

COMMISSION FILE NO: 26-015-1 **DATE INTRODUCED:** January 12, 2026

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Policy, Finance, and Personnel Committee

RELATING TO: Authorization of a Public Hearing Regarding Proposed Amendments to MMSD Rules, Chapter 13, Surface Water and Stormwater, Add Wildcat Creek, a Tributary of Root River in Greenfield as a Watercourse Where the District May Take Action to Abate the Regional Flood

SUMMARY:

The Commission is requested to authorize the Executive Director to hold a public hearing as required by Wis. Stat. Sec. 200.45(1)(c) regarding proposed amendments to MMSD Rules, Chapter 13, as shown in Attachment 1. The proposed amendments would add Wildcat Creek, a stream tributary to the Root River in Greenfield, to the list of watercourses where the District may abate flooding.

To indicate where the District may take action to abate the regional flood, the District lists watercourses in the appendix to MMSD Rules, Chapter 13, Surface Water and Stormwater. "Regional flood" means the peak flow and peak elevation of water with a one percent probability of occurring during any one year. Chapter 13 contains six tables organized by major watershed. These tables name the watercourse, municipalities in the watershed, upstream and downstream termini, and total length. District staff refers to these watercourses as those where the District has "taken jurisdiction."

The listing of a watercourse indicates that the District may take flood abatement action on the watercourse. Listing, by itself, does not affect any riparian property interest or guarantee any particular level of protection within any particular timeframe. Commission actions toward abating regional floods typically include approving watercourse management plans, budgeting for specific projects, and authorizing individual contracts for planning, design, construction, and maintenance.

ATTACHMENTS: **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒

FISCAL NOTE ☐ **S/W/MBE** ☐ **OTHER** ☒ Amendments to MMSD Rules, Chapter 13; Root River Watershed Jurisdictional Areas; Wildcat Creek Jurisdictional Watercourse

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COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Authorization of a Public Hearing Regarding Proposed Amendments to MMSD Rules, Chapter 13, Surface Water and Stormwater, Add Wildcat Creek, a Tributary of Root River in Greenfield as a Watercourse Where the District May Take Action to Abate the Regional Flood

Steps Necessary for District to Take Jurisdiction for Flood Abatement

To amend a District Rule, the District is required to hold a public hearing (Wis. Stat. Sec. 200.45(1)(c)). According to MMSD Chapter 13 Rules, to add a watercourse, governmental units must first petition the District. The petition shall contain, among other items, a description of flood risks and the extent and magnitude of flood losses. After a governmental unit petitions the District, staff reviews the petition for consistency with MMSD Rules. This rule identifies under what criteria the District may take jurisdiction over a watercourse for flood abatement purposes. The criteria include the location of structures within the regional floodplain and the multi-community tributary watershed area. Assuming the watercourse meets these criteria, the next step is for the Commission to authorize the public hearing. After the public hearing is held, staff then requests that the Commission adopt the amended Chapter 13 Rules.

Wildcat Creek, a Tributary of Root River

The City of Greenfield submitted petitions on August 10, 2017, and October 27, 2025, requesting that Wildcat Creek, a tributary of the Root River, be added to the list of District jurisdictional watercourses. District staff reviewed the request and found that Wildcat Creek meets Chapter 13 criteria for jurisdiction, as it flows through multiple municipalities (Greenfield and New Berlin) and presents a notable flood risk. The Southeastern Wisconsin Regional Planning Commission (SEWRPC) recently completed updated hydrologic and hydraulic modeling and floodplain mapping for the Root River watershed, identifying six structures in Greenfield at flood risk.

The proposed jurisdictional reach extends from S. 124th Street (north of W. Howard Avenue) to the confluence with the Root River, North Branch (south of W. Coldspring Road) – a total length of approximately 1.8 miles. Attachments 1 through 3 show the proposed addition, current Root River jurisdictional watercourses, and a graphic showing Wildcat Creek.

Next Steps

The next step is a public comment period, including a hearing. The hearing must occur at least 30 days after publication of the hearing notice. If the Commission authorizes the public hearing, it will occur in March 2026. After the public hearing, staff will request adoption of proposed amendments to Chapter 13 rules and will provide the Commission with a comment summary and a description of any changes to the proposed amendments. Once the Commission adopts the amendments, the amendments become effective upon publication.

RESOLUTION

Authorization of a Public Hearing Regarding Proposed Amendments to MMSD Rules, Chapter 13, Surface Water and Stormwater, Add Wildcat Creek, a Tributary of Root River in Greenfield as a Watercourse Where the District May Take Action to Abate the Regional Flood

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to hold a public hearing as required by Wis. Stat. Sec. 200.45(1)(c), regarding the proposed amendments to MMSD Rules, Chapter 13, as shown in Attachment 1.