

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: August 15, 2025

To: Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors

From: Guy Smith, Executive Director, Milwaukee County Parks

Subject: Authorization to grant a 10-year limited term Maintenance Covenant to the Milwaukee Metropolitan Sewerage District

File Type: Action Report

REQUEST

From the Executive Director of Milwaukee County Parks, requesting authorization to grant an 10-year Maintenance Covenant to the Milwaukee Metropolitan Sewerage District (MMSD) for tree plantings at Menomonee River Parkway. Authorization is also requested for the County Executive and County Clerk to execute all necessary documents for future plantings supported by the U.S. Forest Service (USFS) Grant.

POLICY

§ 59.17(2)(b)3., Wis. Stats., states that the “county board may continue to exercise the authority under s. 59.52(6) with regard to land that is zoned as a park...”. In the law of property, authority over “land” includes authority over all rights appurtenant to the land.

Wisconsin State Statutes:	§ 59.17(2)(b)(3)
Milwaukee County Code of General Ordinances:	
Specific Adopted Budget:	
Specific Adopted Budget Amendment:	
Specific Adopted Capital Project:	

BACKGROUND

On September 3, 2024, Milwaukee County Parks provided an informational report (File No. 24-719) to the Parks and Culture Committee on a forthcoming tree planting partnership at the Kinnickinnic River Parkway that showcased a partnership with the Milwaukee Metropolitan Sewerage District (MMSD) and the non-profit Milwaukee Riverkeeper. This Project was a great success, and Milwaukee County Parks is looking to continue that relationship with MMSD and Milwaukee Riverkeeper.

MMSD’s Reforestation and Wetland Restoration (RWR) Program seeks to plant six million trees and restore 4,000 acres of wetlands over ten years throughout MMSD’s service area in southeastern Wisconsin to strengthen the natural processes that support managing

stormwater and reducing the risk of flooding. Mature trees and healthy wetlands are naturally effective resources to manage stormwater and bring additional local benefits of water and air quality improvement, reduction in the urban heat island effect, and habitat restoration. Natural flood management captures and holds stormwater where it falls, reducing the volume of stormwater in the sewerage system and the amount of pollution discharged to surface waters.

Milwaukee Riverkeeper's (Riverkeeper) mission is to protect, improve, and advocate for water quality, riparian wildlife habitat, and sound land management in the Milwaukee, Menomonee, and Kinnickinnic River watersheds. MCP has significant experience working with Riverkeeper on waterway cleanups, targeted lagoon cleanings, and Area of Concern projects throughout Milwaukee County.

MMSD was awarded a grant from the United States Forest Service (USFS) that provides funding to support reforestation in southeastern Wisconsin. As part of this grant, MMSD is providing funding to implement natural flood management infrastructure for other governmental units, nonprofit organizations, and other property owners through its RWR Program.

This Green Infrastructure Project consists of reforestation on 1.38 acres of turf located within the floodplain of the Menomonee River, at Menomonee River Parkway and W. Concordia Avenue in Wauwatosa, WI. This will include 172 native trees and shrubs, which will be planted by community volunteers. All trees and shrubs will be protected from deer and rodent browse with fencing and trunk guards. Species selected for planting are recommended and approved by the Milwaukee County Parks Natural Areas department. This Green Infrastructure is projected to sequester 238,160 pounds of CO₂ and intercept 1,044,212 gallons of stormwater in the first 40 years post-installation.

By partnering with MMSD and Riverkeeper, Expanding the tree canopy within MCP's system is a key priority of the department's 2023-2026 Strategic Plan and will improve the quality of life for all Milwaukee residents.

As part of the grant requirements, MMSD requires that the green infrastructure be protected and maintained by the County and that the County grant a limited conservation easement and/or Maintenance Covenant in favor of MMSD.

Related File No's:	24-719, 24-1071
Associated File No's (Including Transfer Packets):	
Previous Action Date(s):	

ALIGNMENT TO STRATEGIC PLAN

Describe how the item aligns to the objectives in the [strategic plan](#):

3A, 3B: Tree planting reduces the volume of stormwater in the sewerage system and the amount of pollutants discharged to surface water.

FISCAL EFFECT

No fiscal impact. Staff time to ensure compliance with the grant and Maintenance Covenant requirements.

TERMS

- Ten-year limited term Maintenance Covenant to keep, preserve, and maintain the green infrastructure.
- County is solely responsible for the operation, maintenance, and evaluation of performance.
- MMSD has the right to enter the property to inspect and monitor for compliance.
- MMSD has the right to prevent any inconsistent uses.

VIRTUAL MEETING INVITES

Jamie Ferschinger, Senior Project Planner, Milwaukee Metropolitan Sewerage District,
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Cheryl Nenn, Riverkeeper, Milwaukee Riverkeeper,
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Sarah Long, Reforestation Coordinator, Milwaukee County Parks,
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PREPARED BY:

Robert Senglaub, Contracts Manager, Milwaukee County Parks

APPROVED BY:

Guy Smith, Parks Executive Director *Guy D. Smith*

ATTACHMENTS:

Fiscal Note

Resolution

Draft Maintenance Covenant

Project Map

PowerPoint

CC: David Crowley, County Executive
Mary Jo Meyers, Chief of Staff, County Executive's Office
Sheldon Wasserman, Committee on Parks & Culture Chairperson
Steve Taylor, Committee on Parks & Culture Vice Chairperson
Priscilla Coggs-Jones, Committee on Parks & Culture Member
Jack Eckblad, Committee on Parks & Culture Member
Felesia Martin, Committee on Parks & Culture Member
Juan Miguel Martinez, Committee on Parks & Culture Member
Anne O'Connor, Committee on Parks & Culture Member
Kelly Bablitch, Chief of Staff, Milwaukee County Board of Supervisors
Janelle M. Jensen, Legislative Services Division Mgr, Office of the County Clerk
Aaron Hertzberg, Director, Department of Administrative Services
Joseph Lamers, Fiscal & Budget Director, DAS
Vince Masterson, Fiscal & Strategic Asset Coordinator, DAS
Pamela Bryant, Capital Finance Manager, Comptroller's Office
Justin Rodriguez, Capital Finance Analyst, Comptroller's Office
Allyson R. Smith, Committee Coordinator, Office of the County Clerk
Anthony Rux, Budget & Management Analyst, DAS-PSB
Sandy Saltzstein, Research and Policy Analyst