



**COMMISSION FILE NO:** 26-065-5 **DATE INTRODUCED:** May 4, 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:** Adoption of Amendment to MMSD Rules, Chapter 13, Surface Water and Stormwater, Addition of Wildcat Creek, a Tributary of Root River in City of Greenfield as a Watercourse Where the District May Take Action to Abate the Regional Flood

**SUMMARY:**

The Commission is requested to adopt the proposed amendment to MMSD Rules, Chapter 13, Surface Water and Stormwater, as shown in Attachment 1. The proposed amendment would add Wildcat Creek, a jurisdictional stream tributary to the Root River in City of Greenfield.

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 nor 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  SBE  OTHER  Attachment 1: Amendment to MMSD Rules, Chapter 13;  
Attachment 2: Root River Watershed Jurisdictional Area; Attachment 3: Wildcat Creek Jurisdictional Watercourse

*FPF\_Ch13\_Adoption\_Amendment\_Wildcat\_Creek\_RR\_Tributary\_legislative\_file.docx*  
03-31-26

**COMMITTEE ACTION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**COMMISSION ACTION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

## **SUMMARY (Cont'd)**

Adoption of Amendment to MMSD Rules, Chapter 13, Surface Water and Stormwater, Addition of Wildcat Creek, a Tributary of Root River in City of Greenfield as a Watercourse Where the District May Take Action to Abate the Regional Flood

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### **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 hold 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 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.

### **Public Comments on Proposed Change**

For the proposed amendment to Chapter 13, the Commission authorized a public hearing on January 26, 2026. The District notified municipal clerks on January 27, 2026, and published a public notice in the Milwaukee Journal-Sentinel on February 1, 2026. A public hearing occurred on March 4, 2026. The period for written comments ended on March 5, 2026. The District received no comments.

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### **Next Steps**

Once the Commission adopts the amendment, the amendment becomes effective upon publication in the Milwaukee Journal-Sentinel.

## RESOLUTION

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**RESOLVED**, by the Milwaukee Metropolitan Sewerage Commission, that the amendment to MMSD Rules, Chapter 13, as stated in Attachment 1 hereto, is adopted and shall become effective upon publication, in accord with Wis. Stats. Sec. 200.45(1)(c).