



Phase II of the Thomas Street Project - August 8, 2017

Resolution: The Thomas Street design concept from 4th Avenue to the Wisconsin River Bridge

Dear Wausau City Council,

I'm writing in regards to The Thomas Street design concept from 4th Avenue to the Wisconsin River Bridge and the associated resolution before the Council today, August 8, 2017.

Midwest Environmental Advocates is a statewide non-profit, public interest environmental law center that provides legal and technical assistance to citizens working to protect public health and our Wisconsin natural heritage. One of the services we provide to the public is access to information through a telephone helpline. The Phase II of the Thomas Street Project has triggered a new round of inquiries by citizens concerned about their health in regard to the massive disruption of soil near an area that has been shown to be contaminated with toxic pollutants.

We're hearing from citizens that the Wausau Metropolitan Planning Organization (MPO) specifically identified the area of proposed Project activities to meet the demographic parameters of an "environmental justice" community. The concept of environmental justice identifies low income, people of color and other vulnerable populations who are disproportionately impacted by activities that generate dangerous pollution where people live, work and recreate. The reason these populations are deemed to need special consideration in large projects is due to our history of siting polluting activities in communities without the political clout and financial resources to fight back. Environmental justice concepts are designed to ensure the most vulnerable among us aren't the path of least resistance when it comes to activities that are likely to cause harm. The young and elderly are at a higher risk from air and water pollution. Governmental bodies have a duty to protect public health, welfare and safety of all people and to act with full knowledge of the impacts on vulnerable and disempowered populations from large public projects.

The scale and scope of the proposed Phase II of the Thomas Street Project would cause massive disruption of soil near an area already known to contain toxic pollutants that could intrude into places people live, work and recreate. To proceed with the project with awareness of the contamination, and without safeguards designed to contain toxic pollutants, puts the people living in the area at a great risk of harm even though the City of Wausau has knowledge of the existence of the pollutants.

In light of known serious health impacts in the area and increasing reports of residents already suffering serious illness likely associated with legacy pollution, creating more risk through massive disturbance of potentially contaminated soils would be a failure of the City's duty to protect public health and welfare of all citizens. There is no reasonable justification for the City of Wausau to refuse to test for toxic pollutants known to exist in the area when the consequences to people in the project area are potentially so dire. Private testing is beyond the means of many of the neighbors based on the MPO's own findings of a vulnerable population they designated as an "environmental justice" community. The goals of environmental justice include not subjecting low income communities to environmental risks that wouldn't be considered in a more affluent neighborhood. Higher income neighborhoods are able to invest resources to document potential harms thus

lowering the chances that they are the path of least resistance to powerful interests like the City of Wausau in public works projects.

Another important element of working in an environmental justice community is ensuring public meetings, information and decision-making processes are accessible to all those potentially impacted. Language is an obvious barrier but outreach to engage the community is equally important to help those most impacted feel welcome to participate with access to information and a fair chance to weigh in.

The City of Wausau has adequate information about the toxic pollutants in the nearby soil that are putting the people living near the Phase II area of the Thomas Street project at risk of serious illness. The City must do the environmental testing and assessments for soil and water contamination in addition to investigating whether any of the legacy pollutants are entering area homes through vapor intrusion before approving Phase II of the Thomas Street Project.

Most of the contacts we've received from Wausau citizens have been about public health concerns, but a number of individuals have expressed concern for the potential of toxic pollutants making their way to the Wisconsin River. The red flags that indicate the need for further exploration when doing a credible environmental assessment are waving furiously and the City of Wausau should act accordingly.

Public health should not be put at risk but neither should taxpayers have the risk of picking up the tab for significant financial liability that could be generated from the City of Wausau proceeding with a project in areas with known toxic pollutants and a history of serious illness in area residents without exercising due diligence through an appropriate environmental assessment and testing.

Sincerely,

Kimberlee Wright, Executive Director

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