukwonago River, its tributaries, and the lakes along the Mukwonago River.

Here is how the new rules affect you if you fall into one (or more) of the following user groups:

Boaters and anglers: Under the statewide emergency rules, boaters and anglers:

- May not leave the bank or shore of any water with any live fish or live fish eggs, including left-over minnows. There are limited exceptions to the rule for wild bait harvest.
- Must drain all water from bilges, ballast, live wells, bait buckets and other containers when they leave the bank or shore of any water.
- May not use dead fish, fish eggs, or fish parts for bait. Exceptions: if they are fishing in Lake Michigan or Green Bay or any waters connected to these waters upstream to the first dam or other obstruction impassible to fish; if they are fishing in the same water where the bait was collected; if it was preserved by a method that does not require refrigeration or freezing, or if the bait was a live minnow that died while the person possessed it.
- May not use or possess live fish or live fish eggs as bait if obtained outside Wisconsin.
- May not bring boats and boating and fishing equipment and containers into Wisconsin from out of state for use on water bodies unless all the water has been drained from them first.

Wild bait harvesters (using bait for personal use only): Under the statewide emergency rules:

- Bait dealers must apply for a permit to harvest wild bait, including minnows.
- Anglers can harvest bait for their personal use ONLY if they harvest bait from the water they will be fishing in.
- Harvesting minnows for personal use does not require a bait dealer license or harvest permit as long as the total is less than 600 minnows.
- Any minnows that are caught and kept for use as bait but that are not used, must be killed and not returned to the water unless you keep them on the waterbody from which they were caught. If you live on a lake or are vacationing at a resort for a week, it is OK to keep bait in floating containers tethered to a dock or boat.

Anglers, boaters, and all water users: Drain water from your bait bucket and live well to help prevent the spread of VHS.

Ice fishermen and women: Please remember that you need to follow all of these rules when fishing through the ice in order to help prevent VHS' spread. **Also the DNR has just released “answers to ice angler’s questions about preserving dead fish for use as bait.”** Please see the DNR website for additional information on this topic.

The DNR is asking the public to take precautions similar to those used in stopping the spread of invasive species on all waters:

- Inspect your boat, trailer and equipment and remove visible aquatic plants, animals, and mud.
- Drain water from your boat, motor, bilge, live wells, and bait containers.
- Do not move live fish, including minnows, from one water to another.
- Dispose of leftover bait in the trash, not in the water or on land.
- Buy your minnows from licensed Wisconsin bait dealers or catch your own and use it to fish the water you caught it from.
- Wash your boat and equipment with high pressure or hot water or let it dry for five days.

PLEASE JOIN OR RENEW YOUR MEMBERSHIP

WITH

THE FRIENDS OF THE MUKWONAGO RIVER

Now is the perfect time to join or renew your membership with the Friends of the Mukwonago River! The river continues to face threats from proposed and pending developments throughout the watershed, and still too few people understand the singular importance of this river and watershed, unique for incredible diversity and unparalleled quality.

As we work to provide a voice for the river in the planning and decision-making processes surrounding these projects, from time to time we need to hire experts to help us make the case for win-win solutions that will allow sensible development to occur while protecting the Mukwonago River. We also aim to increase the capacity of the Board of Directors of the Friends and its volunteers to make strides toward our watershed protection and restoration goals. Your membership fee for the coming year will help us to do all these important things.

Please join now at the level that's appropriate for you. Just fill out the form below and mail it and a check to:

Friends of the Mukwonago River, P.O. Box 21, Eagle, WI 53119

Circle one: Friend \$25 Defender \$35 Guardian \$50 Steward \$100 Sustainer >\$100 \$ _____

Note: Memberships of \$25 or more receive a copy of our "Glacial Refuge" video (**now on DVD!**)

Memberships of \$35 or more receive a Friends shirt (indicate S, M, L, XL)

Memberships of \$50 or more receive a video and shirt (indicate S, M, L, XL)

I do not need a gift at this time.

Bequests are also gladly accepted.

Name: _____

Address: _____

City, State, Zip Code: _____

Phone # (optional): _____ **E-mail:** _____

Please indicate here if you'd prefer an email newsletter in the future (and provide email above).

Thank you!