



# Lake County Illinois

## Legislation Text

File #: 18-0682, Version: 2

Resolution urging the State of Wisconsin to reconsider actions that waive enforcement of or compliance with regulations and laws for the Foxconn/Upstream Development in the headwaters of the Des Plaines River.

- Earlier this year, the State of Wisconsin passed legislation waiving environmental regulations for and providing various incentives to Foxconn/ Upstream for the construction of manufacturing facilities in the headwaters of the Des Plaines River.
- The development includes (a) filling 26 acres of wetlands without an Environmental Impact Study in an area which will detrimentally impact people and properties within a downstream Lake County area which has suffered significant property damage due to flooding; (b) the diversion of approximately seven million gallons of water per day from Lake Michigan; and (c) the treatment and return of over four million gallons of water per day to Lake Michigan.
- Racine County - which is known for its heavily polluted air and where the Foxconn/ Upstream development will occur - was identified by the U.S. Environmental Protection Agency as an attainment area which does not require Foxconn/ Upstream to install stringent pollution control equipment.
- Based on concerns regarding the environmental impact of this development, various agencies within the State of Illinois - including the Attorney General - are reviewing potential actions to protect the interests of Illinois with separate resolutions expressing concerns about the development and support for actions to address the concerns.
- The resolution expresses Lake County's concerns, asks the State of Wisconsin to ensure that all existing regulations and laws are uniformly applied in this and future cases, and directs staff to meet its federal, state and local counterparts to discuss the development and its downstream impacts.

### RESOLUTION

**WHEREAS**, the State of Wisconsin recently passed legislation waiving environmental regulations for and providing various incentives to Foxconn/ Upstream Development (Foxconn/ Upstream) for the construction of manufacturing facilities within Racine County along the Wisconsin-Illinois border in the headwaters of the Des Plaines River; and

**WHEREAS**, the action allows Foxconn/ Upstream to fill 26 acres of wetlands with dredged materials without an Environmental Impact Study, or input from the U.S. Army Corps of Engineers at a site that is in the headwaters of the Des Plaines River, resulting in detrimental impacts upon the people of and properties within a downstream Lake County area that has already suffered billions of dollars in damage from flooding; and

**WHEREAS**, the U.S. Environmental Protection Agency (EPA) identified 51 areas in 22 states that do not meet air quality requirements for ozone and exempted Racine County which is known to have heavily polluted air. If Racine County had been designated a non-attainment area by the EPA, it would have required Foxconn/ Upstream to install stringent pollution control equipment; and

**WHEREAS**, the commercial Foxconn/Upstream development will divert approximately seven million

gallons of water per day from Lake Michigan - a primary source of drinking water for residents of Lake County; and

**WHEREAS**, the Foxconn/ Upstream development is expected to treat and return over four million gallons of water to Lake Michigan through the Racine Wastewater Treatment Plant; and

**WHEREAS**, the actions to fast track the Foxconn/ Upstream development incentivize a for-profit entity with tax dollars to pollute and damage natural resources which unilaterally imposes negative impacts outside the political and geographical boundaries of Wisconsin.

**NOW, THEREFORE IT BE RESOLVED BY THE LAKE COUNTY BOARD**, this 12<sup>th</sup> day of June, 2018, that:

1. We urge our neighbors and counterparts in the State of Wisconsin to immediately reconsider any actions relative to the Foxconn/ Upstream Development that waive enforcement of or compliance with all applicable regulations and laws which could compromise the environmental integrity and resiliency of natural resources to the detriment of the people and property in Lake County;
2. With regard to the Foxconn/ Upstream project and any and all future development projects upstream of Lake County, we urge our local and state counterparts in Wisconsin and federal agency counterparts to uniformly apply and enforce all applicable regulations and laws as written without any exemptions, waivers or variances to ensure negative impacts are not imposed on the residents of downstream Lake County;
3. We support the Illinois Attorney General, Illinois General Assembly and Illinois agencies in taking whatever actions possible to protect Lake County and the State of Illinois against the loss of water resources, potential flooding, and other ecological impacts from this development; and
4. The appropriate Lake County staff is directed to (a) request a meeting of its counterparts in local, State and Federal agencies with jurisdiction over the Foxconn/ Upstream Development to discuss the actions and corresponding impacts on Lake County; and (b) provide support as may hereafter be requested by any local, State or federal authorities with the jurisdiction over the Foxconn/ Upstream Development in Racine and Kenosha Counties, Wisconsin;

**DATED**, at Waukegan, Lake County, Illinois on this 12<sup>th</sup> day of June, A.D.