



# WSNetwork News

July 1, 2002

News on issues of common interest to Wisconsin's sporting, conservation, and environmental communities.

Click to jump to news on these WSN priority issues:

- [Arrowhead-Weston Transmission Line](#)
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## Arrowhead-Weston Transmission Line

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## DNR Independence and PIO Restoration

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## Factory Farming

### Farm Bureau supports pro-factory farm legislation

Despite strong opposition by township supervisors and family farmers, the Farm Bureau is pushing through legislation in Pennsylvania that restricts a municipality's right to regulate and oppose factory farming operations in their communities. The Farm Bureau is hailing this legislation as a protection for family farms, when in reality, it will harm family farms by allowing large agribusinesses to monopolize the industry without complying with local safeguards. Over 50 Pennsylvania municipalities have enacted or are considering regulations to protect residents and family farmers from the negative economic and environmental impacts caused by factory farms.

If this bill continues to sneak through the House, current municipal regulations will be overturned and municipalities will not be able to enact regulations to keep factory farms from pushing local farmers out of business, increasing groundwater and air contamination, lowering property values and posing threats to public health. As part of the Farm Bureau's Right to Farm initiative, this is

### Attention nonprofit orgs: new lobbying bill in works

The U.S. Senate Finance Committee has passed **legislation** that would simplify the laws governing lobbying by charitable organizations. Click here to see how this bill might affect your activities relating to *grassroots* and *direct* lobbying.

### Postal rate are going up June 30

Click [here](#) for a handy table for your office stamp box.

the latest example of how the organization is sneakily pushing anti-family farming, environmentally harmful legislation in legislatures throughout the country.

SOURCE: SERC *Wildlines* Report #25, June 24, 2002.

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## Forest Fragmentation

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## Groundwater Protection

### **DATCP holds hearings on herbicide many states have banned**

The Department of Agriculture, Trade and Consumer Protection is holding hearings on the proposed use of a new corn herbicide, Balance Pro. An environmental impact statement has been prepared because the agency believes the proposed use of this herbicide constitutes a major action. The herbicide is classified by EPA as a probable human carcinogen and is likely to move to surface waters. As an herbicide it is very phyto-toxic and may damage non-target plants, and may affect irrigated vegetable crops. The department proposes additional use restrictions which are meant to mitigate these risks. Public comment is desired on the adequacy of the proposal.

At this time, two hearings have been held in Tomah and Stevens Point. Attendance has been very low. Multiple press releases, radio spots, web postings, and e-mails have failed to generate interest in this topic. If this is an issue of concern to your organization, we would appreciate your input.... You may send comments to me at the address or e-mail below.

This is the first time that Wisconsin has asked for public input prior to the registration of a pesticide. Poor response at the hearings could make it difficult to justify future, more proactive attempts to manage pesticide use. Thank you, and feel free to call with any questions.

SOURCE: Jim Vanden Brook, Water Quality Section Chief, DATCP, PO Box 8911, Madison, WI 53708 (608) 224-4501 FAX (608) 224-4656, [jim.vandenbrook@datcp.state.wi.us](mailto:jim.vandenbrook@datcp.state.wi.us).

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## Mercury Reduction

### **Mercury items in state budget bill**

As you probably have heard, the Legislature's Conference Committee came to an agreement earlier this week on over 200 issues. According to material obtained by our county lobbyist, here are the decisions reached on several solid waste and recycling issues:

1. The funding for SHWEC and the UW System research program will be restored.
2. The provision of allowing alternative local recycling programs was rejected.
3. The DNR recycling positions in DNR that the Assembly wanted to cut were rejected.
4. The recycling enforcement requirements will remain as is.
5. The Senate version of the HOW grants program was accepted.
6. The ban on the sale of mercury thermometers was rejected.

I expect that [the mercury thermometer ban issue] will be re-introduced early in the next session of the Legislature, which begins in January of 2003.

SOURCE: John Rekindle, [Reindl@co.dane.wi.us](mailto:Reindl@co.dane.wi.us).

### **Alaska offers mercury testing for pregnant women**

The 6/21 Fairbanks *Daily News-Miner* reported that the state has a new program in place to test pregnant women's hair for dangerous levels of the harmful contaminant methylmercury, sometimes found in fish. The Alaska Division of Public Health began the monitoring program this month across the state. There is currently no national or statewide system in place to monitor fish for elevated levels of methylmercury, a more toxic form of mercury that's been found to cause harm to developing fetuses if consumed by the mother during pregnancy. To learn how to reduce mercury poisoning in your state, visit SERC's Mercury Poisoning Reduction page at <http://serc-online.org/mercury>.

SOURCE: SERC *Wildlines* Report #25, June 24, 2002,

### **NC governor signs power plant emissions bill**

Governor Michael Easley signed the Clean Smokestacks bill, which is intended to slash power plant emissions of air pollutants responsible for smog, haze and other air quality problems. The law requires the North Carolina Division of Air Quality to conduct a study of mercury and carbon dioxide emissions across the state. The equipment needed to reduce SO2 emissions is expected to cut mercury emissions by about half.

SOURCE: SERC *Wildlines* Report #25, June 24, 2002

## EPA rule would let older power plants expand

The EPA released recommendations for alleged improvements to the New Source Review, a Clean Air Act Program, last week. These supposed improvements are detriments to the Clean Air Act that will allow power plants to expand their production without installing additional emissions controls. The EPA is proposing relaxing Clean Air Act standards which require utilities to install additional pollution controls when they expand or modernize their facilities.

Ironically, these are the same standards the EPA has been attempting to enforce through lawsuits and heavy fines. The EPA and utility industry lobbyists claim that the new source rule was deterring power plants from implementing needed pollution controls and expanding facilities. But these changes will loosen federal air pollution regulations and will shift the burden of cleaning up air pollution away from the industry. If enacted, the new rules would “basically mean that no existing power plants would ever have to get cleaned up,” said David Hawkins at the Natural Resources Defense Council. The oldest plants could be “rebuilt piece by piece for hundreds of years,” he said.

SOURCE: SERC *Wildlines* Report # 24, June 17, 2002

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## Metallic Mining

### ‘Wolf River Headwaters’ Crandon Mine buyout proposed

An alliance of environmental, conservation, local and tribal governments, who long have been concerned about the impacts of development of the proposed Crandon Mine, this week released a detailed proposal designed to permanently end the controversy over permitting the Crandon mine. The proposal states “At this unique moment in Wisconsin’s history we make a uniquely Wisconsin proposal — public acquisition of all of the property (nearly 5,000 acres of land and mineral rights) owned by Nicolet Minerals Company (NMC) in the vicinity of the proposed mine site as a conservation area devoted to sustainable land management practices, tribal cultural values and tourism suitable to this environmentally sensitive area. This will be the Wolf River Headwaters Protection Purchase.” The groups that signed the principles are:

- Mole Lake Sokaogon Chippewa Community
- Clean Water Action Council of Northeast Wisconsin Inc.
- ECCOLA (Environmentally Concerned Citizens of Lakeland Areas)
- John Muir Chapter of the Sierra Club
- Menominee Indian Tribe
- Midwest Treaty Network/Wolf Watershed Educational Project

#### SOURCES FOR ADDITIONAL COMMENTS ABOUT THIS BUYOUT PROPOSAL

Additional information about — and reaction to — this buyout proposal can be found at:

- [www.wsn.org](http://www.wsn.org)
- [www.wheelerreport.com](http://www.wheelerreport.com)
- [www.alphacdc.com/treaty/buyout.html](http://www.alphacdc.com/treaty/buyout.html)

- Mining Impact Coalition of Wisconsin
- Northern Thunder
- Pickerel/Crane Lake Protection and Rehabilitation District
- River Alliance of Wisconsin
- Rolling Stone Lake Protection and Rehabilitation District
- Town of Nashville
- Wisconsin Resources Protection Council
- Wisconsin Stewardship Network — Mining Committee
- Wisconsin's Environmental Decade
- Wolf River Chapter of Trout Unlimited
- Bob Hudek, Wisconsin Citizen Action\* (\*For identification purposes only)

SOURCE: Midwest Treaty Network, mtn@igc.org.

### **Alberts reacts to mine buyout concept**

Dale Alberts, president of Nicolet Minerals Company, issued the following statement June 20 regarding the Crandon mine buyout proposal. "Nicolet Minerals Company has received a copy of a letter to Governor McCallum, calling on the Company and Governor to begin negotiating an acquisition of the Company's property near Crandon in Forest County. The Company continues to pursue all necessary state and federal permits to construct and operate a mine at its property. A Draft Environmental Impact Statement is expected to be released in the coming months. Nicolet Minerals Company continues to believe it has proposed a project that meets all state, federal and local mining laws, while protecting the environmental resources of northern Wisconsin. The Company's current forecast anticipates having all state and federal permits by the 1st Qtr. 2004. However, the Company would be willing to consider an offer to purchase the property, if the purchase is in the best interests of Nicolet's parent company, BHP Billiton, and the offer reflects the value of this project to our shareholders."

### **McCallum on buyout: intriguing idea**

Gov. Scott McCallum offered a statement on the mine buyout concept on June 20. He said, "The proposal for the state of Wisconsin to purchase all the Nicolet Minerals Company property in the vicinity of the Crandon Mine project is an intriguing idea that deserves further consideration and discussion. It is my intent to meet with the parties involved and begin a meaningful dialogue so that all issues can be addressed. Before making any commitments, I would like a thorough explanation of the environmental consequences and the impacts to the local economy and state budget."

SOURCE: Gov. McCallum's office.

### **Groups see weakness in Crandon Mine project**

The legal and technical challenges ahead for the proposed Crandon mine are numerous. Even without factoring in the technical hurdles to gaining mine permits, recent financial, legal and reg-

ulatory developments make it clear that the latest attempt to open a mine at this pristine site is likely to fail. The mine is proposed by the Nicolet Minerals Company, a wholly owned subsidiary of the Australian/South African mining conglomerate BHP Billiton — now the world's largest mining company.

It is time to face the obvious. Metallic sulfide mining at the headwaters of the Wolf River is unlikely to be permitted by the state or federal governments. The proposed mine is opposed by the people of the area and of people from around the state who come to vacation, to fish, to canoe, to relax.

1. THE CRANDON MINE IS AN INCREASINGLY RISKY INVESTMENT.
2. THE WISCONSIN PUBLIC INCREASINGLY OPPOSES THE CRANDON MINE.
3. RECENT LEGAL AND REGULATORY DEVELOPMENTS RENDER THE PROJECT MORE DIFFICULT.
4. THE MINE AS PROPOSED WILL BE UNLIKELY TO RECEIVE PERMITS.

SOURCE: Wolf Watershed Educational Project, [mtn@igc.org](mailto:mtn@igc.org).

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## Shoreland/Wetlands

### **Ashley exemption makes it into budget repair bill**

This week the eight member legislative team working on the budget “repair” bill included an exemption for a wetland fill for Ashley Furniture Industries of Arcadia among over 200 items that have now been agreed upon for the budget. Once all of the remaining contentious items have been worked out, the budget package will be sent to Governor McCallum for his signature....

If we don't get the Governor to remove this exemption from state law for Ashley, we may need to pursue another lawsuit. Litigating is time and energy intensive, and costs a great deal of money. Let's stop this outrage NOW!

SOURCE: Wisconsin Wetlands Association, 222 S. Hamilton, Suite #1 Madison, WI 53703 (608) 250-9971 fax (608) 256-4562 <http://www.wiscwetlands.org>.

### **WISPIRG alert targets Ashley exemption**

I'm writing to let you know about a legislative attack on a 14-acre wetland in Wisconsin that is also an attack on Wisconsin's democracy. Ashley Furniture in Arcadia has asked for, and is on the brink of receiving, a special exemption from state law to fill in a floodplain wetland along the Trempealeau River. We need your help to stop this special interest loophole.

Please take a moment and follow the link below to go to a web page where you can e-mail Governor McCallum and ask him to veto the Ashley Furniture wetland exemption when the Budget Repair Bill crosses his desk: <http://pirg.org/alerts/route.asp?id=96&id4=ES>.

## **WSN rep reports on GLU annual meeting in Chicago June 7-9**

Over 100 delegates representing organizations and indigenous peoples from the eight Great Lakes states and two provinces of Canada attended the three-day meeting. WI was represented by WSN, MED, Sierra Club, Trout Unlimited, Wisconsin Audubon Council, and Friends of Milwaukee Rivers.

The focus of this year's meeting was on an Action Agenda for Restoring the Great Lakes-St. Lawrence River Basin. Some of the impetus for GLU's Action Agenda is Annex 2001. Signed by the eight governors and two premiers, the goal of Annex 2001 is to develop an enhanced water-management system that is simple, durable, efficient, retains and respects authority within the Basin, and, most importantly, protects, conserves, restores, and improves the waters and water-dependent natural resources of the Great Lakes Basin. Their time line is to have a document that all of the Great Lakes governors and premiers can sign by November, 2002.

In order to have some impact on this process GLU conducted a survey of its members to determine what they viewed as vital to the sustaining and prospering of the Great Lakes. From this survey they agreed on five "Action Agenda" areas. The idea of the agenda is to spell out the environmental, labor, and conservation communities collective goals, timeliness, and strategies for the improvements needed for a sustainable Great Lakes ecosystem. The agenda will be of use as a framework to groups working on these issues locally and as a platform for delegations seeking state, provincial, tribal, or federal investments in the Great Lakes region. The components of this action agenda are as follows:

- Biodiversity/Habitat
- Sustainable Waters
- Clean Production
- Green Energy
- Toxic Cleanup

Each action agenda component is staffed by a GLU staff person. Members of GLU serve on one of the committees depending on interest. Each component is charged with developing campaign and action plan to further their issue. I was asked to serve on the Sustainable Waters Task Force.

The Sustainable Waters Task Force has been in existence longer than the others. It cuts across many of the concerns of the other task forces. However, this Task Force more than the others responds to the issue raised by Annex 2001. If it is to influence the final document to be signed by the governors and prime ministers in November it must put together an action an agenda in a relatively short period of time.

The Sustainable Waters Task Force had eight sections to its action agenda, which included sections on conservation, water withdrawal reform, restoration, information, climate change, trade, public trust, and cost. There was considerable discussion on all of the sections. The bottom line seemed is that any withdrawal of water from a watershed or the water basin must be rechargeable. In other words, do no harm to the watershed. If one withdraws one million gallons a day from a watershed, then one millions gallons a day must be delivered back to the watershed.

There were two keynote speakers. Sandra Steingraber, author of *Living Downstream* and *Having Faith*, and Michael Dombeck from UW-Stevens Point. Steingraber gave an interesting talk on the how environmental factors impact on a embryo at different stages of his/her development. She is a Ph.D. biologist and teaches at Cornell University. Many of you have heard Michael Dombeck. He described how forests play a key role in the preservation and conservation of our fresh waters. It was an interesting overview.

The rest of the conference was devoted to refining the action agenda components and developing plans. As part of Annex 2001 GLU plans to hold hearings throughout the 10 jurisdictions to get input on these action plans. We hope that at our Fightin' Bob Fest in September that one such hearing could be held.

The conference was informative. We were able to network with many other people from throughout the Great Lakes area.

SOURCE: Hiroshi Kanno, WSN Groundwater Task Force Chair.

## **Buffer piece good backgrounder on needed research**

...the *Journal of Soil and Water Conservation* March/April issue...has a feature article "Improving Water and Soil Quality with Conservation Buffers." It is a very nice summary of "what we know" (four pages) and "what conservation buffer research do we need?" (two pages).

One of the areas it points to for good data is the Bear Creek Watershed in central Iowa. Sounds like a good place for a field trip before or during any planned statewide buffer conference!

SOURCE: Bill Pielsticker, Southern WI Chapter of Trout Unlimited, [billpiel@merr.com](mailto:billpiel@merr.com).

## **Delafield looks to move library out of flood plain**

City of Delafield officials are considering moving the site of a new library away from the banks of the Bark River (in a conservancy zone) in the hope of addressing concerns about polluted storm water runoff from the original site, according to a June 19 article in The Milwaukee *Journal Sentinel*. Citizens expressed concern that construction of the building and parking lot at the original site would also disturb the river's ecosystem. But by moving the library to an area on city-owned land on Main Street near the city's community senior center, the facility would be able to build a smaller parking lot than originally proposed, along with a greater opportunity for any runoff to be

filtered by surrounding grassed areas. Information about the site change will be presented to the Delafield City Council at their July 1 meeting. More at <http://www.jsonline.com/news/wauk/jun02/52347.asp>.

SOURCE: WDNR "Basin Briefs," 6-19-02.

## **WHIP program accepting applications**

The 2002 Farm Bill provided the Wildlife Habitat Incentives Program (WHIP) with \$15 million to be spent by the end of the current fiscal year (September 30, 2002). The WHIP program provides cost-share assistance to people who wish to enhance and protect wildlife habitat on their lands. The program enrolls upland and wetland habitat in accordance with state priorities, and to date, it has enrolled over 10,000 agreements covering 1.6 million acres.

Successful projects include streambank and riparian restoration, mowing and burning to improve habitat for grassland birds, and removal of non-native species that are detrimental to wildlife. You can view examples of WHIP projects at <http://www.nrcs.usda.gov/programs/whip/factsheets/>.

For more information or to apply, you can contact your state WHIP coordinator at <http://www.nrcs.usda.gov/programs/whip/contacts.html> or your local USDA Service Center at [http://offices.usda.gov/scripts/ndISAPI.dll/oip\\_public/USA\\_map](http://offices.usda.gov/scripts/ndISAPI.dll/oip_public/USA_map).

SOURCE: Scotty Johnson, [defenders.returns@reply.net](mailto:defenders.returns@reply.net).

## **Study confirms isolated wetlands role to ecosystem**

A new report (<http://wetlands.fws.gov/>) by the U.S. Fish and Wildlife Service says isolated wetlands are both exceptionally important and exceptionally vulnerable to destruction. The report lends urgency to calls for conserving isolated wetlands that lost their federal protection in a January 2001 Supreme Court decision.

SOURCE: SERC *Wildlines* Report # 24, June 17, 2002.

## **EPA diverting funds away from TMDLs**

The Bush administration is asking Congress for \$21 million for a new "Watershed Initiative" program that has not been authorized by Congress and remains poorly defined by EPA. The stated goal of the Bush proposal is to fund local watershed cleanup programs — but it ignores the fact that the Clean Water Act already has a watershed clean up program — the Total Maximum Daily Load (TMDL) program. The Bush administration's efforts appears to be directed at undermining the TMDL program by diverting needed attention and scarce resources away from the law's established and enforceable — to a voluntary and unproven "Watershed Initiative" effort.

SOURCE: Ami Grace, [cleanwaternt@igc.org](mailto:cleanwaternt@igc.org).

## EPA rules would increase urban runoff

Instead of choosing to address urban runoff problems, EPA recently decided to abdicate its responsibility to protect and restore waters impaired or threatened by stormwater runoff from construction and development. [This month] EPA published proposed technology standards for controlling water pollution from construction and development activities that flagrantly violate Clean Water Act requirements that “technology forcing” controls be required, including the best available technology economically achievable for existing sources and the best demonstrated control technology for new sources.

Despite a consent decree obligation to propose stormwater technology standards that would meet the requirements of the Clean Water Act, EPA’s proposal flatly violates the requirements of the law and sets our nation on a course of increasingly degraded rivers, lakes, and coastal waters.

SOURCE: Ami Grace, [cleanwaternt@igc.org](mailto:cleanwaternt@igc.org).

## First-Class Mail Increasing June 30, 2002

First-Class mail rates will increase June 30, 2002.

**Letters and cards** — The single-piece 1-ounce First-Class Mail rate will increase from \$0.34 to \$0.37, and the single-piece card rate from \$0.21 to \$0.23.

**Additional ounces** — The additional ounce rate for single-piece First-Class Mail items will remain at \$0.23/ounce.

Here’s a handy table you can print for your stamp box:

USPS First Class Letter Rates — June 30, 2002	
OUNCES	\$
1	.37
2	.60
3	.83
4	1.06
5	1.29
6	1.52
7	1.75
8	1.98
9	2.21
10	2.44
11	2.67
12	2.90
13	3.13
14	3.36
15	3.59
<b>(Addl. oz. = .23 Cards = .23)</b>	

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## ANNOUNCEMENTS

### Citizens Energy Forum building speakers and programs

We have reserved a conference room at the Westood Center in Wausau for Friday evening (9-13) and Saturday (9-14). Our keynote speaker will be Doug LaFollette, to be followed with a speaker

for Citizens Utility Board (tentative) and a utility speaker (name also not ready for release). We are currently working on facilitators for workshops, and questions for the workshops to consider.

Linda Ceylor, Save Our Unique Lands, [hillsidedairyfarm@yahoo.com](mailto:hillsidedairyfarm@yahoo.com).

## **Waters of WI forum releases tentative session topics**

The Wisconsin Academy of Sciences, Arts and Letters has released a **DRAFT** listing of sessions being organized for this fall's Waters of Wisconsin forum. Topics include:

- Wisconsin's waters and the future of the global water supply
- Wisconsin's aquatic biodiversity: status, threats, needs
- Water and Wisconsin's Native Nations
- Industrial waters: innovative technologies for sustainability
- Water, agriculture, and land use
- Wisconsin's recreational and commercial fisheries
- Restoration of Wisconsin's waters
- Water and human health
- Water-related education in Wisconsin and future directions
- Wisconsin's groundwaters: condition, problems, and needs
- Climate change and Wisconsin's water future
- Wisconsin's Waters as Transportation Corridors
- Access to Wisconsin Water — the Public Trust Doctrine, Past, Present and Future
- Lakes and Rivers and the Role of Local Stewardship
- Tourism and Wisconsin's Waters
- Urban Water Issues: Quantity, Quality, and Access

Again, all of the above are subject to change.

SOURCE: Curt Meine, WI Academy of Sciences, Arts and Letters.

## U.S. Senate Finance Committee passes legislation that would simplify the laws governing lobbying by charitable organizations.

The provision, part of the “CARE Act of 2002,” would eliminate additional limits on charities that encourage citizens to speak out about legislation. Under current law, charities organized under Section 501(c)(3) of the federal tax code can lobby as long as that lobbying remains a small part of their overall activities. 501(c)(3)s can choose to calculate those limits as a percentage of their charitable expenditures. However, current law allows these charities to spend only one-fourth of their overall lobbying limits on “grassroots lobbying” — the attempt to get members of the general public to speak out on legislation. While continuing to maintain the lobby limits, the provision approved today gives charities the discretion to spend their total allowable lobbying budget on any combination of direct and grassroots lobbying.

Senator Phil Gramm (R-TX) criticized the proposal and threatened to introduce an amendment to the bill that would prohibit lobbying by nonprofit organizations. However, Senator Gramm decided not to introduce his amendment at this time, and the Finance Committee left the grassroots lobbying provision intact when they passed the bill. (Many thanks to those of you who called Senators in the last few days to urge this result.)

The coalition supporting this legislation spans the political spectrum. Brought together by the Alliance for Justice along with Charity Lobbying in the Public Interest, the group includes a collection of strange political bedfellows, including Focus on the Family and Gun Owners of America, along with Natural Resources Defense Council and Planned Parenthood Federation of America. Joining these groups are other national organizations including the YMCA of the USA and the American Heart Association.

The legislation still must win approval in the full Senate and the U.S. House of Representatives before going to the President’s desk for signature.

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*WSNetworkNews* is published twice monthly by the Wisconsin Stewardship Network, Inc., a network of Wisconsin hunting, fishing, conservation, and environmental groups.

The WSN’s Board of Directors consists of representatives from the following organizations: Concerned Citizens of Newport, ECCOLA, Federation of Fly Fishers, Izaak Walton League of America, Lake Superior Greens, Madison Audubon Society, Muskies, Inc., Northern Thunder, Pheasants Forever, River Alliance of Wisconsin, Save Our Unique Lands, Sierra Club — John Muir Chapter, Wisconsin Association of Lakes, Wisconsin State

B.A.S.S. Federation, Wisconsin Conservation Congress, Wisconsin’s Environmental Decade, and Wisconsin Trout Unlimited.

The WSN’s mission is to build a cooperative network that strengthens Wisconsin’s stewardship ethic for the betterment of its people and natural resources.

Editorial contributions to this e-newsletter are welcome. Send news of your group’s activities relating to the WSN’s priority issues to State Coordinator Todd Hanson at [wsn@chorus.net](mailto:wsn@chorus.net).

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