

**COUNTY OF MILWAUKEE**  
Inter-Office Communication

Date: September 18, 2023

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

From: Guy Smith, Executive Director, Milwaukee County Parks

Subject: **Milwaukee River Floodplains Sediment Clean-up Update**

File Type: Informational Report

---

**REQUEST**

Milwaukee County Parks has played a critical role in the multi-agency, dual county effort to clean up our waters and help delist the Milwaukee Estuary Area of Concern. As a member of the Waterway Restoration Partnership (group of long-standing, trusted partners in the community who have been working together for years to improve water quality in the area), as well as project implementation lead, and landowner of many of the impacted sites, it is important to maintain regular communication between the Board and members of the community on our work. As vital sediment clean-up projects are nearing their design phases, a brief background and status report has been provided to the County.

**POLICY**

None

**BACKGROUND**

In 1987 the Milwaukee Estuary was designated an Area of Concern (AOC) under the Great Lakes Water Quality Agreement between the United States and Canada – a “hotspot” of pollution and environmental degradation issues on the Great Lakes. The presence of impairments in the AOC mean that our communities can’t safely use their waterways for eating, drinking, swimming, fishing, and more. The Wisconsin Department of Natural Resources (DNR) is tasked with implementing the AOC in Wisconsin and, through the Great Lakes Restoration Initiative (GLRI) grant agreements, disseminates funds for AOC projects to the County and other partners. Since the onset of that initiative Parks AOC projects brought to the Board have primarily focused on habitat restoration. **However, during this time planning and assessment for critical sediment clean-up work has also been ongoing.**

On January 28th, 2020, Milwaukee County signed the Great Lakes Legacy Act Project Agreement (GLLA) for the Milwaukee River Downstream. Led by US Environmental Protection Agency (EPA) and uniting partners from federal, state, and local government, along with non-profits and community organizations, this project is addressing remediation of legacy contaminants in waterways throughout the AOC. Milwaukee County is a “non-fiscal” partner – we provide no financial contribution but donate in-kind services of staff time, as well as waiver of ROE and related permit fees. Our principal focus in the GLLA is the remediation work planned to address contamination in the Milwaukee River Floodplains, of which the County is the primary landowner.

The Milwaukee River Floodplains Cleanup site includes 34 acres of wetlands and a 3.5-mile section of the river located between the former Estabrook Dam and former North Avenue Dam. Recent soil samples within the floodplain area show the presence of polychlorinated biphenyls

(PCBs), polycyclic aromatic hydrocarbons (PAHs), and heavy metals such as lead. These areas are largely open to the public and contain walking trails as part of the Milwaukee River Greenway; impacted County Park sites include:

Park	Floodplain Designation
Estabrook	Floodplains 1/2
Kern	Floodplain 4
Pleasant Valley	Floodplain 11
Cambridge Woods	Floodplain 5
Gordon	Floodplain 6
Riverside	Floodplain 7
Milwaukee River Parkway (Section 5)	Floodplain 8/9

From the mid-1800s through the 1990s, the North Ave Dam was in place, which made the river in these areas wider and deeper than it is today. Contaminants from industry were released into the water, which attached to soil particles flowing downstream and ended up in a large pool behind the North Ave dam. When the dam was partially removed in 1997, river levels lowered, exposing the current contaminated floodplain areas.

Over the past 3 years EPA has been conducting a Focused Feasibility Study (FFS) to evaluate ways to address soil contamination; consider the financial, legal, ecological, and technical aspects of the project; and study the effectiveness of different proposed actions as they are developed. These studies included additional sampling in 2020 and 2021 which help characterize the nature and extent of contamination in the floodplain. They provided draft alternatives to project partners, (full details in attached Draft FFS Document):

- Alternative 1: No action
- Alternative 2: Full excavation of contaminated sediment with replacement of clean fill, followed by re-vegetation/restoration.
- Alternative 3a/3b: Full excavation only in priority areas; combined with precision excavation in areas of high-quality habitat; under this alternative some contamination would be left in place with existing vegetative cover.
- Alternative 4: Elements of Alternative 3a/3b along with an additional action of soil cover for contamination left in place.

The County Parks AOC, Planning, Operations, and Natural Areas teams, as well as members of leadership and A&E reviewed the alternatives and determined that the best path forward is a combination of Alternatives. **It is recommended that the majority of the corridor be managed as Alternative 2 with some precision excavation (Alternative 3a)** to maintain some seed trees and expedite re-naturalization after contamination removal is complete. The Milwaukee River Greenway is a very popular, highly used system and **our primary concern is public health. Removing as much contamination as possible is the first goal.** In addition, the logistics of leaving any contamination in place are complex – it would require that recreational land use change or be completely removed from certain areas of the floodplains. The County, as landowner, would be responsible for ensuring that caps and preventive measures to protect the public are maintained. Due to the size and high use of the approximately 7-mile corridor, this is just not realistic.

There is still a way to go. Content of the Draft FFS are not a final plan – many questions and concerns will be addressed in design phase. Construction of the [Dredged Material Management](#)

Facility will also need to be completed ahead of any cleanup work. In the fall, EPA will begin a term of community outreach, which will continue into the design phase. Proposed actions will disrupt the floodplains and impact how people use Greenway parks during work. Temporary trail closures, use of park land for staging, and drastic aesthetic changes should be anticipated, thoughtfully planned, and communicated to the public. Working together with EPA and the Waterway Restoration Partnership, our goal is to develop unified messaging coupled with an active engagement initiative that will allow for meaningful input by local communities. **We want to ensure that the Board is up to date with the most recent news and have the support they need from the project team in fielding questions and concerns from constituents as they arise.**

We look forward to sharing updates in the future as we work towards the design phase.

Related File No's:	File No. 19-678
Associated File No's (Including Transfer Packets):	None
Previous Action Date(s):	09/10/2019

**ALIGNMENT TO STRATEGIC PLAN**

None

**FISCAL EFFECT**

This item has no fiscal effect.

**TERMS**

None

**VIRTUAL MEETING INVITES**

Natalie Dutack, AOC Program Supervisor  
Heather Williams, US EPA (or another EPA representative) - Tentative

**PREPARED BY:**

Natalie Dutack, AOC Program Supervisor, Milwaukee County Parks

**APPROVED BY:**

Guy Smith, Executive Director Milwaukee County Parks



**ATTACHMENTS:**

- Milwaukee AOC Non-Federal Contribution Agreement
- MKE FP FFS Key Project Maps
- Draft Focused Feasibility (FFS) Study Report - Milwaukee River Floodplains Reach

**CC:**

David Crowley, County Executive  
Mary Jo Meyers, Chief of Staff, County Executive's Office  
Sheldon Wasserman, Supervisor District 3, PEEC Chair  
Steven Shea, Supervisor District 8, PEEC Vice Chair

Felesia Martin, Supervisor District 7, PEEC Member  
Juan Miguel Martinez, Supervisor District 12, PEEC Member  
Steve Taylor, Supervisor District 17, PEEC 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 Smith, Committee Coordinator, Office of the County Clerk  
Ciara Miller, Research & Policy Analyst, Office of the Comptroller  
Anthony Rux, Budget & Management Analyst, DAS-PSB