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From the Executive Director of Milwaukee of County Parks, requesting authorization to grant to the City of Waukesha Water Utility a hundred-year easement for the placement of a Return Flow Pipeline near Ryan Road and South 68th Street in the City of Franklin, by recommending **REJECTION** of the following:

**A RESOLUTION**

WHEREAS, the City of Waukesha (the City) Water Utility (the Utility) is requesting an Easement (the Easement) on parkland, off Ryan Road (the Road), between South 60<sup>th</sup> Street, and South 68<sup>th</sup> Street, to install a segment of the Return Flow Pipeline, as part of the Great Water Alliance Program; and

WHEREAS, the Return Flow Pipeline conveys treated effluent from the City Clean Water Plant, to the Outfall Facilities that discharge flow to the Root River; and

WHEREAS, the Easement on parkland is required because of a lack of alternatives, due to the Right-of-Way on the Road being full; and

WHEREAS, to provide for the ongoing maintenance of the improvements, the Utility requires from the Department of Parks, Recreation, and Culture (DPRC), a 0.75-acre Easement along the Road, just East of South 68<sup>th</sup> Street, for placement, construction, operation, maintenance, repair, replacement, and removal of the equipment; and

WHEREAS, a waiver of the requirements of Section 47.08(2)(d), Milwaukee County Code of General Ordinances, is needed, due to this project increasing the infrastructure footprint, in an area designated by the Southeastern Wisconsin Regional Planning Commission as Natural Areas of Local, Regional, or State-wide Significance, or designated as Critical Species Habitat Areas; and

WHEREAS, the City is offering \$100,000 for the Easement of 0.75 acres, and the term of the Easement is 100 years; and

WHEREAS, the \$100,000 payment will be put in a trust fund for the benefit of DPRC natural areas; and

WHEREAS, DPRC retains the right to require a right-of-entry permit for all future work on parkland; and

WHEREAS, it is the City’s role and responsibility to identify, propose, and pay for the project, as well as all required future maintenance and repairs; and

WHEREAS, DPRC has reviewed this project, and recommends approval based on the impact to parkland, the lack of alternative options, the benefit to the Waukesha community, and the funding to offset any natural area concerns; and

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WHEREAS, the Committee on Parks and Culture, at its meeting of December 6, 2022, recommended REJECTION of File No. 22-1124, due to a failed motion to recommend adoption (vote 1-3); now, therefore,

BE IT RESOLVED, the Department of Parks, Recreation, and Culture (DPRC), is hereby authorized to prepare, review, approve, execute, record, and/or implement the required documents, or perform actions, required to grant the Easement (the Easement) to the City of Waukesha Water Utility, for the construction, operation, and maintenance of a Return Flow Pipeline (the Pipeline), near Ryan Road and South 68<sup>th</sup> Street, in the City of Franklin; and

BE IT FURTHER RESOLVED, the term of the Easement is 100 years, and the fee is a one-time payment of \$100,000, that will be held in trust for the benefit of DPRC natural areas; and

BE IT FURTHER RESOLVED, the Milwaukee County Board of Supervisors waives the requirements under Section 47.08(2)(d), Milwaukee County Code of General Ordinances, to allow for the increase in the infrastructure footprint, in an area designated by the Southeastern Wisconsin Regional Planning Commission as Natural Areas of Local, Regional, or State-wide Significance, or designated as Critical Species Habitat Areas; and

BE IT FURTHER RESOLVED, the County Executive and County Clerk are authorized to execute any required documents to effectuate the approved Pipeline Easement.

kae  
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