

## **Brillion Marsh History of Meetings with DNR**

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### April 22, 2002:

Meeting with officials from the City and Town of Brillion as well as representatives from the DNR Oshkosh Regional Office, State Representative Al Ott, regarding the impact that the water levels in the Brillion Marsh are currently having on Center Road and on future reconstruction issues. City and Town of Brillion would like DNR to assist in controlling water levels and/or provide financial resources to reconstruct the road if necessary.

### May 9, 2002:

State Representative Al Ott sent a letter to Secretary Darrell Bazzell for the DNR asking the DNR's cooperation in working with the City and Town to craft the right solution to balance the needs of the road and the DNR property.

### May 12, 2002:

Meeting regarding Center Road. Those present included; City officials Bob Mathiebe and Dawn Wagner, Town officials Wayne Maile, Paul Heraly and MS(?), DNR representatives Dick Nikoli and Shelly Schaetz.

Notes taken by Dawn Wagner at the meeting include the following:

- Engineering study required – Hydrology and Hydraulics Study.
- Need to be specific on what City/Town wants done. Define project/review area.
- Problem with water flow – Center Road
- City/Town/State involvement
- Need to look at big picture – problem downstream.
- Dick Nikolai to contact –
  - Drew from Madison DNR office.
  - RE: Funding – Due to combined partnership – Tim Grunweld – Wetland Ecologist Asst., Kurt Wilson.
  - Land Conservationist – Manitowoc/Calumet Counties
- Wayne Maile to contact Western Lime – Flow??
- City to touch base with other municipalities impacted; Village of Sherwood, Village of Potter, Village of Hilbert, Town of Charlestown, Town of Woodville, Town of Rantoul.

### June 18, 2002:

City of Brillion sent out letters to Village of Potter, Village of Hilbert, Town of Brillion, Town of Woodville, Town of Rantoul, Town of Charlestown inviting those municipalities to a meeting to discuss the Brillion Marsh with the DNR.

### July 8, 2002:

Meeting at Town of Brillion regarding Brillion Marsh and Center Road. Those present included the following; Bob Mathiebe and Dawn Wagner – City of Brillion, Wayne Maile – Town of

Brillion, Len Vaness, Calumet County Planning, Eugene McLeod, Calumet County Land and Water, Chris Nordeng, Calumet County Emergency Management, Dick Nikolai and Shelly Schaetz – DNR, Don Duckow – Village of Potter, Wilmer Geiser – Town of Charlestown, Neal Wenzel – Town of Rantoul.

Notes taken by Dawn Wagner at the meeting included the following:

- Feasibility Study – Manitowoc County example
- June 2002 Center Road Traffic Counts – 24 hrs = 390 vehicles, 48 hrs = 786 vehicles
- Primary problem – sediment in the system, accumulation of silt.
- Cause/Source of problem?
- Next step – Explore grants to pay for feasibility study.
- Feasibility Study to included; watershed from standpoint, Manitowoc River impact on City and Town watershed.
- Mitigation Program (grant?) - Develop Hazard Mitigation Plan, structures damaged by \$xxx.
- Pre-Disaster Mitigation Program (grant?) – All planning. Look at natural hazards. Once plan is developed which identifies problems/hazards. Maybe eligible for grant money.

August 19, 2002:

Meeting with Wisconsin Dept. of Agriculture Trade and Consumer Protection agent. Those present included the following; Bob Mathiebe and Dawn Wagner – City of Brillion, Bob Wilson – Wis Dept. of Agriculture Trade and Consumer Protections, Dick Nikolai and Shelly Schaetz – WDNR, Wayne Maile and Paul Heraly – Town of Brillion, Chris Nordeng and Eugene McLeod – Calumet County, State Representative Al Ott, Dennis Deprey – Village of Hilbert, and Wilmer Geiser – Town of Charlestown.

Notes taken by Dawn Wagner at the meeting included the following:

- Feasibility Study is possible. Costal Management Program.
- Analyze total water shed. Estimate plan to address the problem. Roads, culverts, drainage patterns. Estimate drainage/water management plan.
- Existing system (non-managed/no-control)
- Do nothing – water tables will continue to rise.
- Road reconstruction: What is required to rebuild the road?
  - Ch. 30 permit (water quality permit)
  - Trans 207 – Culverts (Shelly – DNR)
  - Army Corp Engineers permit (Fed. required till wetland)
  - Stormwater permit
  - Hydro Study (culvert)
  - Build Road (2003-2004)
  - Option – Give Center Road to County. What is required to be a County road?
  - DNR to brainstorm and get back to City and Town.
  - DNR – update Master Plan. Determine how the State is going to manage the area in future.

October 7, 2002:

Letter received from Dick Nikolai, DNR to Town and City. Letter addresses the DNR's Master Plan and the purpose of the plan. The letter also noted the actions taken by the DNR over the past several decades to meet the goals and objectives of the Master Plan.

October 14, 2002:

Meeting with DNR. Those present included; Bob Mathiebe and Dawn Wagner, City of Brillion, Paul Heraly and Wayne Maile, Town of Brillion, Amy Emery, Omni, Eugene McLeod, Calumet County Land and Water Dept., Dick Nikolai and Shelly Schaetz, DNR.

Notes taken by Dawn Wagner at the meeting included the following:

- Oct 7, 2002 letter from the DNR was reviewed/explained by Dick Nikolai
- Recommendation: Update of the "Brillion Wildlife Area Master Plan Concept Element" dated – July 26, 1979. Master Plan should be updated every 15 years.
- Why update? Feasibility Study (18 months), Master Plan Process (24 months) 4-4 ½ years process.
  - Dictates what can/cannot do with property
  - Outlines watershed/habitats
  - Looks at historical
  - Conservation perspective
  - Hydrology is reviewed
- Send letter to Ron Kazmierczak, DNR

November 12, 2002:

City sent letter to Ron Kazmierczak, DNR requesting that the DNR update the "Brillion Wildlife Area Master Plan Concept Element" dates July 26, 1979 as soon as possible. The letter pointed out that it has been over 23 years since the plan has been updated.

November 21, 2002:

The City received a letter from Ron Kazmierczak informing the City that the DNR did not see a strong need to revise the Brillion Marsh Wildlife Area master plan. He indicated that the goal of the Brillion Marsh Wildlife Area as stated in the current mast plan is; "to develop and manage the Brillion Marsh Wildlife Area for waterfowl production and a broad spectrum of hunting recreational and to provide opportunities for educational and compatible non-hunting recreation activities."

March 26, 2003:

Meeting with City, Town and County reps regarding the Brillion Marsh. Those present were; Ken Pabic, Len Vaness and Eugene McLeod from Calumet County, Bob Mathiebe, Heather Zander and Lori Gosz from City, Wayne Maile from Town.

The group discussed what to do next? The County offered to contact the US Army Corp of Engineers to complete a watershed study.

August 30, 2003:

The City sent the County Administrator a letter requesting that Calumet County fund the entire sponsor share of the Planning Assistance to States, Section 22, Brillion, Wisconsin Spring Creek Watershed Study as outlined by the Army Corps of Engineers.

February 19, 2004:

The City sent a letter to Calumet County Board Chairman, Merlin Gentz encouraging the County to consider the Brillion Marsh Hydrology Study a top priority, requesting that the study be completed in 2005 through County funding. The City offered to the County use of any studies that the City of Brillion has already completed regarding the marsh.

April 6, 2005:

Mtg with DNR (Brillion City Hall)

RE: Ditches on Center Road

Dick Nikolai, Jon Brand WDNR. Lori Gosz, Mayor Sonnabend, City of Brillion. Wayne Maile Town of Brillion.

- DNR does not have problem with ditching water to Marsh as long as it doesn't disturb vegetation. Do in July or August.
- Can clean ditches and haul out and away. Contact DNR for placing excess fill, this will save the City/Town money. Let DNR know how much fill there will be.
- DNR would like to know how much is being removed with elevations. Set up a mtg with Dick to look at elevation maps.
- Maintenance of ditches in future to stop it from happening again.
- DNR will allow us to mow ditch by Blaurets to get things cut down.
- US Army Corp of Engineers will need to review the work. Green Bay office, Linda Kurtz, Gerry Schmith 920-448-2824. Ask US Army Corp is they have jurisdiction because of navigable water way. If isolated like Spring Creek, US Army Corp would not be involved. Just DNR.
- Per Jon Brand DNR might not require permit depending on the plans.

Center Road Ditch project was completed in Summer of 2005.

April 2006 – January 2011:

Deer Run Golf Course – Flood Control Project. Numerous meetings with DNR regarding Black Creek and the storm water flooding the golf course and the effects the Marsh has.

2007 – 2008:

DNR sprayed cattails in Brillion Marsh from Spring Creek to Manitowoc River.

August 2008:

The City hired McMahon to do a 100 year Flood Study of Brillion Creed and the Deer Rung Golf Course.

January 16, 2009:

Meeting with DNR reps to discuss the Brillion Marsh water problems and the effects it has on the Ariens Plant #1. Attending the meeting were; DNR – Ron Kazmierczak, Jeff Priztl, Dick Nikolai, Al Stranz, Linda Hyatt, Josh Jackl; Lori Gosz, Gerry Sonnabend – City, Wally Sonnabend and Brad Williams – Ariens Company.

The following was discussed at the meeting;

- Wally said that Plant 1 floods whenever there is 1-1 ½ inches of rain and there are flow problems that they never used to have.
- First issue seemed to be that the thought was the Clarks Mills dam is holding back water all the way up to Brillion which causes flooding and it should be removed although it is a private dam.
- Drainage ditches behind the plant and meat market fill up with water, they are choked with cattails.
- Sediment is filling streams, channels, ditches and the source is not well known but agriculture was blamed in part, maybe City?
- DOT in re-doing Hwy 10 might place a 6' culvert to help get water away from Brillion and into the Marsh, but elevation really doesn't change at that point and stays mostly constant at 808' from the ditch to the south of Center Road, so the question is that it won't help anyway.
- Topography around Plant 1 is important, if elevation just doesn't change there might not be anything that can be done to make the situation better.
- What would the City want the DNR to do to make things better? Mayor Sonnabend said we need to dredge something to make the water move downstream faster to the Lower Manitowoc River.
- DNR will be spraying the lateral ditches that connect to our existing sprayed area to hopefully help water move out of the City faster.
- Spring Creek by the athletic fields was straightened around 1993 and now the lateral City drains are 1 – 1 ½ feet below the water level whereas they used to be above the water level.
- Linda suggested that we need to have documentation of the raising water levels.
- Soil erosion need to be curbed to reduce siltation and help the problem also, maybe some sort of educational column in the City newsletter to inform residents that it affects them.
- It seemed that if we get Spring Creek down to "where it used to be" the City would be happy.
- DNR will look into the removal of the Clarks Mills Dam.

March 3, 2009:

Brief meeting on Center Road with Al Stranz from the DNR to show the effects the Marsh causes on the road in winter months. Those in attendance at the meeting were Garry Sonnabend, Dennis Jandrey, Wayne Maile, Ron Schoen (Town Road Supervisor) Al Stranz (DNR) and Lori Gosz. At the meeting Dennis and Ron explained to Al how the road was reconstructed and how we feel the water levels of the Marsh are causing problems with the road. Al advised that there is nothing that the DNR can do during the winter months, however, he would go back to his office and talk with his boss, Ron Kazmierczak to see if the DNR would be able to shoot some elevations in spring to get a better idea of why the Marsh is not flowing and where it is backing up.

July 6, 2009:

City Administrator Lori Gosz followed up with Al Stranz via e-mail on the Center Road meeting on March 3, 2009 asking if the DNR had made any progress on shooting elevations of the Marsh to get a better understanding of why it was not flowing and where it is backing up.

July 8, 2009:

Al Stranz responded by asking if the City has any benchmarks with known elevations that the DNR could work from. City Engineers (McMahon) responded back with known benchmarks on July 20, 2009.

September 11, 2009:

Meeting with DNR and City representatives to discuss concerns with the Brillion Marsh:

Present were; Al Stranz, Linda Hyatt, Dick Nikolai from the DNR. Amy Vaclavik from McMahon (City Engineer), Gary Deiter and Lori Gosz from the City.

Three areas of concern were discussed:

1. Deer Run Golf Course – Black Creek
2. Peters Park Storm Sewer
3. Ariens Plant #1/Center Road

Ariens ditch on north side of USH 10 is flat and cannot drain. No fall.

- Flooding is caused by moving of Ariens Ditch
- Box culvert by Ariens and Northway Drive will be abandoned with 2012 USH 10 project.
- DOT will clean up rip rap during 2012 USH 10 project.
- City engineer to work with DOT surveyor (Dave Robert – Gremmer) on box culvert elevations.
- Spraying to be done at triangle where Spring Creek meets the Ariens Ditch in the Marsh.

Debris found in 2009 just west of Sunset Road on Spring Creek. DNR could get permits to clean out debris. City would have to be responsible for clean-up. Plan for clean-up to happen in August 2010. Look for volunteers to help (Ariens, Sno-Rider Club, ATV Club, High School FFA, Conservation Club members).

Possible grant opportunities: Coastal Water Grant through FEMA. TRIM Grant through Calumet County. (Talk to Eugene McCloud).

Community Involvement: Educate the public on importance of not littering areas near water flows. Talk to Town of Brillion reps.

Spraying of Black Creek, Spring Creek and Manitowoc River: DNR will be complete.

Options for Repair:

1. Televise storm sewers by Peters Park. Is pipe under Glenview big enough?

2. Clean up debris at Sunset Road/Spring Creek. DNR to help with permit process. City to organize clean up. Al Stranz suggested debris clean-up project include dredging. Grant opportunities include Coastal Water Grant, NAWCA (North American Wetland Conservation Act). Form a non-profit group to clean up Spring Creek. Talk to Eugene McCloud about a group that is already established.
3. Work on efforts to slow down flow in Spring Creek from up stream.
4. Ariens Company might want to consider a dike around plant and pump out water. Ariens property is too flat.
5. Clean up and cut down trees in Spring Creek west of Peters Park.

February 12, 2010:

Meeting at City Hall. Present were Mayor Gary Deiter, City Administrator Lori Gosz, City Engineer Amy Vaclavik from McMahan, City DPW Leadman Dennis Jandrey, WDNR Representatives Al Stranz, Dick Nikolai, and Calumet County Water and Conservation Specialist Eugene McCloud.

Items discussed:

1. Clean up of debris by Sunset Road
  - a. Clean out trees. WDNR cautioned if we take trees out it might cause erosion of banks. If stumps are left it might help. City needs to contact Dick Nikolai when we plan to cut down trees. Nikolai will have land use permit issued to City.
  - b. Jandrey suggested dredging area to make a ditch. Nikolai stated dredging will not always make water flow faster. The marsh is such a flat area, no pitch, no flow. (Note: DPW completed this work in summer of 2011).
2. McCloud suggested City conducting a storm water management plan. There are grants available for this work.
3. Nikolai suggested possible solutions to help storm water control.
  - a. Educate property owners to limit fertilizing with phosphorus materials.
  - b. Regular street sweeping, cleaning of catch basins.
  - c. Apply for grant to help.
  - d. Contact school FFA, 4 H groups, Boy Scouts to help.
  - e. Walk Spring Creek look for riprap restrictions. Call Jon Brand from WDNR to do this. WisDOT has agreed to clean riprap by box culvert by Ariens Ditch. Per Chuck Karl at WisDOT.
4. Japanese Knot Weed in Spring Creek. WDNR applied for grant to treat invasive species. They may be able to help spray Spring Creek.

February 2012:

In February 2012 at meeting was held at the Green Bay DNR regional office. The meeting was to discuss the I/I compliance efforts. At the meeting storm water management was discussed. The City requested the DNR to take a more aggressive approach to manage the Brillion Marsh. THIS MEETING WAS THE TURNING POINT. Jean Rombeck-Bartels and Anne VanGrensvin.

April 2012:

The City hired McMahon to work with the DNR to develop a Hydrology and Hydraulic study of the Spring Creek from Glenview to Clarks Mills.

July 2013:

The Village of Hilbert President called a meeting with the DNR and invited surrounding communities. After this meeting the DNR starting taking an active role. Miles Winkler and Dave Stertz. The ECWRPC and Bay Lake RPC were engaged to look at a more regional approach. DNR feels spraying for cattails is not enough to open the flow in the Marsh. DNR is planning for a fall/winter of 2014/2015 to conduct a low impact blasting to remove cattail mat. If blasting is not successful, DNR will request funding for the 2017-2019 DNR biennium budget to utilize a "swamp devil". The DNR will begin Master Plan update for the Brillion Marsh in 2016.

March 19, 2014:

A meeting was held in Hilbert with DNR, ECWRPC, Bay Lake RPF, UW Sea Grant reps and surrounding communities. Milwaukee Metropolitan Sewer District was invited to give testimony on their efforts.

May 21, 2014:

A meeting was held at the Brillion Community Center with DNR, ECWRPC, Bay Lake RPC, UW Sea Grant reps and surrounding communities. An history of how we got here was presented, an update on existing studies and planning was discussed, a meeting facilitator was introduced (Mary Kohrell), future meeting steps was discussed.

July 23, 2014:

A meeting was held at the Brillion Community Center with DNR, ECWRPC, Lakeshore Natural Resources Partnership rep, and surrounding communities. Developing a Task Force, creating roles/responsibilities and deliverables was discussed.

September 30, 2014:

A tour of the Manitowoc River Watershed was held. The tour included areas near the dam at Clarks Mills, Collins Marsh wetland and various points along the river. Presenters were DNR staff, water engineers and local officials. The meeting continued at the Hilbert Community Center to discuss observations and thoughts from the tour.

November 19, 2014:

A Manitowoc River Watershed meeting was held at the Brillion Community Center. At the meeting the Task Force was created. The next meeting of the Manitowoc River Watershed Task Force will be held on January 21, 2015 at 6:00 pm at the Brillion Community Center.