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**Title:** Resolution relating to Common Council approval of the Milwaukee Metropolitan Sewerage District (MMSD) Menomonee River restoration project and removal of a drop structure at the 45th Street bridge.

**Sponsors:** ALD. MURPHY

**Indexes:** BRIDGES, MILWAUKEE METROPOLITAN SEWERAGE DISTRICT

**Attachments:**

Date	Ver.	Action By	Action	Result	Tally
6/22/1999	0	COMMON COUNCIL	ASSIGNED TO		
6/23/1999	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/30/1999	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
7/13/1999	0	COMMON COUNCIL	ADOPTED	Pass	13:0
7/22/1999	0	MAYOR	SIGNED		

990431  
ORIGINAL

ALD. MURPHY  
Resolution relating to Common Council approval of the Milwaukee Metropolitan Sewerage District (MMSD) Menomonee River restoration project and removal of a drop structure at the 45th Street bridge.  
- Analysis -

This resolution expresses Common Council approval of the Milwaukee Metropolitan Sewerage District (MMSD) Menomonee River restoration project. The proposed project would remove the concrete drop structure at the 45th Street bridge and restore the river to much of its original condition. The project requires a Chapter 30 permit issued by the Wisconsin Department of Natural Resources (DNR), and the resolution urges DNR to expedite its approval of MMSD's pending permit application.

Whereas, In 1968 the Sewerage Commission of the City of Milwaukee, a predecessor of the Milwaukee Metropolitan Sewerage District (MMSD), installed a "drop structure" just upstream of the 45th Street bridge crossing for the purpose of accelerating water flows into a low flow center channel; and

Whereas, In 1982, all property, rights and duties of the City and County Sewerage Commissions were transferred to MMSD, including the perpetual duty and responsibility to maintain, repair or remove drainage structures placed on the beds of navigable streams; and

Whereas, MMSD has determined that the 45th Street drop structure is no longer necessary to carry out its powers and duties, and wishes to eliminate its responsibilities of maintenance and repair; and

Whereas, Section 66.90(2), Wis. Stats., requires Common Council approval of any alteration of a stream over private lands, and it appears that restoration of the Menomonee River to its natural state will require Common Council approval under this statute; and

Whereas, MMSD has developed a plan, subject to issuance of a Chapter 30 permit by the Wisconsin Department of Natural Resources, to remove the 45th Street concrete drop structure and restore the Menomonee River to much of its natural condition, resulting in environmental and recreational benefits without damage to property in the watershed; and it is appropriate for the Common Council to approve that plan; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee approves the Milwaukee Metropolitan Sewerage District's (MMSD) Menomonee River Restoration Project and removal of the 45th Street drop structure; and, be it

Further Resolved, That the City of Milwaukee urges the Wisconsin Department of Natural Resources to expedite its approval of the pending Chapter 30 permit application pertaining to this project so that MMSD may complete in-stream work prior to 2000.

99215-2  
CW  
6/21/99