

Resolution # 1-2018

2018 Crawford County Board of Supervisors Resolution

RESOLUTION URGING THE STATE TO RECOGNIZE LOCAL SENSITIVITIES, LOCAL CONTROL, AND IMPROVE OVERSIGHT OF WPDES PERMITTING PROCESS

WHEREAS, it is widely recognized that Crawford County is underlain by a sequence of highly fractured, dissolved and permeable carbonate (hereafter “karst”) and sandstone bedrock; and

WHEREAS, Wisconsin’s most recognized karstic areas are in the northeastern part of the state, thanks to the work by the Northeast Wisconsin Karst Task Force, which published its final Report in 2007. The karst geology of the Driftless area is less well studied, but is more intensively developed due to uninterrupted dissolution during the two million years of the Pleistocene ice ages further enlarging the karst features and water sensitivities; and

WHEREAS, evidence of this solution is widespread in features of the surface landscape; the most obvious surface features in the Driftless area are the many thousands of small to large sinkholes, formed when underground caves and streams collapse. Many caves and subsurface channels have yet to be recognized. Other karstic features include “disappearing streams” and “blind valleys”, where surface flows dive into the ground.

WHEREAS, typical rates of groundwater flow are measured in inches per day, but in karstic terrain underground waters can flow hundreds of feet per day; and

WHEREAS, this means that our groundwater is exceedingly susceptible to contamination by flocculant ponds from mining operations, underground fuel or chemical storage tanks, improperly spread manure, failure of manure, coal-ash, or other impoundments, and even by carelessly applied fertilizers; and

WHEREAS, once a sandstone aquifer is polluted, it will remain polluted for millennia, with no way to remediate the pollution besides water filtration systems, causing an environmental justice and public health crisis; and

WHEREAS, any rules for siting or regulating Concentrated Animal Feeding Operations (CAFOs) or other industrial operations generating large amounts of potential pollutants in karst regions should take into account the local geological sensitivities, in addition to requiring detailed studies performed at any specific proposed site, but these contingencies do not exist in the current regulatory framework for Crawford County or Wisconsin; and

WHEREAS, a detailed, regional geologic analyses has not yet been completed to identify areas of particularly susceptible groundwater; and

WHEREAS, the state has recognized that the current regulatory framework failed to protect groundwater resources in karst areas in eastern Wisconsin; and

WHEREAS, the Wisconsin Department of Natural Resources (DNR) administers the Wisconsin Pollutant Discharge Elimination System (WPDES) Program, which regulates the discharges of pollutants to surface and groundwater from concentrated animal feeding operations, mines, industrial wastewater treatment facilities and municipal wastewater treatment plants and;

WHEREAS, the nonpartisan State of Wisconsin Legislative Audit Bureau reviewed the DNR’s performance implementing the WPDES Program and found in Report 16-6, dated June 2016,

that the DNR failed to administer and maintain a WPDES permit program consistent with the requirements established under the Clean Water Act and Chapter 283, Wis. Stats; and

WHEREAS, 98% of the required self-monitoring annual reports were not electronically recorded by the DNR and, therefore, not available to DNR staff responsible for monitoring compliance and enforcing regulations.; and

WHEREAS, the result of industrial agricultural contributions of fertilizer and manure runoff into surface water and groundwater shows increasing levels of phosphorus, nitrates, and bacteria in the water supply leading to degraded water quality and water quantity; and

NOW, THEREFORE, BE IT RESOLVED the Crawford County Board of Supervisors determines that a situation exists which threatens the public health, safety, and welfare of the citizens of Crawford County and that the Crawford County Board of Supervisors:

Urges the state to respect local control and flexibility by allowing for county and municipal ordinances which take science-based measures beyond state standards to protect our sensitive water resources, as was done for counties in the eastern part of the state through Wisconsin administrative code changes.

Urges the Wisconsin DNR to strengthen its commitment to protecting our natural resources and the welfare of our residents by improving their oversight and meeting their statutory requirements of the WPDES permitting process in regards to the CAFO Program.

Respectfully submitted by,

Crawford County Land Conservation Committee

Adopted this 20th day of February, 2018

BY: _____, Crawford County Clerk