

Port gains ground in fight to save breakwater

Written by KRISTYN HALBIG ZIEHM
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<http://www.ozaukeeexpress.com/images/062013/waterSM.png> **Army Corps concedes structure is in immediate need of repair, says it will try to prioritize federal funding**

Port Washington's quest to get its aging breakwater repaired took a step forward during a tour of the facility with members of the Army Corps of Engineers, officials said Tuesday, while local efforts to improve safety on the breakwater and beaches hit a snag.

Mayor Tom Mlada told the Common Council Tuesday that the representatives of the Army Corps, who inspected the breakwater June 11, "certainly confirmed what we felt but ratcheted it up a notch.

"In their words, they have done inspections of every structure on this side of the lake and our breakwalls are clearly, clearly the worst. They are now in a complete state of deterioration and disrepair."



Members of the Army Corps' Kewaunee office, accompanied by city officials and a representative from U.S. Rep. Tom Petri's office, inspected both the north and south breakwater, Mlada said, and told city officials what they already knew — that both are in need of repairs.

The Army Corps officials said they would change the breakwater's status from "action needed soon" to "immediate action needed," Mlada said.

Despite that, it will still be at least two years before the breakwater is repaired, he said.

"They're in need of two things — funding and authorization," he said. "It's a two-year process. We have what we have for probably the next two years."

Mlada said the representatives of the Army Corps took about 500 photographs to document their findings.

Officials originally thought the north breakwater — the one that most concerns city officials because of the number of people who walk out to the lighthouse and who fish from it — would only need to be fixed from the sheetwall east, but that's not the case, Mlada said.

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The Army Corps found that the pilings are bowing outward, he said.

“The structure there is failing,” Mlada said.

Because of that, what the city thought could be done for around \$1 million is now a multi-million-dollar fix, he added.

City officials have been working with Petri’s office in an attempt to get the breakwater repairs authorized and funded by Congress, and Ald. Dan Becker, who was among those on the tour, warned that nothing is set in stone.

“The tricky thing for Congressman Petri is that we’re not a commercial harbor anymore,” Becker said. “That’s the challenge.”

However, he noted, the breakwater is still necessary to protect We Energies’ power plant from the lake, and that may be leverage the city can use in seeking funding.

Mlada said he asked the Army Corps representatives to appear before the Common Council to present their report on the breakwater, something he expects will be completed in the next week or so.

“Hopefully, we’ve made some real progress,” he said.

In the meantime, attempts by the Port Washington Waterfront Safety Advisory Committee to place life rings and ladder extensions along the breakwater and signs on the beaches by the July 4 holiday hit a snag.

Mlada said the committee has raised about \$35,000 so far, including funds to place six life rings along the breakwater and four ladder extensions there.

The extensions would not hang into the water, however anyone in the lake could grab onto a rope hanging from them and pull down the extensions, Mlada said.

But City Attorney Eric Eberhardt cautioned that before any work is done on the breakwater, which is owned by the federal government, the city needs to get a letter of approval from the Army Corps.

Although Army Corps representatives have told the city it can take these measures, Mlada said there is nothing in writing formalizing that statement.

And because the waterfront safety committee has also recommended placing signs and life rings on the beaches, the city should also get a letter permitting the actions from We Energies, which owns the south beach, Eberhardt said.

But much of the debate centered around the question of liability.

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“We considered this a few years ago and decided not to move ahead because of the liability,” Ald. Dave Larson said.

The city needs to determine how many safety measures are adequate, he said, adding that he’s talked to Harbormaster Dennis Cherny and Cherny is not convinced the ladder extensions being proposed will last long.

“There are still a lot of questions here,” Larson said.

Eberhardt noted that the city would incur additional liability by placing the items on the breakwater, but said it is up to aldermen to decide if that risk is outweighed by the benefit of the safety measures.

To minimize liability, he said, the city will have to adopt and implement a policy to monitor the devices and ensure they are in place and in usable condition.

Ald. Kevin Rudser, a member of the waterfront safety committee, noted that the city can incur just as much liability by doing nothing. Grand Haven, Mich., is being sued by the family of a man who drowned because the community didn’t do enough to protect swimmers, he said.

Mlada said that the committee isn’t sure how long the ladders will last, but added that something is better than nothing — especially with peak swimming season approaching.

“I think we need to look at this quickly,” Ald. Bill Driscoll said. “The biggest tragedy would be for us to know something needs to be done and not get it done.”

Because the matter wasn’t on Tuesday’s agenda as an action item, aldermen could not vote on the issue. They are expected to take up the matter during a special meeting on Monday, July 1.

Image Information: ARMY CORPS OF ENGINEER employees and city officials inspected the Port Washington breakwater by boat June 11. Photo by Sam Arendt