

# The Unthinkable: Oil Spill in Milwaukee

Komatsu discharges over 400 gallons to Menomonee River

Oil spills tend to make us conjure images of pipeline explosions, sinking ships, or drilling operations gone wrong flashing across a television screen. But what happens when that danger hits close to home? The unthinkable happened in December of 2021, when a "used oil transfer error" from the Komatsu plant spilled at least 400 gallons of oil in the Menomonee River.

Worse yet, a poor response allowed uncontrolled oil to spread from the Menomonee River into Milwaukee River, and into Lake Michigan. While the scale may be smaller than the Exxon Valdez disaster of 1989, the impacts of this oil spill are still real. The consequences of manmade accidents like these can be felt in ecosystems and communities for decades.

While Komatsu took accountability for the spill, the response time was slow and, in our opinion, inadequate. Local groups, like Milwaukee Riverkeeper, received reports of large oil sheens throughout our waterways before ever being notified about the source of the spill. This took precious time away from marshaling a thorough and rapid response. Oil booms, placed to contain the spill, were not effective, or placed too late. The longterm effects of the spill remain to be seen and many questions are still unanswered.

We still do not fully understand how this happened, -- continued on page 3

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### **Message from the Executive Director**



### **Dear Friend of the** Waters,

Spring is almost here, and we're excited to usher in another busy season on the river! The mighty team at Milwaukee Riverkeeper is in the midst of planning events, programs, and volunteer opportunities to help connect our communities to our rivers.

As the snow melts and the massive amounts of uncontrolled litter and pollution become visible, we are reminded there is a lot of work ahead needed to restore our rivers, and care for our communities. We're pleased to announce that the 27th Annual Milwaukee Riverkeeper Spring Cleanup will take place on Saturday, April 23rd. Over the past few years we've seen an uptick in the amount of waste littering our neighborhoods and natural areas, specifically, single use PPE and takeout containers. It'll take all of us working together to make an impact and reign in the nuisance trash in our communities.

We know litter persists so we rely on our Adopt-A-River volunteers to carry forward the work to restore our waterways all season long, and our Plastic-Free MKE programming to curb the single-use plastics epidemic in our world and communities.

On the advocacy front, this year we're focused on strengthening protections and implementing necessary regulations to keep our rivers clean, and communities safe. We have advocated for our state to adopt regulations around PFAs (toxic and persistent chemicals found in surface and drinking water), and to safeguard a very important rule of law: The Public Trust

Doctrine, that keeps our waterways

open to the public, but is under attack.

This year also marks the 50th Anniversary of the Clean Water Act and we continue to support a strong definition of "water" to ensure our precious waterways remain protected and can be restored, rather than degraded and diminished. This winter, as reported in the cover story, a tragic oil spill hit our waterways and we are still working to uncover the story and quantify the damage. For more about our advocacy priorities, see the Riverkeeper Watch.

If you want to help us work toward a swimmable, fishable, drinkable future for our waterways, please get involved. We have many fun and exciting opportunities to help protect, restore, connect and advocate for our waters.

Whether you lend a hand, make a financial contribution, or advocate for healthy rivers, every small action makes a difference.

To healthy communities and free flowing rivers,



Jennifer Bolger Breceda **Executive Director** 



TEAM MRK!



JOIN OUR BOARD OF DIRECTORS www.milwuakeeriverkeeper.org/board

## All Aboard: New Faces at MRK!



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#### **AL BRODERSON OPERATIONS MANAGER**

What made you become an environmentalist? Growing up on a farm in the Ozarks, I was always very connected with nature and felt most at home outside. I am passionate about protecting the environment because we are nothing without our home and there is no backup environment.

If you had to be an animal living in the MKE River Basin, what would you be and why? I would be a river otter. They are fun, playful, and always getting into something!

### NICOLE CHAVEZ SUSTAINABILITY COORDINATOR, AMERICORPS

What is one of your favorite memories or experiences with water? When my dad took me fishing for the first time. I still remember the fish that I caught and how that experience made me appreciate all of the life that is found beneath the water's surface.

What's your favorite experience at MRK? Working with so many amazing and passionate volunteers.

NICOLE



SHIRLEY



### SONYA PONZI WATER QUALITY ASSISTANT, AMERICORPS

SHIRLEY ASPINALL

What's been your favorite experience at Milwaukee Riverkeeper so far? Getting to know and working with Milwaukee Riverkeeper's devoted and passionate volunteers. It is truly amazing that there are so many people committed to protecting our freshwater resources and working together to achieve a common goal of healthy rivers and lakes. The data our volunteers collect is crucial for understanding long term changes in our environment.

### **BOARD OF DIRECTORS**

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# WE'RE RECRUITING!



River Currents, 2022 Vol. 1



#### COMMUNICATIONS COORDINATOR, AMERICORPS

What made you want to become an environmentalist? We are in both a climate and mental health crisis. I believe the state of our environment has a direct impact on the state of our mental health and vice versa. Over the years I've gained so much mental strength and healing from simply being outdoors and reconnecting with nature. For me, becoming an environmentalist was deciding to be on the front lines of the work needed to help stabilize both crises.

#### continued from cover -- and what

protections are in place to ensure it never happens again. Komatsu has reportedly recovered "between 90% and 95% of the visible oil sheen" which is hard to in itself to quantify. We never had an accurate measurement of the oil sheen, and a large geographic area was impacted, leaving questions about how much of the 400 gallons of oil were actually recovered. Although some product was recovered, the unfortunate reality is that the oil spilled will never be 100% cleaned up. In fact, important river restoration projects may be impacted or delayed by this unfortunate accident.

Milwaukee Riverkeeper continues to press for answers and accountability. We will continue to share updates as it unfolds.

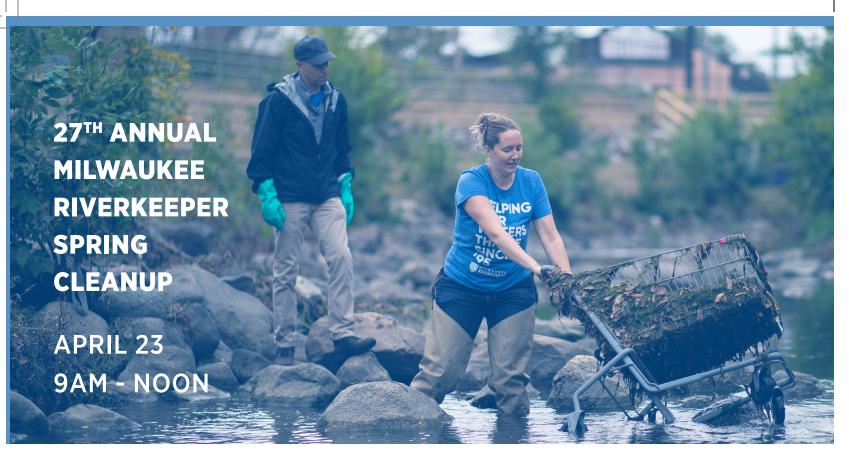


bit.ly/MRKmonitor

Help collect critical data on the health of our three rivers! Baseline Water Quality Monitors head into the field monthly from May - October. 2022 Training will be held on May 7th.

#### For more info visit bit.ly/MRKmonitor

\*Marshfield Clinic Americorps



We'll provide the bags, gloves, and FREE T-SHIRTS. YOU bring the energy. Join over 3,500 volunteers as we work together to clean up our waterways during this epic one-day event! To view a map of sites and register for the event visit: bit.ly/MRKCleanup27 Note: Pre-registration is required for all sites.

#### **CLEANUP LOCATIONS**

#### **KINNICKINNIC RIVER**

- 1st & Lincoln Meet on the corner of 1st St. & Lincoln Ave.
- 27th & Kinnickinnic River Parkway Meet at the intersection of 27th St. & Kinnickinnic River Pkwy.
- Boone & Crockett Meet at Boone & Crockett (818 S. Water St.)
- Great Lakes Facility Meet at the Kinnickinnic River Trail access point on the south side of Cermak Grocery.
- Harbor District Neighbors Meet at the intersection of 4th St. & Greenfield Ave.
- Jackson Park Meet outside of the Jackson Park Pavilion.
- Jackson Parkway Meet at the intersection of 51st St. and Jackson Park Dr.
- Kinnickinnic River Trail Meet at the intersection of Chase Ave. & Rosedale Ave
- Pulaski Park Meet at the Pulaski Park Pavilion.

#### **MENOMONEE RIVER**

- · County Grounds Park Meet one block north of Watertown Plank Rd. & 87th St., in County Grounds Park.
- Emmber Bridge Boatyard Meet at the entrance to the boatyard, (approximately 1313 Mt Vernon Ave.)
- Gravel Sholes Park Meet at the Watertown Plank Park & Ride.
- Grantosa Creek Meet at the corner of Vienna Ave. & Grantosa Dr.
- Hart Park Meet at the Muellner Parking Lot.
- Hart Park: Trailwork Meet at the Muellner Parking Lot.
- Honey Creek: Glenview Meet at the intersection of Glenview Ave. & Hawthorne Ave., one block north of I-94.
- Honey Creek: Portland Meet near Portland Ave. & Honey Creek Pkwy. by the Hawthorne Soccer Field.
- Hoyt Park Meet at The Landing, (1800 Swan Blvd.)

- Hoyt Park: Invasive Removal Meet at the Pool Building.
- Jacobus Park Meet near the flagpole behind the Jacobus Park Pavilion
- Krueger Park Meet in the Krueger Park parking lot.
- Little Menomonee River Parkway Meet at the intersection of Appleton Ave. & Bobolink Ave.
- Menomonee River Parkway: Capitol to Hampton Meet at Webster Park, (4521 Mayfair Rd.)
- Menomonee River Parkway: North Avenue Meet at the intersection of Menomonee River Pkwy. & North Ave.
- Three Bridges Park Meet at the Urban Ecology Center -Menomonee Valley
- Valley Park Meet at Valley Park (343 42nd St.)

#### **MENOMONEE VALLEY & HANK AARON STATE TRAIL**

- American Family Field Meet in the Gantner Lot off of Canal St.
- HAST: Hawley & Dickinson Meet at the intersection of Hawley St. & Dickinson St
- HAST: Highway 100 Meet at 108th St., Playtime Doggy Daycare.
- HAST: 84th to 94th Meet at the intersection of 89th St. & Schlinger Ave.
- HAST: 108th to 116th Meet at the intersection of 116th St. & Fairview Ave
- HAST: 121st Meet at Kelmann Restoration.
- Lakeshore State Park ADULTS ONLY Meet on the west side of Discovery World by the flagpoles.
- Menomonee Valley Community Park Meet at 212 S. 36th St.

#### **MILWAUKEE RIVER**

• Caesar Park - Meet at the entrance off of Warren Ave.

- Cambridge Woods Meet at the end of Providence Ave. & Cambridge Ave at the Oak Leaf Trail entrance
- Capitol Bridge Meet at the intersection of Capitol Ave. & Estabrook
- Estabrook Park Meet at the lot by Picnic Area #5 and the Beer Garden
- Gordon Park Meet at the overlook on the Oak Leaf Trail behind the Gordon Park Pavilion.
- Havenwoods State Forest Meet at the Havenwoods State Forest Nature Center.
- Hubbard Park Meet at the flagpole by the circle turnaround through the tunnel.
- Kern Park Meet at the tree line of the bluff on the river.
- Kletzsch Park Meet at the Kletzsch Park Pavilion.
- Lincoln Creek: Green Bay Ave Meet at Oholiab's Visual Arts Gallery. Lincoln Creek: Teutonia Ave - Meet at the east side of the intersection
- at Teutonia Ave. & Lincoln Creek Pkwy.
- Lincoln Creek: 35th & Congress Meet at the intersection of 35th St. & Congress Ave
- Lincoln Creek: 35th & Glendale Meet at the intersection of 35th St. & Glendale Ave.
- Lincoln Creek: N 51st St Meet at the footbridge near 54th St. & Lincoln Creek Dr
- Lincoln Creek: N 60th St Meet at the corner of 60th St. & Parkway
- Lincoln Park, Blatz Pavilion Meet at Blatz Pavilion in Lincoln Park.
- Lincoln Park, Sea of the Ear Sculpture Meet by the Sea of the Ear Sculpture in Lincoln Park.
- Lincoln Park, Picnic Area #2 Meet at Picnic Area #2 in Lincoln Park.
- Lincoln Park, Picnic Area #5 Meet at Picnic Area # 5 in Lincoln Park.
- Locust Street Meet in the northwest corner of the Riverside High School parking lot.
- Milwaukee River Parkway: Invasive Removal Meet at 7198 Milwaukee River Pkwv
- Milwaukee Riverwalk: Third Ward Meet at the spiral staircase on the Riverwalk, between Water St. & Buffalo St.
- Milwaukee Rowing Club Boathouse Meet at the Milwaukee Rowing
- North Ave Meet at the intersection of North Ave. & Cambridge Ave. • Pleasant Valley Park - Meet in the Friends Meeting House parking lot, (3224 N. Gordon Pl.)
- Rite Hite Family YMCA Meet at the Walter Schroeder Aquatic Center back parking lots.
- Riverside Park Meet near the end of Park Pl., just north of the parking lots.
- Riverview Residence Hall Meet at the intersection of North Ave. & Humboldt Blvd.
- UWM UPark Lot Meet at the UWM UPark lot on Humboldt Blvd.
- Washington Park Meet at the Urban Ecology Center Washington Park.

#### **NORTHERN WATERSHEDS**

- Brown Deer Rd CANOE/KAYAK REQUIRED! Meet at Upper River Rd. & Brown Deer Rd., launch from the west side of the river and paddle to Kletzsch Park
- Fellenz Woods, West Bend Meet at 1540 Decorah Rd.
- Lime Kiln Park, Grafton Meet at the top parking lot in Lime Kiln Park. • Lime Kiln Park - CANOE/KAYAK REQUIRED! - Meet at Lime Kiln Park
- and paddle to the takeout on Hwy C in Cedarburg.
- Menomonee Falls Meet at Rotary Park Pavilion.
- Moraine Park, West Bend Meet in the Moraine Park College student parking lot.
- Peninsula Park, Saukville Meet at Peninsula Park, 303 Clay St. • Regner Park, West Bend - Meet at the Regner Park Pavilion.
- River Hill Park, Kewaskum Meet at the upper River Hill Park Pavilion.

- Thiensville Village Park, Thiensville Meet at the Thiensville Village Park Pavilion
- Waubedonia Park, Fredonia Meet by the boat launch in Waubedonia Park

### **THANK YOU SPONSORS!**



### **PHOTO CONTEST**

Share your favorite photos of the cleanup on social media (Think: interesting finds, teamwork, river scenes) and you could WIN a Patagonia Prize Pack! Tag @mkeriverkeeper and use #MRKCleanup27 to enter.

### **CELEBRATE WITH US - POST CLEANUP EVENT!** 12PM - 3PM | Harley Davidson Museum

Join us immediately following the cleanup for an afternoon of music and sustainable fun at Rock the Green's 11th Annual Earth Day Celebration! rockthegreen.com/earth-day



## **Riverkeeper Watch**



### Federal Policy Updates

Infrastructure: In November, Congress finally passed the bipartisan "Infrastructure Investment and Jobs Act." providing \$1.2 trillion towards infrastructure. including \$1 billion in additional funding for the Great Lakes Restoration Initiative and \$55 billion in new water infrastructure funding. Over five years, the bill appropriates \$19.9 billion for sewage treatment infrastructure through the Clean Water State Revolving Fund and \$17.3 billion for drinking water infrastructure under the Drinking Water State Revolving Fund, with much of that funding tagged for lead pipe replacement and for work in disadvantaged communities. Increased funding was also provided for dam safety/removal, continued work on designing and constructing the invasive carp barrier at the Brandon Road Lock and Dam, and for many other programs that fund important flood management, coastal management, and aquatic restoration work.

**WOTUS:** On January 14, the EPA and the Army Corps proposed a rule to redefine "waters of the United States" (WOTUS) under the Clean Water Act, which rolls back the Trump Administration's disastrous 2020 "Navigable Waters Protection Rule." The prior rule left many waters across the country unprotected against pollution, degradation, filling, and destruction, including ephemeral streams and many wetlands. The new proposal restores protections for interstate waters and partially restores the pre-2015 protections for other longstanding categories of protected waters under the Act. Unfortunately, it also places new, legally unfounded limits on protections of some

tributaries and other waters.

Our goal is to establish a science-based definition of WOTUS, which does not place limits on categories of waters that have been protected since enactment of the Clean Water Act. In particular, concerns remain regarding the best way to protect ephemeral waters, which are generally near headwaters of streams, often unmapped by federal and state agencies, and critically important to protecting water quality. Read our comments and find out more at our website.

### State Policy Updates

**194 Expansion:** Wisconsin Department of Transportation (WisDOT) is drafting a Supplemental Environmental Impact Statement (EIS) for the proposed expansion of 194 between 16th and 70th Streets. As part of this work, they hosted 2 public meetings in mid-December, which were well attended. WisDOT received over 600 written comments. This draft EIS is expected to be complete in summer 2022, and WisDOT is required to hold a public hearing. Riverkeeper and our partners asked for a supplemental EIS, with support from the Federal Highway Administration, and it has enabled more public input and incorporation of more recent information. like increased rainfall and decreased highway use. We continue to advocate for a smaller project that would address safety concerns and minimize new impervious surfaces and stormwater runoff to the Menomonee River and its tributaries. To learn more about the project alternatives and impacts, see our website.

**PFAS:** On February 23rd, the Natural Resources Board (NRB), the entity that sets policy for the WDNR, voted on 3 proposed standards to regulate PFAs. PFAs are "forever chemicals" that can cause thyroid disease, pancreatic dysfunction, hormone disruption, kidney and liver damage, and an elevated risk of cancer

Surface Water Protections: The NRB voted unanimously to adopt WDNR's recommended limits for PFOA and PFOS in surface waters. These levels are believed safe for swimming and fish consumption. Discharger permit holders will have 7 years to come into compliance and it will impact, mostly paper mills, metal finishers, chemical manufacturers and

#### laundries.

Drinking Water Protections: The NRB voted to approve a weakened PFAS standards for public drinking water supplies. While the passage of the standard is progress, it's not protective enough. The weakened standard (70 parts per trillion) is based off of old recommendations from EPA and is more than 3.5 times higher (worse) than the DNR recommended level (20 parts per trillion). Nonetheless, the EPA is working on adopting regulatory standards for PFAS and in February of 2022 it announced it will solicit public input in the development of drinking water regulations for PFAs. Keep in touch so you can weigh in on setting a standard that is safe.

Ground Water Protections: In spite of widespread public support, the NRB voted to reject rules to limit PFOA, PFOS and over 20 other toxic chemicals that pose serious health concerns such as hexavalent chromium, glyphosate (RoundUp), in groundwater. It is estimated that around 1 in 3 residents in the Milwaukee River Basin are using groundwater for their drinking water supply. These rules would have enabled WDNR to force polluters to clean up spills, or be fined for concentrations exceeding standards that pollute groundwater feeding private wells.

### Local Policy Updates

Area of Concern Updates: The proposed Dredged Material Management Facility (DMMF), which would be constructed north of the existing facility near the Lake Express that currently stores dredged river sediments, received state approval to move forward with MMSD as the project lead. This enables MMSD to design and build the DMMF and other supporting infrastructure. There will be future public comment opportunities for this facility. In addition, dredging to remove contaminated sediments in the lower Milwaukee River, largely in parts of the Third Ward, could move forward in late 2022. Efforts to place a sand cap in the Burnham Canal and construct the fish passage at Kletzsch Park could also happen in 2022. Stay tuned for more updates.

## **Community Leaders & Scientists Study Emerging Pollutants**

An emerging contaminant is an umbrella term for any chemical found in our waterways that hasn't been historically monitored, or removed by wastewater treatment facilities. Generally, these are antibiotics, recreational drugs, herbicides and personal care products. Our wastewater facilities were developed to break down human sewage and remove bacteria, solids and nutrients, but not the ever increasing list of chemicals and compounds found in drugs and personal care products. Milwaukee Riverkeeper and the CLEAR coalition—Community Leaders Engaged in Aquatic Research—are working to identify which of these emerging pollutants are found in Milwaukee's waterways and the surrounding area.

Community scientists collect water samples from Milwaukee's three rivers, and locations on the Fox River and Root River, three times per year. Once collected, project partners at UW-Milwaukee's Zilber School of Public Health process and analyze samples for over 65 chemicals. Compounds found during 2021 sampling included: caffeine, cocaine, methadone, thiabendazole (an antifungal agent), carbamazepine (anti-seizure medication) and diphenhydramine (allergy medication). CLEAR is working to determine if the levels found are reaching dangerous concentrations that could impact life within our streams, or have implications for public health.

Keep in mind, anything we flush or wash down the drain, if unprocessed by wastewater treatment, will be put back into our surface water. In some cases, the treatment process can breakdown or transform chemicals into better, or worse versions. As a consumer, try buying products with more natural ingredients and always drop off unused medications at a drug take back box (Take Back My Meds MKE is a great place to start: www.takebackmymeds. com)

#### Visit ClearMKE.com to learn more and find out how to participate in a sampling event.

Thank you to our sponsors from Royal Bank of Canada and the Wisconsin Department of Natural Resources for funding this work.



## **Advocacy in Action:**

### Keeping the Public's Trust

It has been a busy start to the year for advocacy with many bills of concern passing through the Wisconsin Legislature. Some passed (without bipartisan support), like SB900 which, if not vetoed by Governor Evers, would remove formerly filled (prior to 1977) waterfront land from the Public Trust Doctrine. This bill is a threat to open, inclusive, and equitable access to the Great Lakes and waterfronts across the state and a clear violation of our State Constitution. If this protection for filled properties along rivers and lakes is removed, the public would be excluded from accessing these aquatic resources and public spaces, like the beaches and parks built upon the fill. It opens up public areas to be sold to private owners and diminishes one of our state's most important constitutional protections. These filled lands belong to the community, but when public rights are not upheld, water resources become targets for high-end private developments since these developments tend to cater to a small segment of the community that can afford waterfront access. There are some exemptions to properties in Milwaukee which are protected through special land grants, but there remains a considerable amount of land that could be developed if the public trust doctrine is stripped from these former waters.

### **2021 River Heroes**

At the end of evvery year, we honor a few special friends and partners that go above and beyond to help protect, restore, connect, and advocate for our waterways.



**Christian Keene** 



Laurie Marks



Milwaukee Kayak Co.



**Eddee Daniel** 



Peter McAvoy



**Kat Richards** 



**Dr. Michael Freimark** 



**Don & Jill Schaeffer** Jane Kolberg



Collaborative Office Space: 600 E. Greenfield Avenue Milwaukee, WI 53204

www.milwaukeeriverkeeper.org

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# JOIN US FOR AN EVENT!

For more information, registration and other events visit: **milwaukeeriverkeeper.org/connect/events** 



### WATER SAMPLING EVENT

Collect data for our ongoing emerging contaminant research in partnership with CLEAR MKE | All Day



### RIVER READS WITH SETH SEIGEL

Read and discuss "Troubled Water," before being joined by author Seth Seigel for a Q&A **2pm | Free |** The first 25 registrants receive a free signed copy of the book



27TH ANNUAL SPRING CLEANUP

Help cleanup and restore our rivers at this community wide, one-day event!. **9am | Registration Required** 



RAIN BARREL WORKSHOP Decorate your own home water collection system. Includes adapter kit. **3pm | \$50** 



#### EXPLORE THE MILWAUKEE URBAN WATER TRAIL Paddle the Milwaukee River with

us, beginner friendly. **5pm | \$40** 



**RIVER REGALE** Take a fun and educational boat tour of the our three rivers on the Milwaukee Boat Line. **3pm | \$50** 



### EXPLORE THE MILWAUKEE URBAN

WATER TRAIL Paddle the Menomonee River with us, beginner friendly. **5pm | \$40** 

### SAVE THE DATE



### **6TH ANNUAL BOAT PARADE**

A fun twist on a family tradition with parade floats that FLOAT! This event is held in partnership with Harbor Fest and Sturgeon Fest.

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