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*Administrative & Financial  
Coordinator*

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*Of Counsel*

December 7, 2015

United States Environmental Protection Agency  
Region 5  
Barbara Wester and John Colletti  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
RE: WN-16J

Attorney Wester and Mr. Colletti:

Thank you for acting as the primary points of contact for the Environmental Protection Agency (EPA) Region 5 as the Region reviews the Petition for Corrective Action (PCA) filed by 16 Wisconsin residents on October 20, 2015. This letter constitutes Petitioners' response to a Wisconsin Department of Natural Resources (DNR) press release indicating that the 75 issues named in the EPA 2011 legal deficiency letter are resolved or are being addressed by the Department.<sup>1</sup> Petitioners utilize this letter and accompanying documentation to urge the EPA to acknowledge that significant steps remain prior to declaring the Wisconsin Pollutant Discharge Elimination System (WPDES) Program as compliant with the Clean Water Act.

**Attached is a collection of letters submitted by more than 40 DNR retirees, all calling on the EPA to thoroughly analyze DNR allegations that WPDES Program deficiencies are resolved and WPDES permits adequately protect Wisconsin's water resources.** The attached letters demonstrate that unresolved water quality issues have a real impact on real people on a daily basis. Unfortunately, these letters also demonstrate that meaningful change is needed before Wisconsin can reclaim its historical status as "a leader in many water-related areas." Though the DNR retirees share concerns in their letters that extend beyond the PCA, a commitment from the state and federal government to promptly and comprehensively respond to the Petition would be a first step toward fixing WPDES Program deficiencies.

Petitioners requested that the Wisconsin Natural Resources Board (NRB) allow public comment regarding the PCA at the Board's December meeting.<sup>2</sup> NRB



<sup>1</sup> See <http://dnr.wi.gov/news/releases/article/?id=3761> (last visited Nov. 24, 2015).

<sup>2</sup> See <http://dnr.wi.gov/About/NRB/2015/Dec/Dec-2015-NRB-agenda.html> (last visited Nov. 24, 2015).

responded that ongoing litigation prevents the Board from addressing PCA-related matters. Although Midwest Environmental Advocates (MEA) appreciates the need to protect confidentiality during ongoing litigation, the lack of a state-supported public forum for discussion deprives Wisconsin residents of a venue to voice concerns and/or insight regarding the water quality impact of various DNR and state Legislative decisions.

Because it is extremely important for all Wisconsin residents to have the opportunity to provide feedback regarding WPDES Program deficiencies, Petitioners will continue to seek alternative means by which to submit comments to relevant state and federal authorities. Petitioners understand the EPA's position regarding the need to conduct a preliminary investigation. However, Petitioners and our growing list of partners will also continue to seek a public hearing or other venue for all interested Wisconsinites to speak to concerns relating to unresolved WPDES Program issues that were addressed in the EPA 2011 legal deficiency letter.

Finally, we thank the signatory DNR retirees for remaining vigilant in regard to protection of Wisconsin's water resources. Even after extended civil service, these retirees remain committed to civic engagement. We hope the attached letters serve as a reminder that water quality issues in Wisconsin are far from resolved and in fact continue to have wide-sweeping impacts upon all residents of our State.

Petitioners look forward to continued collaboration to address unresolved WPDES Program deficiencies that endanger Wisconsin's water resources and public health.

Sincerely,



George Meyer  
Executive Director  
Wisconsin Wildlife Federation  
DNR Secretary, 1993-2003



Kimberlee Wright  
Executive Director  
Midwest Environmental Advocates

November \_\_\_\_, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
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Ms. Hyde and Ms. Wester:

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Erosion of the public trust began in part in the mid-1990s with the elimination of the Natural Resources Board-appointed DNR Secretary. This elimination allowed more political influence in decisions affecting natural resources; a problem only magnified by elimination of the Public Intervener's Office that gave ordinary citizens the ability to challenge government decisions. Significant changes within the past five years exert a further synergistic effect on the 75 deficiencies listed in the EPA's 2011 letter to the DNR.

Among the most serious problems with the "new DNR" are the following:

- 1) The current DNR top management, the Governor, and the Legislature exhibit anti-science behavior including: drastic cuts in science budgets; orders to cease discussion of climate change and its effects on the environment; gag orders on DNR employees commenting on science issues (only DNR administrators may speak to the press); and exclusion of science professionals from negotiating sessions with entities seeking DNR permits or approvals. Because effective government is essential to the protection of Wisconsin's waters, CWA non-compliance will persist and worsen if the State continues to cut DNR staffing and funding.
- 2) The "Wisconsin is Open for Business" slogan clearly applies to DNR environmental permitting. Although DNR has historically balanced its decision-making using social, economic, and environmental factors, the clear bias is now in favor of keeping business happy at the expense of CWA goals and protecting natural resources for the common good.

3) Structural reorganizations have placed much greater authority for final permit conditions in the hands of political appointees rather than DNR biologists, engineers, lawyers, and other Department experts. Bypassing scientific and legal expertise conveys to permit applicants an almost limitless potential for negotiation with DNR upper management. This potential is realized as the number of permittees increase without a corresponding increase in Department staffing or funding. Increasing pressure from DNR top managers to review permit applications, nutrient management plans and related documentation also leads to technically and legally deficient permits.

4) The "value" of aquatic resources to the top management of the "new DNR" has nothing to do with balanced aquatic communities, the intrinsic value of the resource, or the moral obligation to manage Wisconsin's waters in the name of public interest. Water is now a commodity to be sold and traded in the marketplace.

5) Environmental enforcement effort and results have declined significantly in the past five years. Inadequate permit review and enforcement unacceptably shifts the financial and technical burden of industry review to citizens. One example, also set forth in the Petition, is the exponential increase in dairy CAFOs with stagnant enforcement numbers and staffing levels.

The EPA must seriously consider the recent assault on the basic principles of the CWA by the Legislature, the Governor, and DNR political appointees when examining the need to correct deficiencies in the DNR's exercise of its CWA permitting authority. If EPA does not require a prompt and robust fix of WPDES Program deficiencies, absent rescission of the DNR's permitting authority the general quality of aquatic resources in Wisconsin will decline for the first time since the passage of the CWA in 1972. Allowing this decline would have financial implications for all Wisconsinites: prior and significant public investment in water clean-up would be mooted; water pollution would pose greater and greater threat to public health.

In conclusion, the undersigned, retired DNR employees urge the EPA not to accept the assurances of DNR top managers that the Department has corrected WPDES Program deficiencies. Whether at public meetings or through alternative forums, EPA should seek the opinions of experienced DNR professional employees for a true picture of how in the last five years the DNR has compromised its mission and compliance with the CWA. Assurances of confidentiality will be essential to avoid retaliation for their candor.

Your review of the WPDES Program is the only viable option left to exert leverage on the Wisconsin governor and Legislature to restore the once-great Wisconsin DNR and to ensure compliance with the CWA.



Signed,

<u>Joseph R. Ball</u>	<u>Joseph R. BALL</u>	<u>32</u>
Signature	Name (printed)	Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 25, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590

ATTN: WN-16J

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Signed,

*Allen E Bluhm*

Allen E Bluhm

12 years 8 months

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November \_\_\_\_, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
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Signed,

<i>Theodore Bosch</i>	<i>Theodore Bosch</i>	34
Signature	Name (printed)	Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 30, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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Signed,

Patricia M. Chabot PAT CHABOT 14

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR



December 5, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
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Signed,

Roy M. Christianson

6 years of DNR service and coordinator of the waste load allocations for the Lower Fox and Upper Wisconsin Rivers

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 30, 2015

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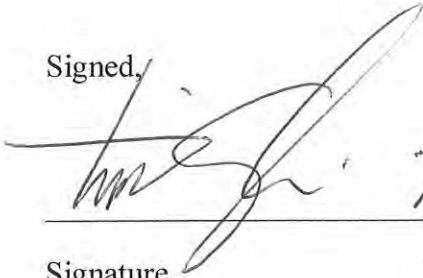
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Signed,



Tim Coughlin

29 years

Signature

Name (printed)

Number of years of DNR service

Environmental Enforcement Specialist (Retired)

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR



November 14, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

Ms. Hyde and Ms. Wester:

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Signed,

*Terrance M. Cummings*    TERRY CUMMINGS    31

Signature                                  Name (printed)                                  Number of years of DNR service

cc:    Barbara Wester and John Colletti, EPA Region V  
       Cathy Stepp and Patrick Stevens, DNR

November 22, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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Signed,

*Andrew H. Fayram*

Andrew H. Fayram

15

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

*Although I am not currently retired I left state service at the WONR for a number of reasons including morale at the WONR and employment opportunities for my family in another state.*

December 3, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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Signed,



Stacy M. Fix

22 Yrs  
3.5 Yrs  
4.5 Yrs

DNR  
DATCP  
Public Service Commission

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 12, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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Signed,



David L. Gjestson

30

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 14, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
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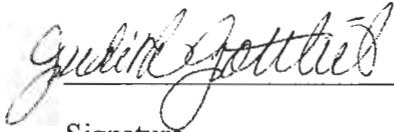
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Signed,



Judith Gottlieb

30

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR



November 14, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
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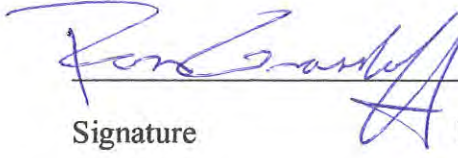
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Signed,

 RON GRASSHOFF 20 YEARS

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November \_17\_\_\_, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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\_\_\_\_\_/s/\_\_\_\_\_Lance Green\_\_\_\_\_20 years, Air Management Bureau\_\_\_\_\_  
Signature                      Name (printed)                      Number of years of DNR service

cc:     Barbara Wester and John Colletti, EPA Region V  
        Cathy Stepp and Patrick Stevens, DNR

November \_\_\_\_, 2015

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Region 5  
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Signed,

 Paul Scott Hausman 32 years

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR



November \_\_\_\_, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
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77 West Jackson Blvd.  
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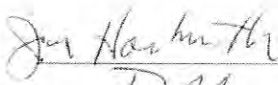
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Signed,

  
Signature *D.M.*

  
Name (printed)

  
Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

Dave, I'd love to sign the letter. There's a slight logistics problem. I'm in Florida for several months and do not have a printer. Please consider this email as the authorization you need from me to sign this letter for me and mail it to Tressie K.

Thanks, Jay



November \_\_\_\_, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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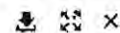
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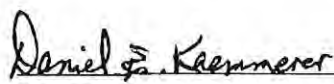
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← Back to Message Signature Pg Only\_2015-11-11... 1 / 1



	<u>DANIEL E. KAEMMERER</u>	<u>27</u>
Signature	Name (printed)	Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR





November 28, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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*Patrick Kaiser*

PATRICK KAISER

30

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 25, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
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 Dale E. Katsma 38

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November \_\_\_\_, 2015

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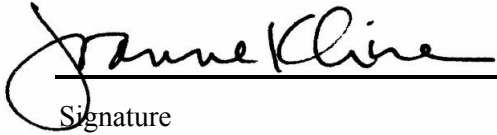
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Signed,



Signature

Joanne Kline

Name (printed)

23 (1991 to 2014)

Number of years of DNR service



November 17, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

Ms. Hyde and Ms. Wester:

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Signed,

 Dale J Lang \_\_\_\_\_ 30 \_\_\_\_\_  
Signature                      Name (printed)                      Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November \_\_\_\_, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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Signed,

*Tim Larson*

Tim LARSON

31<sup>+</sup> years (Fisheries)

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 29, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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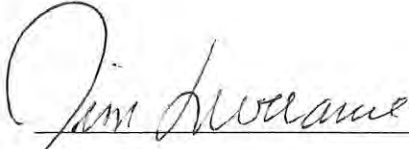
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Signed,



JIM LEVERANCE

28 year w/ DNR & Public Service  
COMMISSION

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 12, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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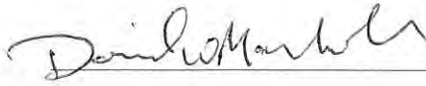
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 David W Marshall 30

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 19, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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Signed,

*Mark Martin*

MARK MARTIN

40

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 25, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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Signed,

<i>Ronald H. Martin</i>	Ronald H. Martin	32 years
Signature	Name (printed)	Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 20, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

Ms. Hyde and Ms. Wester:

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Signed,

*Bob Martini*      BOB MARTINI      32

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

December 3, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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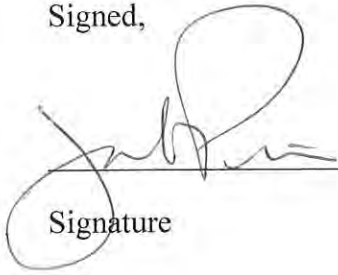
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Signed,



Signature

Janet Price

Name (printed)

10

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November \_\_\_\_, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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Signed,

*Tim Rasman*

*Tim Rasman Green Bay, WI 28 years*

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR



November 29, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

Ms. Hyde and Ms. Wester:

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Signed,

Paul W. Rasmussen      Paul W. Rasmussen      28

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR



November 1<sup>st</sup>, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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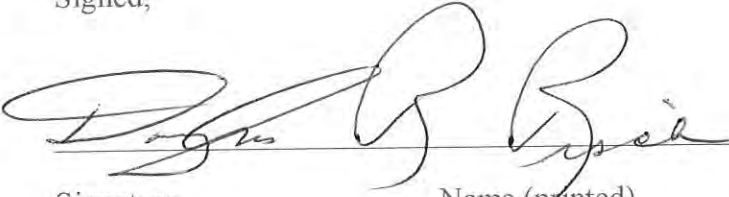
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Signature

Name (printed)

Doug Risch 27 yrs of  
Number of years of DNR service *Service*

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November ~~30~~, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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Signed,

*James Schmidt*

James Schmidt

34

Signature

Name (printed)  
schmidt

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR



November 13, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

Ms. Hyde and Ms. Wester:

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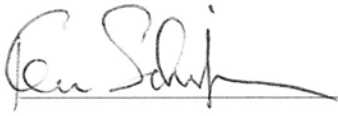
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Signed,



Ken Schreiber

34

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

MARK F SESING  
W3910 ECHO LANE  
CAMPBELLSPORT WI  
53010

November 16, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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Signed,

*Mark Sessing*

MARK SESSING

33

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

December 3, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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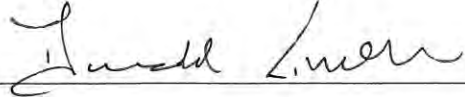
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Signed,

 Donald Wheeler 17

---

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR



November 18, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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Signed,

<i>Vanessa Thompson</i>	<i>VANESSA THOMPSON</i>	<i>28</i>
Signature	Name (printed)	Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

December 7, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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Signed,

(by       /s/       Tom Thorsen       30        
Signature Name (printed) Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR



November 30, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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Signed,

 Richard Vogt 23 yrs  
Signature Name (printed) Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 12, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
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ATTN: WN-16J

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Signed,

*Kenneth S. Wade* Kenneth S. Wade, P.E., P.G. 13 years  
with DNR

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Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November \_13 \_\_\_, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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Signed,

\_\_\_\_/s/\_\_\_\_ Robert Wallen, Information & Education, MacKenzie Center, Poyette, 1970-2001

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 20, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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Signed,

	M. Scott Watson	25
Signature	Name (printed)	Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 20, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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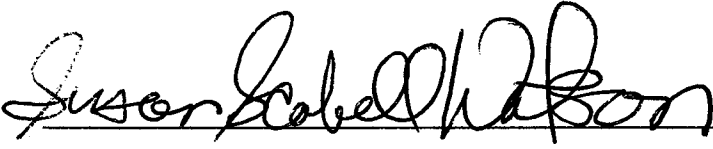
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Signed,

Susan Scobell Watson



21

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 16, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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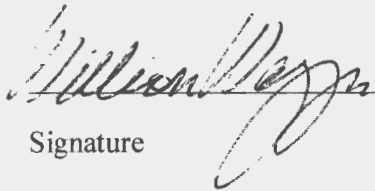
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Signed,

 WILLIAM NAWCZYK 38

Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 12, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

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 Wendy K. Weisense 29

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Signature

Name (printed)

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

November 15, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590

ATTN: WN-16J

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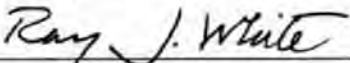
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Your review of the WPDES Program is the only viable option left to exert leverage on the Wisconsin governor and Legislature to restore the once-great Wisconsin DNR and to ensure compliance with the CWA.

Signed,

	Ray J. White	1957 to 1972*
Signature	Name (printed)	Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR

\* With interruptions for study and experience at other institutions.

November 30, 2015

United States Environmental Protection Agency  
Tinka Hyde, Director, Water Division  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604-3590  
ATTN: WN-16J

Ms. Hyde and Ms. Wester:

On October 20, 2015, sixteen Wisconsin residents petitioned the EPA to require corrective action regarding Wisconsin's Clean Water Act (CWA) deficiencies. The Wisconsin Department of Natural Resources' (DNR) first public response to the Petition was a press release wherein the Department indicated that all 75 technical shortcomings in the Wisconsin Pollutant Discharge Elimination System (WPDES) Program identified by EPA in July 2011 were resolved or close to resolution. The primary focus of this letter is to implore the EPA not to allow unsupported assertions of resolution to stymie the comprehensive, prompt response to the Petition. The undersigned, as a retired DNR employee supports the Petition and asks the EPA to consider the erosion of DNR's mission and operating procedures, in addition to the 75 technical shortcomings, as a real and ongoing threat to Wisconsin's compliance with the CWA. This threat will create adverse effects on the economy, public health and the natural resources base of Wisconsin and its neighboring Great Lakes states.

Erosion of the public trust began in part in the mid-1990s with the elimination of the Natural Resources Board-appointed DNR Secretary. This elimination allowed more political influence in decisions affecting natural resources; a problem only magnified by elimination of the Public Intervener's Office that gave ordinary citizens the ability to challenge government decisions. Significant changes within the past five years exert a further synergistic effect on the 75 deficiencies listed in the EPA's 2011 letter to the DNR.

Among the most serious problems with the "new DNR" are the following:

- 1) The current DNR top management, the Governor, and the Legislature exhibit anti-science behavior including: drastic cuts in science budgets; orders to cease discussion of climate change and its effects on the environment; gag orders on DNR employees commenting on science issues; and exclusion of science professionals from negotiating sessions with entities seeking DNR permits or approvals. Because effective government is essential to the protection of Wisconsin's waters, CWA non-compliance will persist and worsen if the State continues to reduce the authority of DNR professional staff to make science-based decisions under the law while concurrently making ever deeper cuts to staff and the resources available to them.



2) The "Wisconsin is Open for Business" slogan clearly applies to DNR environmental permitting. Although DNR has historically balanced its decision-making using social, economic, and environmental factors, the clear bias is now in favor of keeping business happy at the expense of CWA goals and at the expense of protecting natural resources for the common good.

3) Structural reorganizations have placed much greater authority for final permit conditions in the hands of political appointees rather than DNR biologists, engineers, lawyers, and other Department experts. Bypassing scientific and legal expertise conveys to permit applicants an almost limitless potential for negotiation with DNR upper management. This potential is realized as the number of permittees increase without a corresponding increase in Department staffing or funding. Increasing pressure from DNR top managers to reduce turnover time for review of permit applications, nutrient management plans and related documentation also leads to technically and legally deficient permits.

4) The "value" of aquatic resources to the top management of the "new DNR" has nothing to do with balanced aquatic communities, the intrinsic value of the resource, or the moral obligation to manage Wisconsin's waters in the name of public interest. Water now appears to be viewed as a commodity to be sold and traded in the marketplace as evidenced by legislative proposals to ease process of approving the sale of public water supplies to private industry and a move to make high capacity wells a property right even when land is sold.

5) Environmental enforcement effort and results have declined significantly in the past five years. Inadequate permit review and enforcement unacceptably shifts the financial and technical burden of industry review to citizens. One example, also set forth in the Petition, is the exponential increase in dairy CAFOs with stagnant enforcement numbers and staffing levels.

The EPA must seriously consider the recent assault on the basic principles of the CWA by the Legislature, the Governor, and DNR political appointees when examining the need to correct deficiencies in the DNR's exercise of its CWA permitting authority. If EPA does not require a prompt and robust fix of WPDES Program deficiencies, absent rescission of the DNR's permitting authority the general quality of aquatic resources in Wisconsin will decline for the first time since the passage of the CWA in 1972. Allowing this decline would have financial implications for all Wisconsinites: prior and significant public investment (from both state and federal levels) in water clean-up would be undermined and devalued; and water pollution would pose greater and greater threats to public health and the ability of the underlying resource base to support long-term economic growth in Wisconsin and other areas affected by its shared interstate waters.

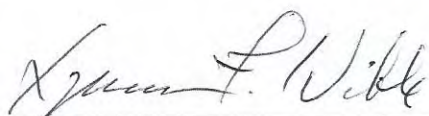
In conclusion, the undersigned, a retired DNR employee, urges the EPA not to accept the assurances of DNR top managers that the Department has corrected WPDES Program deficiencies. Whether at public meetings or through alternative forums, EPA should seek the opinions of experienced DNR professional employees for a true picture of how the

DNR has compromised its mission and compliance with the CWA over the last five years. Assurances of confidentiality will be essential to avoid retaliation for their candor.

Your review of the WPDES Program is the only viable option left to exert leverage on the Wisconsin governor and Legislature to restore the once-great Wisconsin DNR and to ensure compliance with the CWA.

Signed,

Lyman F. Wible  
5614 Sedgemoor Road,  
Middleton, WI 53562



Lyman F. Wible

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Signature

Name

Number of years of DNR service

cc: Barbara Wester and John Colletti, EPA Region V  
Cathy Stepp and Patrick Stevens, DNR