



Public Service Commission of Wisconsin

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Public Service Commission of Wisconsin
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August 13, 2020

Re: Application of the City of Waukesha, as a Water Public Utility, for Authority to Construct Water Transmission Main, a Booster Station, Reservoirs and a Water Supply Control Building in the City of Waukesha, the City West Allis, the City of Greenfield, the City of New Berlin, and the Town of Waukesha, Waukesha County, and in the City of Milwaukee, Milwaukee County, Wisconsin 6240-CW-117

To the Person Addressed:

The Public Service Commission of Wisconsin (Commission) received an application from the City of Waukesha Water Utility (WWU) on November 9, 2018, seeking authority to construct new water supply facilities in Milwaukee and Waukesha counties. The Commission authorized the request from WWU on March 10, 2020, in a Final Decision in this docket, providing WWU authority to construct facilities to allow a change in WWU's source of water supply from groundwater to Lake Michigan. On May 29, 2020, WWU requested the Commission reopen the docket for this project and evaluate a different booster pumping station (BPS) and ground storage reservoir (GSR) location, and associated revised locations for its water supply pipeline (WSPL) from those initially approved.

The length and diameter of the water supply pipeline in the initial application characterized the project as a Type II action under the Wisconsin Environmental Policy Act, Wis. Admin. Code § PSC 4.10(2). Type II actions require the preparation of an environmental assessment (EA) to determine whether an environmental impact statement (EIS) is necessary under Wis. Stat. § 1.11. Based on the detailed environmental review of this project, a determination was made that the potential impacts of the project would not have a significant environmental effect on the human environment and therefore, preparation of an EIS is not required. Upon receiving the request for reopening, the Commission directed staff to prepare a supplement to the EA, reviewing the proposed alternate facilities, to determine whether the impacts from these alternate facilities would require preparation of an EIS.

The preliminary determination of this supplement to the EA indicates that there would be different impacts if the Commission authorizes the alternate facilities; however, no significant impacts on the human or natural environment are likely to occur as a result of the construction and operation of this project. Therefore, preparation of an EIS is not required. Comments regarding this determination can be directed to the contact person listed at the end of this letter. The remainder of this letter describes the primary anticipated impacts of the project and summarizes the conclusions of the supplement to the EA. To obtain a copy of the initial EA, or the supplement to the EA, please request a copy from the contact person listed at the end of this letter.

Proposed Project

The majority of the previously approved WSPL route would not change if the Commission approves the alternate location of the BPS/GSR and associated water supply pipeline. The water supply pipeline would arrive from West Oklahoma Avenue and Coffee Road, but would no longer turn south down Swartz Road. Instead, the pipeline would proceed to the end of Coffee Road, and then proceed northwest along South Racine Avenue to the intersection with STH 164/59 (Les Paul Parkway). The pipeline would proceed northeast to the intersection with East Broadway, where it would turn east and proceed to the new location of the BPS and associated facilities. A 1,460 foot pipeline would need to be constructed from the BPS/GSR site back to the western side of STH 164/59 to connect to the existing WWU distribution system.

The alternate location of the BPS, GSR, and new water tower is referred to as the Rempe-Nike site, on the north side of East Broadway, immediately east of the Broadway Commons apartment complex. The site consists of a parcel owned by the City of Waukesha (former Nike Missile site) and parcels owned by private landowners (Rempe Family Trust), which the city has an option to purchase. The application materials state that the areas of this parcel not needed for the BPS/GSR would be developed and managed as parkland. Overall, the alternate site has more natural habitat, with areas of open grassland, forest, and shrublands, compared to the initial BPS site that was made up primarily of agricultural fields. Small wetlands are located on the northern and southern ends of the parcel. WWU states that these wetlands would be avoided during construction of the water facilities.

Environmental Impacts

Use of the alternate BPS/GSR site would increase the acres of natural habitat that would be converted to developed land. Approximately 12 acres of forest land would be cleared for use of the alternate BPS/GSR site. The greater amounts of vegetation disturbance and soil disturbance would increase the potential for soil erosion and storm water runoff. The topography at the alternate site would require significant excavation of the BPS/GSR site. WWU states that construction would avoid the areas with steepest slopes, although access and construction activities may require clearing, some grading, and use of these areas. The highest risk is of sedimentation in the wetland to the south of the site; however, there are no high quality waterways in the area that are at risk of sedimentation or pollution from runoff events. Provided storm water and erosion control BMPs and standards are communicated clearly to contractors and adhered to during construction, the project should limit erosion and runoff to levels that are not considered significant.

The alternate BPS/GSR site has an area of high potential zone habitat for the federally endangered rusty patched bumblebee (RPBB). WWU states approximately 2.5 acres of suitable habitat would be impacted temporarily during construction and 0.4 acres would be permanently converted due to the placement of facilities. To offset these impacts WWU proposes to create approximately 1.4 acres of new flowering plant habitat and restore the 2.5 acres of temporarily

impacted habitat. In response to the information provided, the USFWS concurred that the project “may affect, but is not likely to adversely affect the rusty patched bumble bee.”

Many members of the public provided comments during the EA scoping period to state their opposition to the new BPS/GSR location due to short and long term impacts. The new BPS/GSR location is less than 500 feet from numerous residences. An apartment complex to the west and a housing subdivision to the south would have increased noise, vibration, and visual impacts during construction and experience an ongoing change to the local aesthetics during operation of the facilities. It appears that most of the existing forest land at the south of the site would be cleared to construct the water facilities and associated storm water treatment pond. Some individual trees may be able to be avoided during construction, but overall the visual impact of the taller facilities and change in landscape would be noticeable to those living in or driving through the area.

The residents near the new BPS/GSR location in the City of Waukesha would likely experience greater impacts than residents near the initial BPS/GSR site. The replacement of a water supply control building in the initial layout with an approximately 156 foot tall water tower at the new location is an overall increase in community impacts, due to the increased size and visibility of the water tower. The GSRs would also be taller than those proposed at the initial location, at between 55 to 64 feet above grade, compared to 45 feet. A security fence around the site would contribute to the aesthetic impacts. WWU and the City of Waukesha should develop a plan to soften these impacts if possible, and ensure any park entrance is safe, accessible, and welcoming.

Traffic in areas along pipeline construction areas are likely to experience lane closures and congestion. These impacts should be short term and managed through municipal permitting of lane closures or diversions. Access to driveways would likely be limited, and for some time, restricted, in areas where construction occurs. Pursuant to the Final Decision in this docket, WWU shall notify communities and residents about work in their area and shall give a minimum of a 14-day notification to residents or businesses prior to work starting in their area. Use of trench boxes and metal plates may limit the disturbance to local driveways and roads. Larger roads would be crossed by trenchless methods to decrease impacts.

Concerns over property values were considered; however, no specific literature on impacts from water facilities was found. Most general research finds that property values can be influenced by a complex interaction of factors specific to individual properties. It is not possible to determine the scale of any property value impacts that may occur as a result of the use of the alternate BPS/GSR site.

Conclusion

The supplement to the EA analyses and evaluates the impacts that are likely to occur with the authorization and use of the alternate project facilities WWU proposes in the reopening request.

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This analysis finds that no significant environmental effects would be expected to result from the proposed project as described with stated construction methods and mitigation plans.

The environmental impacts from using the alternate BPS/GSR location are greater than those that would occur at the initial proposed site in terms of acres of natural habitat removed, local resident impacts to noise, aesthetics, and traffic. The primary community impacts include aesthetic impacts from the above ground facilities, as well as localized noise, vibrations, and chance for soil erosion and storm water runoff. Some lane closures and traffic congestion would likely occur in the project area during construction activities. The impacts of construction activities would be short term, while the aesthetic impacts of the new facilities in the area would be long-term effects. No environmental impacts that would warrant the preparation of an EIS are expected. Thus, preparation of an EIS as described in Wis. Stat. § 1.11 is not required for this project.

Copies of the supplement to the EA are available upon request, either in electronic or paper format (for a paper copy, an address must be provided). Requests for a copy of the supplement to the EA should be made to Adam Ingwell at the Public Service Commission of Wisconsin by telephone at (608) 267-9197, by e-mail at adam.ingwell@wisconsin.gov, or by post directed to Adam Ingwell at the Public Service Commission, P.O. Box 7854, Madison, Wisconsin 53707-7854.

Comments on the finding of no significant impact for this proposed project should be made to Adam Ingwell at the address above, or by email at adam.ingwell@wisconsin.gov.

All comments must be received by SEPTEMBER 8, 2020.

Sincerely,



Adam Ingwell
Environmental Affairs Coordinator – Supervisor
Division of Digital Access, Consumer and Environmental Affairs

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