

1     **Resolution No. 2025-4**

2     **State of Wisconsin**

3     **County of Washington**

4     **Town of Farmington**

5  
6     **Resolution: Advisory Supporting the US Environmental Protection Agency Decision**  
7     **Classifying Portions of Washington County as Serious Nonattainment for the 2015 Ozone**  
8     **National Ambient Air Quality Standard**  
9

10       **WHEREAS**, the Clean Air Act requires the United States Environmental Protection  
11     Agency (EPA) to set national ambient air quality standards (NAAQS) for “criteria pollutants.”  
12     Currently, ozone and related photochemical oxidants, and five other major pollutants are listed as  
13     criteria pollutants including carbon monoxide, lead, nitrogen oxides, particulate matter and sulfur  
14     oxides; and  
15

16       **WHEREAS**, the Clean Air Act identifies two types of NAAQS. Primary standards which  
17     provide public health protection, including protecting the health of "sensitive" populations such as  
18     asthmatics, children, and the elderly and Secondary standards which provide public welfare  
19     protection, including protection against decreased visibility and damage to animals, crops,  
20     vegetation, and buildings; and  
21

22       **WHEREAS**, if the EPA determines that pollution levels in an area exceed a NAAQS or an  
23     area contributes to ambient air quality in a nearby area that fails to meet a primary or secondary  
24     NAAQS, it may designate that location as a nonattainment area meaning that the area exceeds a  
25     standard for one or more criteria and the designated area becomes subject to a state implementation  
26     plan that must impose emission reduction requirements on emission sources in that area sufficient  
27     to return to attainment; and  
28

29       **WHEREAS**, the EPA is required to periodically review relevant scientific data to ensure  
30     that the NAAQS provide the requisite protection for public health and welfare; and  
31

32       **WHEREAS**, where portions of Washington County were designated as a marginal  
33     nonattainment area for ozone in 2015 and were redesignated as a moderate nonattainment area in  
34     2021; and  
35

36       **WHEREAS**, in January 2025, those portions of Washington County were redesignated as  
37     serious nonattainment area (89 Fed. Reg. 101,901 (December 17, 2024) despite the fact that  
38     pollution levels along the Lake Michigan shoreline as measured in Wisconsin have dropped 22%  
39     in the last 20 years and ambient air ozone concentrations in Washington County are not monitored,  
40     therefore there is no evidence of air quality in Washington County exceeding the ozone NAAQS;  
41     and  
42

43       **WHEREAS**, the EPA in conducting its review resulting in the serious redesignation failed  
44     to consider the State of Wisconsin’s good faith efforts to reduce emissions, did not properly account  
45     for Washington County’s ambient ozone levels having never been monitored above the ozone

1 NAAQS, improperly concluded that pollution attributable to emission sources associated with  
2 Washington County meaningfully contribute to the elevated ozone levels monitored along  
3 Wisconsin's Lake Michigan shoreline, and anthropogenic ozone in Washington County and the  
4 other Wisconsin ozone nonattainment areas being largely the result of polluted air migrating from  
5 upwind states including Illinois and Indiana; and  
6

7 **WHEREAS**, the change in designation to a serious nonattainment area saddles Washington  
8 County and other southeastern Wisconsin counties including Ozaukee and Milwaukee with  
9 burdensome requirements that will chill development and slow job growth in the region despite  
10 the fact that compliance with these requirements will have minimal impact due to the pollution  
11 that will continue to migrate in from other states; and  
12

13 **NOW, THEREFORE, BE IT RESOLVED** by the Town of Farmington Board that the  
14 Town Board respectfully requests that the EPA reconsider and reverse the designation of portions  
15 of Washington County as serious nonattainment.  
16

17 **BE IT FURTHER RESOLVED** that the Washington County Board of Supervisors is  
18 joined in this request by Washington County Executive Josh Schoemann.  
19

20 **BE IT FURTHER RESOLVED** that the Washington County Clerk shall transmit a copy of this  
21 Resolution to each of Wisconsin's legislators, Wisconsin's Congressional Delegation, the Director  
22 of the US EPA, and President Donald J. Trump  
23

24  
25 Introduced by: Doug Neumann

26  
27 Vote: 3 Ayes 0 Nays 0 Absent 0 Abstained  
28

29 Adopted on this 13th day of May 2025.  
30

31  
32 By the Town Board:

Attested by:

33  
34 Doug Neumann  
35 Doug Neumann, Chairman  
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37 Patty Hoerig  
38 Patty Hoerig, Town Clerk  
39

40 Mike Rodenkirch  
41 Mike Rodenkirch, Supervisor  
42

Bill Kohlwey  
Bill Kohlwey, Supervisor