



RESOLUTION NO.

A RESOLUTION REQUESTING THE WISCONSIN DNR TO IMMEDIATELY INITIATE A WATER QUALITY/AQUATIC LIFE SURVEY OF THE EAST TWIN RIVER (84000) AND UNNAMED TRIBUTARIES (3000211, 3000212 AND 3000213) TO THE EAST TWIN RIVER IN KEWAUNEE COUNTY

TO THE HONORABLE KEWAUNEE COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, the East Twin River from its headwaters to State Highway 29 is classified as a Cold
2 Water Community – Class I Trout and Exceptional Resource Waters; and
3

4 **WHEREAS**, the East Twin River from State Highway 29 to County Highway J is classified as a
5 Cold Water Community – Class II Trout Waters; and
6

7 **WHEREAS**, the unnamed tributaries of the East Twin River are classified as Fish and Aquatic
8 Life Communities; and
9

10 **WHEREAS**, these high quality fisheries have long-standing importance to both the citizens and
11 visitors of Kewaunee County and contribute significantly to the quality of life of many Kewaunee
12 County stakeholders; and
13

14 **WHEREAS**, the last full survey of the East Twin River watershed conducted by DNR personnel,
15 (Mary Gansberg and Steve Hogler) in 2011 and 2012 indicated that the Unnamed Tributary
16 clearly exceeded the threshold for Phosphorus impairment at two locations by between 5.5 and
17 7 times the threshold limit; and
18

19 **WHEREAS**, the 2011-2012 Gansberg/Hogler study states, *“Analysis of the water chemistry and
20 fisheries surveys confirm what was suspected previously – the fish and aquatic life use of the
21 upper reaches of the East Twin River and the Unnamed Tributary are not meeting Phosphorus
22 water quality standards.”*; and
23

24 **WHEREAS**, the 2011-2012 Gansberg/Hogler study further states, *“We recommend that the
25 entire section of the East Twin River that is currently classified as Cold-Class II Trout Water
26 (starting at Highway 29 down to County Highway B), be included on the 2014 impaired waters
27 list for Phosphorus.”* *“This listing is supported by “poor” fish F-IBI’s in 2011 at two locations.”*
28 *“We also recommend additional monitoring between County Highway F in Ellisville down to
29 State Highway 29 to assess possible biological impairment since total Phosphorus levels are
30 high at Townline Road.”*; and
31

1 **WHEREAS**, the 2011-2012 Gansberg/Hogler study further states, *"We also recommend that the*
2 *entire length of the Unnamed Tributary (starting at the west most crossing on Cherneyville Road*
3 *down to the stream mouth just south of State Highway 29) be included on this 2014 impaired*
4 *waters list for Phosphorus."* *"This listing is supported by "poor" fish F-IBI's and "poor"*
5 *macroinvertebrate HBI and M-IBI results in 2008."*; and
6

7 **WHEREAS**, there is a strong concern of increased chloride from a manufacturing facility that is
8 flowing into what is already considered an impaired East Twin River watershed that was once a
9 Class I or Class II (Exceptional) Trout waters; and
10

11 **WHEREAS**, the flow rates of the East Twin River and its tributaries are known to vary with daily
12 and seasonal weather events and cycles, and further it is known that this variation can greatly
13 influence the concentration of phosphorus, chloride and other discharges from the newly
14 expanded manufacturing facility or other sources, it is therefore unclear that the minimum
15 dilution rates for all the effluent materials from the nearby manufacturing plant or other sources
16 as established by the DNR are being met on a consistent basis; and
17

18 **WHEREAS**, no elected officials representing the citizens of Kewaunee County were involved in
19 the DNR's decision to add additional contaminants to an already impaired "Exceptional"
20 waterway; and
21

22 **WHEREAS**, anecdotal evidence from Kewaunee County citizens residing for many years
23 adjacent to the East Twin River consistently point to greatly diminished aquatic life; and
24

25 **WHEREAS**, the aquatic health of the East Twin River and Unnamed Tributaries is clearly at risk
26 based upon the DNR's own reports; and
27

28 **WHEREAS**, the quality of life of those living near or visiting the East Twin River and the
29 Unnamed Tributaries appears to have been significantly reduced both prior to and following the
30 recent issuance of the manufacturing facility's new 2016 WPDES permit and that this new
31 permit grants a very significant increase in contaminants harmful to aquatic life into a valued
32 Kewaunee County water resource.
33

34 **NOW, THEREFORE, BE IT RESOLVED**, by the Kewaunee County Board of Supervisors duly
35 assembled this 18th day of October 2016, that the Board requests the Wisconsin DNR conduct
36 an immediate and full water quality and aquatic life survey of the East Twin River (84000) and
37 Unnamed Tributaries (3000211, 3000212 and 3000313) to the East Twin River in Kewaunee
38 County to determine the impact of the new and increased level of contaminants flowing from a
39 nearby manufacturing plant or other sources on this once Exceptional trout fishery.
40

41 **NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Clerk forward a copy of this
42 Resolution to the Wisconsin Department of Natural Resources, the Natural Resources Board,
43 the Wisconsin Department of Health Services, the Wisconsin Department of Agriculture, Trade
44 and Consumer Protection, the U.S. Environmental Protection Agency, the United States

- 1 Department of Agriculture - Natural Resources Conservation Service, Sen. Ron Johnson, Sen.
- 2 Tammy Baldwin, and Rep. Reid Ribble, Sen. Frank Lasee, and Rep. Joel Kitchens.

Respectfully Submitted,

LAND AND WATER CONSERVATION COMMITTEE

John T. Pagel, Chair

Charles Wagner, Vice Chair

Lee Luft, Secretary

Ron Paider

Clark Reimer

APPROVED AS TO FORM

Jeffrey R. Wisnicky
Corporation Counsel

FISCAL IMPACT STATEMENT:

	Y E S	N O	A B S E N T	A B S T A I N
Benes, P				
Cravillion, D.				
Dobbins, M.				
Doell, D.				
Haske, V.				
Jahnke, S.				
Kirchman, L.				
Luft, L.				
Mastair, J.				
Paape, G.				
Pagel, J.				
Paider, R.				
Rasmussen, C.				
Romdenne, T.				
Shillin, K.				
Sinkula, L.				
Teske, L.				
Thomas, D.				
Wagner, C.				
Weidner, R.				
TOTALS				

REID RIBBLE
8TH DISTRICT, WISCONSIN

333 WEST COLLEGE AVENUE
APPLETON, WI 54911
920-380-0067

550 N. MILITARY AVE., SUITE 4B
GREEN BAY, WI 54303
920-471-1950
WWW.RIBBLE.HOUSE.GOV



Congress of the United States
Washington, DC 20515

1513 LONGWORTH BUILDING
WASHINGTON, DC 20515
202-225-5665

October 28, 2016

The Honorable Cathy Stepp
Secretary of Natural Resources
Wisconsin Department of Natural Resources
101 S Webster Street
Madison, WI 53707-7921

Re: Resolution of the Kewaunee County Board – East Twin Aquatic Life Survey

Dear Secretary Stepp:

As you may know, the Kewaunee County Board recently passed a resolution requesting the Wisconsin Department of Natural Resources to initiate a water quality and aquatic life survey of the East Twin River (84000) and tributaries (3000211, 300212, and 300213). The Kewaunee County Board is concerned that a newly-issued permit allowing for additional effluent into the East Twin watershed may adversely affect water quality in their community.

The East Twin River watershed is vital to citizens and visitors of Kewaunee County, particularly known for its valuable, high-quality fisheries. I encourage you to continue to engage all stakeholders, including elected County officials, landowners, industry, and residents in decisions that affect our waterways.

Please give the Kewaunee County Board's request full and appropriate consideration as you continue to work to protect Wisconsin's pristine environment and ensure that any potential for contamination in our waterways is thoroughly mitigated.

Sincerely,

A handwritten signature in blue ink that reads "Reid Ribble".

Reid Ribble
Member of Congress

Enclosure: Kewaunee County Resolution

RON JOHNSON
WISCONSIN

United States Senate

WASHINGTON, DC 20510

COMMITTEES:
BUDGET

COMMERCE, SCIENCE
AND TRANSPORTATION

FOREIGN RELATIONS

HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

Nov. 2, 2016

The Honorable Cathy Stepp, Secretary
Wisconsin Department of Natural Resources
101 S. Webster Street
Madison, WI 53707-7921

Dear Secretary Stepp:

I write to ask you to initiate a study of the water quality in the East Twin River and its tributaries in eastern Kewaunee County, as requested by the Kewaunee County Board of Supervisors in a recently passed resolution.

As you know, there have been several recently reported incidents of groundwater contamination adversely affecting Kewaunee County home and property owners. I join several other local, state and federal officials in encouraging your department to utilize available resources to identify, control and address these challenges on behalf of residents.

Our citizens deserve safe and potable well water in their homes. Therefore, if department personnel believe they can identify actions that could result in relief for those affected homeowners, I encourage you to take them.

While the most appropriate solutions to water contamination in Kewaunee County continue to be discussed, I believe the survey request outlined in the County Board's resolution is both timely and reasonable. Again, please give the request made by the Kewaunee County Board of Supervisors your full consideration.

If my office can be of any assistance to yours, please do not hesitate to contact me.

Sincerely,



Ron Johnson
U.S. Senator

Attachment: Kewaunee County Board Resolution

WASHINGTON OFFICE:
328 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-5323

OSHKOSH OFFICE:
219 EAST WASHINGTON AVENUE, SUITE 100
OSHKOSH, WI 54901
(920) 230-7250

MILWAUKEE OFFICE:
517 EAST WISCONSIN AVENUE
ROOM 408
MILWAUKEE, WI 53202
(414) 276-7282

United States Senate

WASHINGTON, DC 20510

November 21, 2016

COMMITTEES:
APPROPRIATIONS
BUDGET
HEALTH, EDUCATION,
LABOR, AND PENSIONS
HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS

The Honorable Cathy Stepp
Secretary of Natural Resources
Wisconsin Department of Natural Resources
101 S. Webster Street
Madison, WI 53707-7921

Dear Secretary Stepp:

In October, the Kewaunee County Board of Supervisors unanimously passed a resolution requesting the Department of Natural Resources conduct a water quality and aquatic life survey in the East Twin River and its tributaries. I write in support of their request, and I encourage you to establish a timely plan to institute a study that responds to the Board's concern about the overall health of the East Twin River and its tributaries.

The Board's resolution speaks to the community's value of these waterbodies, which it states "have long-standing importance to both the citizens and visitors of Kewaunee County and contribute significantly to the quality of life of many Kewaunee County stakeholders." The resolution notes that "the aquatic health of the East Twin River and Unnamed Tributaries is clearly at risk based upon the DNR's own reports" and that "no elected officials representing the citizens of Kewaunee County were involved in the DNR's decision to add additional contaminants to an already impaired 'Exceptional' waterway."

Kewaunee County citizens face both ground and surface water quality issues that are complex and difficult to solve. They have called on state and federal elected officials and both the Department of Natural Resources and the Environmental Protection Agency to respond and help reduce contamination and threats to water quality. While water quality improvements will take time to appear in rivers and in groundwater, the community should have accurate and current data on the health of water resources and their valued fishery. This is an important step to inform local decision makers, and the state and federal agencies that support local citizens as they work towards restoring the health of their water resources.

In addition to the request for the aquatic resources and water quality survey, the resolution speaks to DNR reports that the waterbody is at risk. Under the requirements set by the federal Clean Water Act, the DNR has evaluated the health of the East Twin River and determined it is an impaired waterway due to the presence of high levels of contaminants. Once a waterway is listed in this manner, the DNR process to determine steps to restoring ecological health is the establishment of science-based pollution limits that will allow waterbody health to improve, a Total Maximum Daily Load (TMDL). Though the DNR has determined the East Twin River is in need of a TMDL, the waterbody has not received the resources to be prioritized for DNR action. Given the strong concern about the health of this waterbody from the Kewaunee County Board, I encourage you to provide the support Kewaunee needs in implementing a TMDL plan for impairments to the East Twin River as soon as possible. I also urge you to enhance your

consultation with county leadership when the DNR is considering permit applications and renewals that could impact water quality in the county.

While I understand that the DNR has limited resources, and the water quality impairments in our state far outmatch the funds available, it is understandable that a community that has seen water quality degraded in recent years would call for practical steps to understand the current health of that water body in order to take steps to restore aquatic health. Please consider the Kewaunee County Board's request as a step in supporting the community's efforts to respond to their complicated water quality challenges and in safeguarding protections for Wisconsin's natural resources.

Sincerely,



Tammy Baldwin
United States Senator