

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.

SPRING 2005 NEWSLETTER

Friends of the Mukwonago River, Inc.!!

Hello and welcome to the Spring 2005 newsletter of the Friends of the Mukwonago River.

Well, it's official – we're official. As of January, we are officially incorporated with the State of Wisconsin as Friends of the Mukwonago River, Inc. We are now a nonprofit, nonstock corporation organized for charitable and educational purposes to protect the Mukwonago River and its associated watershed ecosystems, [including all of the associated lakes, large and small], by way of education, advocacy, and promotion of sound land use throughout the watershed. We are very excited about this!

After one last meeting with Attorney Matthew Weber, with the firm Boardman, Suhr, Curry & Field in Madison, we will have adopted bylaws guiding how membership in the group works, the level of membership dues, how the Board of Directors is elected, etc. Watch for our next newsletter this fall, which will contain information on our first annual members' meeting, to be held in the winter of 2006.

Our next step is to work with another attorney to pursue tax exempt, 501(c)3, status with the IRS. This will allow us to be able to receive tax-deductible charitable donations from members, supporters, and corporations as well as to be eligible for grant money from foundations and corporations.

Thank you very much to all of you who receive this newsletter for your on-going support! We needed your financial help to be able to follow through with all the projects we've taken on this past year, including the incorporation. And we'll continue to need it as we go forward. Again, thank you!

Please feel free to contact us if you have any questions, concerns, ideas, etc. We are always willing to do presentations on the river for local groups as a way of raising awareness about this incredible resource in our back yards. We're here when you need us.

This issue of the newsletter summarizes what we've been up to over the past year or so. We think you'll be excited about the many things that are happening in the watershed.

Have a great spring and summer, and make sure you enjoy the river and associated lakes this season!

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Village of Mukwonago **Better Stormwater Management on the Horizon?**

The village's engineer recently asked us for a letter of endorsement for their application for two DNR stormwater grants. We enthusiastically responded since stormwater and related pollution in the village are a serious threat to the lower portion of the river. Three cheers for the village and their engineer for their efforts to do the right thing for the river!



The Mukwonago River (left) as it enters the Fox River downstream (east) of the Village of Mukwonago. Note the difference in water clarity.

The first grant would fund a comprehensive stormwater management plan for the village. Currently, development in the village is required to meet (among other things) the village's stormwater ordinance. Unfortunately, we feel the current ordinance is not stringent enough to preserve local water quality, and the Mukwonago River has suffered. With the help of this grant, the village could look at how local water quality has been affected by previous development, how water quality could be improved, and how future development could be managed to minimize or avoid continued water quality deterioration.

The second grant would help cover the costs of a feasibility study to determine if and how a stormwater utility could work in the village. A stormwater utility has the ability to tax those who generate stormwater runoff, particularly those who generate large volumes of runoff. This means that a stormwater utility will always have dedicated funding, which helps ensure long-term maintenance of stormwater management facilities and consistent attention to the issues relating to stormwater.

We maintain that the Village of Mukwonago is an ideal candidate for these state stormwater grants, and we whole-heartedly support the village's initiative for better stormwater management. Keep your fingers crossed that the DNR will recognize how worthy these projects are.

The Friends Presents Waukesha Memorial Hospital with an Award

On January 30, we presented Waukesha Memorial Hospital (WMH) with a water quality award for the river-friendly design of their D.N. Greenwald Center in the Village's "Gateway District" south of I-43. The Friends' Ezra Meyer presented an engraved plaque (complete with a "trophy" fish) to hospital president Ed Olson at the hospital's ribbon cutting ceremony.

In 2004 we contacted WMH to request that they include "low impact" stormwater management practices in the design of their facility. Our engineer, Doug Eppich from Applied Ecological Services, suggested techniques for reducing stormwater runoff from the hospital development. They would encourage clean stormwater to infiltrate into the ground, eventually recharging the groundwater that the river and associated plants and animals rely on (not to mention all of us who live in the watershed and drink that water). WMH eventually incorporated all of our suggestions into their project. Thank you, Waukesha Memorial Hospital!

This was the Friends' second water quality award. The first was given to then Town of Mukwonago Board Chairman Tom Stuart for his leadership in establishing policies to control the quality of development in the town as well as the rate of growth.

Village's Annexation of Parcels in Town of Waterford Nixed

As reported in the *Mukwonago Chief* last October, the Mukwonago Village Board voted to reverse an earlier decision to annex approximately 580 acres from the Town of Waterford (in Racine County) into the Village of Mukwonago. Town of Waterford residents and officials had vigorously opposed the annexations, and the State Department of Administration had also previously issued an opinion against the annexation.

The decision is particularly important, as a state law passed earlier this year forbids annexations across county lines unless a municipality already has lands in that county. This essentially closes the door to future Racine County annexations by the village.

Why are we concerned about where the Village of Mukwonago annexes land? Some of the existing municipal water supply wells that the village relies on to provide water to its residents and businesses draw their water from the same groundwater aquifers that feed the Mukwonago River and help maintain its flow, its extremely high water quality, and the abundance of plant and animal species that live in and around the river. What's more, future wells that the village would need to supply newly developed areas would likely be located where they also tap into the same groundwater that supplies the Mukwonago River and area lakes. Too much pumping from the shallow aquifers that feed the river could cause irreparable harm to it, its natural inhabitants, and those of us who enjoy its pristine nature.

As always, we urge the Village of Mukwonago to stop dragging its feet on revising its comprehensive plan (required under the State's "Smart Growth" Comprehensive Planning law by the start of 2010) and to really work hard when the plan is revised to incorporate the views and opinions of the public on how much growth is right for the Village of Mukwonago, where it is appropriate to grow and where it is not, and, of course, what kind of development is desired. We are confident that when the village does this, the message from the citizens will be loud and clear that growth that is detrimental to the Mukwonago River is not smart growth.

Another Village / Town Boundary Agreement Reached

In another positive move, the Village of Mukwonago has signed a boundary agreement with the Town of East Troy (from which the village had previously annexed land). Boundary agreements fix municipal boundaries for a given amount of time (usually 20-30 years), setting forth a procedure for how land at the transition between village and town will develop. The village has had a boundary agreement with the Town of Mukwonago for some time.



The existence of these two boundary agreements essentially means that there is a finite amount of land that the village can annex to its north, south, and west, at least for the time frames of the two agreements.

Again, when the village decides to update its comprehensive plan, the issue of how far out the village should grow in any direction must be considered. We envision a citizen-driven comprehensive

planning process that will yield a result where logical, natural boundaries of village growth emerge and are solidified through future boundary agreements with surrounding towns.

Remodeling the Old Wal-Mart Store

We have recently been in contact with Wal-Mart officials in Bentonville, Arkansas about the remodeling project at the old Wal-Mart store off of Highway 83. We have long been aware of stormwater problems at this site caused by the large areas of impervious surface (parking lots and big-box roof) and poorly designed stormwater management facilities for the existing Wal-Mart and adjacent businesses (all of which are located right next to the river!). The Friends are asking Wal-Mart to do stormwater management improvements while they work on that building this summer. So far we have not gotten any answer from Wal-Mart, but we will continue to politely press our cause in hopes that we can regain some ground that was previously lost in the ongoing battle to preserve water quality in the lower portion of the river.

Town of Mukwonago

Update on Purchase of Development Rights Proposal

Friends Co-Director Ezra Meyer continues to play an active role on the Town of Mukwonago's Purchase of Development Rights (PDR) committee.

As a step toward an eventual recommendation to the town board on the feasibility of a PDR program for the town, the Committee decided about a year ago to hire a consultant to undertake a study to help shed some light on the costs of community services in the town.

The idea behind this kind of study is that it is important to understand both the contributions certain kinds of land make to a community's tax base / tax revenues and the impact these kinds of land have on the costs incurred by the community to provide services.

An example is that a 200-acre farm requires only one household garbage pick-up per week, sends (on average) only 1 to 3 children to the schools and rarely requires police or fire service. However, if that 200-acre farm were subdivided into 60 house lots, there would be more garbage to pick up, many more kids in the schools, and a greater need for police and fire services to serve the homes and the families residing in them. All of these things cost the community (i.e., taxpayers) money, and it is not always the case that the tax base and revenues generated by development, like this hypothetical subdivision, make up for the increased demand for services.

Purchase of Development Rights

The Friends would be glad to see purchase of development rights programs adopted in all of the Mukwonago River watershed's towns (Eagle, Mukwonago, Genesee, East Troy, and Troy), or perhaps even at the level of Walworth and Waukesha Counties. PDR is an effective technique for keeping farmland and other valuable open spaces open forever while preserving options for farmers and other large landowners who would rather not develop.

The way a PDR program works is that the community provides monetary compensation to a landowner who is willing to restrict his or her land from being able to be developed or subdivided forever. Compensation is equivalent to the land value the property owner gives up by restricting his or her land in this way. Unlike zoning and subdivision controls, landowner participation in PDR is entirely voluntary.

Although it can be somewhat expensive, countless examples exist from across the country (a few right here in Wisconsin) where citizens have voted in a referendum to tax themselves a little bit more to pay for everlasting farmland and open space preservation through PDR.

In fact, in most of community services studies performed around the country in the past decade or so, the costs of services for residential development have been shown to be significantly greater than the contribution that residential development makes to tax revenues. In short, residential development often does not pay for itself. Instead, other land uses in a community--like farms, open lands, and commercial and industrial land --carry the burden of the costs required to support residential development.

The rationale for performing a study of this kind for the Town of Mukwonago was that if the numbers turned out to be consistent with those found elsewhere, then we would have one more strong argument for pursuing a PDR program in the town--namely, that using PDR to keep open land from being developed would benefit town taxpayers (in the pocketbook, not just in improved quality of life) by preventing the excess costs associated with the development of those lands.



Aerial view of the Mukwonago River in the Town of Mukwonago

The consultant hired by the town performed a one-year costs of community services study looking at 2003 costs and revenues associated with residential, commercial, agricultural, and open lands in the town. The results, though somewhat different than the typical results from this kind of study, show that commercial, agricultural, and open lands in the town pay in more than they receive in services.

The study also showed that in the Town of Mukwonago, existing residential development does pay its way (contrary to the case in many other studied communities). This is due to the fact that residential land uses make up the vast majority of the assessed value (tax base) in the town, which essentially forces residential land as a land use category to cover all the costs of services not covered by other land uses. Since residential use creates most of the costs, this is only fair.

A deeper look at the results reveals something more interesting, though. New residential development in the town clearly requires significantly more services than the open land it replaces, and the costs associated with providing those services fall on two groups of taxpayers in a way that many would agree is not fair: open land (farms, forests, wetlands, etc.) and *existing* residential land pay a significant portion of the new costs associated with new residential development.

The Friends feel that a PDR program makes sense for the Town of Mukwonago and will continue to voice that opinion on the PDR Committee. We feel that the results of the costs of community services study help bolster the already strong rationale for pursuing PDR.

Rainbow Springs' Owners Continue to Pursue Development of Golf Course Land

According to another recent *Mukwonago Chief* article, the owners of the Rainbow Springs Golf Course continue to work toward large-scale residential development of their property in the Town of Mukwonago and across the Walworth County line in the Town of East Troy. The owners are once again looking at extending sewer service from the Village of Mukwonago to their property, probably in hopes that the existence of sewer would allow them to justify much greater development density on the site (a past plan showed nearly 1,500 homes on the 900-acre site!).

This past year the State (DNR) and The Nature Conservancy made an offer to purchase this property with the intent of keeping it in a natural state and potentially allowing public access for educational, scientific, and recreational purposes. The property's owners turned down the offer, preferring instead to look for a developer willing to pay far more than the property is actually worth.

The Friends have watched this situation closely and successfully argued against major development of this property both at Waukesha County planning hearings and at meetings of the Town of East Troy planning commission. Ideally, we would like to see this property (one of the largest undeveloped properties in the area, and one that is located right on the Mukwonago River in an area not very well-suited to development) remain an open space, and we will continue to work toward that goal.

Phantom Lake Well Update



Most have probably heard about concerns among many residents of the Phantom Lakes over the potential for the Village of Mukwonago to locate a new municipal water supply well on the Phantom Lake YMCA Camp property on the shores of Upper Phantom Lake. A recent *Mukwonago Chief* article reported that the pump test for the Village of Mukwonago's potential well at this site is on hold until the fall of 2005 at the earliest. Hopefully, this helps buy some time for the folks from Phantom Lakes Management District and others (including the Friends)

to try to work with the village to properly test the impacts of this potential well on the lake and river. Village officials have indicated on numerous occasions that they will not proceed with the well if it becomes clear that it may cause environmental harm. Again, we will work to keep you informed.

Town of Eagle

Fish Passage on Jericho Creek Improved

Last October, the WDNR, with the help of the Friends, made an effort to address a fish passage problem created by the new Highway LO bridge over Jericho Creek. Highway LO crosses over Jericho Creek, a tributary to the Mukwonago River, just east of Eagleville School and just west of Highway E in the Town of Eagle.

When the Waukesha County Department of Transportation rebuilt the bridge last summer, they also replaced the culvert. The creek now flows through this large, divided concrete box beneath the bridge (see above). The problem with the box culvert's design was that most of the time water flowing through the box was too shallow for fish (including Brook Trout living in that part of the stream) to be able to make it through.



Stream improvements at the Highway LO bridge over Jericho Creek

The Friends' Nancy Gloe worked with Mareth Kipp, County Supervisor from North Prairie, to urge the County DOT to help address the problem they had created. Within a couple weeks of Supervisor Kipp's request, the DOT agreed to deliver a truckload of large stone to the site to address the problem (Thank you, Supervisor Kipp!). DNR employees and Friends volunteers provided the labor to place

the stone such that the creek now flows mostly through half of the box culvert, keeping the water deep enough for fish to be able to get through. We will continue to monitor the situation to make sure that the fish aren't still getting "stuck" below the bridge.

Town of Troy / East Troy

Village of East Troy Well / Lake Beulah Concerns

The Lake Beulah Management District and the Lake Beulah Protective and Improvement Association continue to fight a multi-pronged effort to keep the Village of East Troy's new well along the south shore of Lake Beulah from damaging water quantity and quality in the lake (a very important part of the south branch of the Mukwonago River). For more information on the well proposal and efforts to address environmental concerns surrounding the well, go to the association's home page at <http://lakebeulah.org/> and click on **Proposed Well**.

One effort being organized for this summer (probably sometime in mid-June) is a Town Hall Meeting for citizens and elected officials from all the Mukwonago River watershed communities (Town and Village of Eagle, Town and Village of East Troy, Town and Village of Mukwonago, and Town of Troy) to learn about and discuss issues relating to new high capacity municipal water supply wells and their potential impacts on our lakes and rivers. We will forward more information on this event.

Miscellaneous

Last year Dr. Tim Ehlinger, Professor of Biology from UW-Milwaukee, who some of you may recognize from the *Glacial Refuge* video, gave us a copy of a 2003 report (entitled *Status of Stream Habitat, Aquatic Biotic Integrity & Longear Sunfish Populations in the Mukwonago River Watershed*), which he and some of his graduate students had put together on the state of the Mukwonago River. This excellent, informational report made us aware of some existing water quality problems that we had not known about and helped us to be able to document some others that we were already aware of. We are happy to send along an electronic or paper copy of the report to anyone interested in reading it. If you are interested, please call Nancy at (262) 782-8876.

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Friends of the Mukwonago River, Inc.

P.O. Box 145

Mukwonago, WI 53149-0145

PLEASE JOIN US (or renew)

AS A MEMBER OF THE

FRIENDS OF THE MUKWONAGO RIVER

Now is the time to join the Friends of the Mukwonago River or renew your membership! The river continues to face many threats from proposed, pending, and as-yet unanticipated developments throughout the watershed.

As we work to provide a voice for the river in the planning and decision-making processes surrounding these projects, we must often hire experts to help us make the case for win-win solutions--solutions that allow for sensible development while protecting the Mukwonago River, the watershed's lakes, and associated watershed ecosystems.

We also plan to pursue federal, tax-exempt non-profit status so that we may be eligible in the future for federal, state, and foundation grants as well as charitable donations.

Your membership fee for the year will help us to be able to do these important things.

Please join now at the level that's appropriate for you.

Just fill out the form below and mail it with a check to:

Friends of the Mukwonago River, Inc. P.O. Box 145 Mukwonago, WI 53149-0145

Please sign me up as an annual member of the Friends of the Mukwonago River (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

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

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

I do not need a gift at this time.

Name: _____

Address: _____

City, State, Zip Code: _____

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

Please indicate here if you'd prefer an email newsletter instead in the future.

Thank you!