



WSNetworkNews

August 1, 2001

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

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Governor now last chance to stop DNR Forestry split

As rumored, the state conference committee budget includes a provision splitting Forestry from the DNR.

You can help. We've included a ready-to-sign [letter](#) asking the Governor to veto this blow to integrated resource management. Please send one...and forward this newsletter to a friend asking the same.

The WSN will also be taking a letter to the Governor with the names of those who signed our "No DNR Split" letter.

Status of conservation and environmental issues of note in the conference committee budget

Though not WSN priority issues, here are some items of interest from the conference committee budget courtesy of 1000 Friends of Wisconsin:

Stewardship Fund — Our top priority was an increase in the fund to \$60 million/year (from \$46 million). We got it!

Comprehensive Planning Funding — This program to share the cost of Smart Growth plans with local governments was increased to \$6.2 million from \$3.5 million. Again, a major victory.

Lifecycle Cost Estimates for Major Highways — One of our most significant transportation agenda items was one which would require the DOT to estimate the total cost of new major road projects, including not just the cost to build them, but the costs to maintain, plow, police, sign, paint and rebuild them over twenty years. We won this.

Smart Growth Data Set — We won a provision that requires the state to put all of the information it has that is useful for local smart growth plans in one web-based data set accessible to all.

Heritage Trust — This \$20 million fund for historic preservation didn't make the cut. We'll ask for separate legislation in the Fall.

SOURCE: Dave Cieslewicz, 1000 Friends of Wisconsin & The Land Use Institute, 16 North Carroll Street, Ste. 810, Madison, WI 53703. (608) 259-1000, www.1kfriends.org.

Arrowhead-Weston Transmission Line

More details on bill to end nongovernmental condemnation

Last issue of *WSNetworkNews* we reported on a new bill that would eliminate condemnation of property by nongovernmental entities. Here is the Legislative Reference Bureau summary of 2001 Assembly Bill 455 introduced July 2, 2001, by Representatives PETROWSKI, REYNOLDS, BIES, RYBA, M. LEHMAN, J. LEHMAN, GRONEMUS, FREESE, and SUDER and referred to Committee on Urban and Local Affairs:

“Current law authorizes various entities to acquire property by condemnation. These entities include state agencies, counties, municipalities, school districts, and housing and redevelopment authorities. They also include nongovernmental entities such as railroad corporations and public utilities. This bill eliminates the condemnation authority of all nongovernmental entities. For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.”

(To receive a copy of this bill in .pdf format, e-mail the WSN at wsn@chorus.net.)

DNR Independence

Bazzell tells DNR staff he's opposed to DNR Forestry split

WDNR Secretary Darrell Bazzell reiterated his opposition to the idea of a Forestry Department split in a memorandum sent to DNR staffers July 26. “I have not and do not support splitting natural resources management,” Bazzell wrote. “No one has shown that this is needed or has indicated how it can benefit the resources. Splitting weakens all our inter-related programs. Most importantly, it does not benefit the resources and the environment.”

Groups large and small vocal in opposition to Forestry split

Here are some selected comments from some WSN groups opposed to splitting the WDNR:

- “WWA will sign on [to a letter asking the Governor to veto the split provision]. What an outrage! NO public input into this major policy change that further weakens the DNR.” — *Charlie Luthin, Wisconsin Wetlands Association.*
- “In the worst environmental provision in the budget, a new Department of Forestry would be split off from the DNR. This is a fundamental assault on the institutions that protect our natural resources, akin to the politicizing of the DNR secretary and the elimination of the Public

Intervenor. We will ask Gov. Scott McCallum to veto this senseless and destructive provision.” — *Dave Cieslewicz, 1000 Friends of Wisconsin.*

- “We are outraged; this provision is an attack on the DNR and the state’s ability to manage and protect our natural resources.” — *Keith Reopelle, Program Director, Wisconsin’s Environmental Decade.*
- “...the creation of the Department of Forestry is the worst example of the camel’s nose under the tent. We fear that one by one, the DNR’s functions will be stripped away which will be detrimental to our membership and all of the citizens of this state.” — *Jon P. Christiansen, State Council Chair, WI Trout Unlimited.*
- “The provision to create a Department of Forestry is a bad idea from an economic standpoint, a terrible concept from an environmental standpoint, and a horrible precedent from a public policy standpoint.” — *Todd Ambs, Executive Director, the River Alliance of Wisconsin.*
- “The DNR split is a blow to the environment and a blow to democracy. Despite overwhelming citizen opposition to splitting the DNR, the legislature has gone ahead and submitted to the will of the moneyed special interests. For the sake of our environment and the sake of our democracy, Governor McCallum needs to veto the department of forestry provision.” — *Kerry Schumann, Director, WISPIRG.*

Factory Farming

Groups call for ban on new factory farm waste lagoons

Every year factory farms dump 220 billion gallons of animal waste onto farmland and into our waterways, posing a major threat to public health, according to a report released July 24 by Wisconsin Public Interest Research Group (WISPIRG), Family Farm Defenders, and Midwest Environmental Advocates.

The report — the most comprehensive one to date on waste lagoons — calls on the Bush administration to phase out waste lagoons at large-scale hog, dairy, and egg farms, and ban the construction of new ones.

The report was written by the Natural Resources Defense Council (NRDC) and the Clean Water Network. It can be downloaded at: <http://www.nrdc.org/water/pollution/cesspools/cesspools.pdf>.

SOURCE: Kerry Schumann, WISPIRG, 251-1918, wispirg@chorus.net.

Farm tour highlights profitable and sustainable family farms

A tour of four small-scale family farms is planned for August 22 in Calumet County. The tour will highlight family farms, featuring:

- an organic dairy,

- a grass-based dairy marketing its own brand of cheese,
- a goat dairy, and
- a conventional dairy that is managing nutrients to protect water quality while helping its bottom line.

The tour is being organized by the Family Farm Stewardship Campaign and coordinated by Wisconsin Citizen Action. State Representative Al Ott, chair of the Assembly Committee on Agriculture, will speak at the event.

The goal of the tour is to promote profitable and sustainable options for family farms. “We see a lot of attention being paid to factory farms, high-tech, large-scale technologies, and a ‘get big or get out’ mentality among bureaucrats,” says John Kinsman, a LaValle, WI, dairy farmer who is president of Family Farm Defenders. “We thought it was time to start bragging about family farms.”

The tour starts at 9:30 a.m. at Zion Lutheran Church in New Holstein. There is no cost. Transportation and a lunch are provided.

SOURCE: Sam Gieryn, sgieryn@wi-citizenaction.org.

BACKGROUND: The Family Farm Stewardship Campaign is working to level the playing field so small to moderate sized family farms — the majority of Wisconsin farms — can continue to be economically viable. They believe that state government should:

- safeguard against anti-competitive practices that work against small farms,
- help ensure adequate environmental protection and healthy rural communities, and
- invest in low-cost strategies for modernization/expansion, the development of new agricultural enterprises and products, and aggressive marketing efforts for Wisconsin grown products.

Farm Bureau criticized for promoting EQIP cost-share eligibility changes

When it comes to promoting large corporate farms to the detriment of the family farmer, the Farm Bureau has no equal. In recent testimony before the House of Representatives, the American Farm Bureau argued for eliminating the size restriction for eligibility for EQIP cost-share funds. (<http://agriculture.house.gov/hearings/h10523we.pdf>).

If this Farm Bureau position becomes policy, the largest factory operators will get massive federal handouts underwriting the cost of manure management. In addition to this federal push, the Farm Bureau has aggressively fought state regulations for large factory farms at the state level. See <http://www.thegleaner.com/daily/2001-07-22/news7.html>.

SOURCE: Scotty Johnson, National Rural Community Outreach Campaign, Defenders of Wildlife, sjohnson@defenders.org.

Groundwater Protection

Perrier rumored to be working in St. Croix County

Reporter Pat Wolff out of the Berlin Bureau of the Oshkosh Northwestern received a call yesterday from a lady in St. Croix County [in northern] Wisconsin. Pat did not take down the lady's name or number, but gave her my name and number. I have not heard from the woman yet. I wish I had her name.

The gal told Ms. Wolff that Perrier was scouting the area and she suspected high-capacity well permits given (or being sought?) under individual landowners meant they are probably testing there. The reporter said the woman asked a lot of questions about how Perrier operated here.

I asked Ms. Wolff if she felt Perrier was really working in the area. Pat said the lady seemed to know what she was talking about and that the people in that area were "talking about it." Can't verify any of it. So, it may be nothing. I won't know until the lady calls me, or we can find an official to verify it.

SOURCE: Mary Jane Schudlach, Waterkeepers of Wisconsin, theschmuds@juno.com.

Capitol Times 'Power vs. People' series covers groundwater

In case you missed it, there is a great four-part series that started July 21 in *The Capitol Times* called "Power vs. People: How did Wisconsin lose its democracy?" that includes our fight with Perrier (great quotes by Joan Byers). We can all be proud of our united fight to preserve our water and our democracy (oops!) to help *regain* our democracy. In New Haven and Newport we have shown the world that every man does still counts, but these articles certainly confirm that without more people of integrity, money and greed are winning.

SOURCE: Joan Christopherson Schmidt, doxibuk@ameritech.net.

Court grants DNR authority to control off-site manure spreading

In a decision dated July 3, the District 2 State Court of Appeals reaffirmed the right of the DNR to regulate off-site spreading of manure by the state's largest duck producer and processor, according to a July 5 article from the *Racine Journal Times*. Maple Leaf Farms in Racine County had argued at the circuit court level that the federal government does not regulate the spreading of manure on farm fields; consequently, the state is powerless to act because the federal government has not specifically delegated that authority to the state. And while admitting the DNR has the authority to regulate manure spreading on land it owns, Maple Leaf Farms argued in its appeal that the statute from which the DNR derives its authority does not address pollution discharges that occur off-site.

According to the appeals court's written opinion, "Any overapplication of manure by Maple Leaf through its land-spreading activities [is] a discharge, either because of runoff to surface waters or percolation of pollutants to groundwater. Because the off-site croplands are used by Maple Leaf to dispose of waste produced in its on-site facility, the [DNR] permit conditions imposed on Maple leaf to enforce groundwater protection standards are as applicable to Maple Leaf's off-site land-spreading operations as they are on-site.... The DNR has the responsibility for protecting the state's water resources from a variety of pollution sources, and even in the agricultural sector, that includes slaughterhouses, food processors, or anyone who produces large quantities of waste sludge."

The DNR issued Maple Leaf wastewater permits for the storage of manure on two of its Racine County farms in 1997. The duck operation generates up to 90,000 tons of manure annually. (To read the complete decision, go to <http://www.courts.state.wi.us/html/ca/00/00-1389.htm>.)

SOURCE: WDNR "Basin Briefs," 7-19-01

Iowa citizens ahead of leaders on curbing livestock pollution

From the July 17 *Des Moines Register*: Jeff Vonk, director of the Iowa Department of Natural Resources said that state's citizens are demanding that standards be adopted to limit water pollution from livestock operations. But Vonk, who has been director for 4 months, said, "I'm not sure the political will to do something exists." Iowa lawmakers have declined to back pollution-fighting proposals from Iowa DNR biologists and engineers, and major revisions to manure-related pollution rules have been shelved. Vonk added: "I don't think we can continue with the sort of unmitigated growth" in CAFO-type operations that has occurred in Iowa. More at <http://des-moinesregister.com/news/stories/c4780934/15317718.html>.

SOURCE: WDNR "Basin Briefs," 7-19-01

Chretien refuses Bush request for Canadian water

Canada Prime Minister Jean Chretien has told President George W. Bush that Canada's water is not for sale. Bush recently said he wanted to talk about exporting Canadian water while he was at the annual Group of Eight summit.

Foreign Affairs Minister John Manley has tabled a bill to prohibit bulk removal of boundary waters from their natural basins, which would protect the Great Lakes. But that bill would not cover non-boundary waters, including thousands of lakes under provincial jurisdiction.

SOURCE: *Vancouver Sun*, 7-19-01

Great Lakes water sales subject of radio program

The July 31 Larry Meiller Wisconsin Public Radio talk show featured Sierra Club Great Lakes

Program Director Emily Green talking about proposals at the federal and state level to control water withdrawals and drilling rights. WPR programs are archived and available for purchase.

Mercury Reduction

City of Superior bans mercury thermometers

The city of Superior has passed an ordinance against the sale of mercury fever thermometers. Diane Thompson of the Superior Wastewater Treatment facility and I addressed the council. The vote was unanimous. The Douglas County Legislative and Judicial Committee has discussed this issue for three consecutive months and has directed the corporation counsel to draft an ordinance. The discussion has also taken place at the board of health and in the solid waste and recycling committee. The county legislative committee has decided to take the lead on this issue.

SOURCE: Kay McKenzie, Superior, WSN Northwest Hub, kamck@infotelcom.net.

Douglas County building being built 'near mercury free'

The \$42 million metro center (jail and city/county complex for Superior and Douglas County) will be as mercury free as we can get it according to James Litwin, construction manager. Any mercury-containing item will be noted and a written reason for its use reported. This was promised within the next two months.

SOURCE: Kay McKenzie, Superior, WSN Northwest Hub, kamck@infotelcom.net.

Metallic Mining

Milwaukee County votes in support of cyanide ban

Milwaukee County has passed a resolution on July 19 banning cyanide in Wisconsin mines (supporting AB95/SB160). Their resolution reads:

“RECOMMENDATION; Adoption of a resolution expressing support for a prohibition on the use of cyanide reagents in Wisconsin mines and metallic ore processing facilities to ensure the health, safety and welfare of all Wisconsin residents; and urging the Wisconsin Legislature to enact Assembly Bill 95/Senate Bill 160, legislation that would prohibit the use of cyanide in Wisconsin mines and metallic ore processing facilities;

“Further directing the County Clerk to send a copy of this resolution to the Milwaukee County delegation of the State Legislature, the Secretary of the Department of Natural Resources and

Governor Scott McCallum.”

22 ayes, 2 nos (County Supervisors Sheila Aldrich and Linda Ryan). Yea, baby!

SOURCE: Linda A. Sturnot, “[linda_a_sturnot](mailto:linda_a_sturnot@uhc.com)”@uhc.com.

Poll finds state citizens oppose special environmental treatment for mining

A poll of 600 Wisconsin residents finds strongly belief that mining should be required to meet the same environmental standards as other industries. The poll was commissioned by the Forest County Potawatomi Community and conducted over the first two weeks of June.

The poll finds that Wisconsin citizens are:

- 18-to-1 in favor of requiring mines to meet the same groundwater and hazardous waste standards as other industries,
- more than 3-to-1 in support of a ban on the use of cyanide in mining, and
- almost 4-to-1 against allowing companies with an history of pollution to mine in Wisconsin.

SOURCE: Forest County Potawatomi Community, 8000 Potawatomi Trail, PO Box 340, Crandon, WI 54520 and Dave Blouin, Mining Impact Coalition of Wisconsin, (608) 233-8455, burroak15@aol.com.

Public Intervenor Office Restoration

Editorial raps Friske for lack knowledge on DNR and PIO

A July 26 editorial in the Merrill *Foto News* by Richard Moore criticized rookie legislator Don Friske for his lack of knowledge on the Public Intervenor Office.

“It is curious that State Representative Don Friske (R-Merrill) was such a loud proponent of the split, this wet-behind-the-ears freshman talking as if he had studied the issue thoroughly and for years,” wrote Moore. “In fact, when he was running last year, he barely knew what the DNR was and in one forum couldn’t answer one of the most hotly debated questions for the past six years, namely, whether the DNR secretary should be appointed by the governor. He didn’t even know what the Public Intervenor’s office did.”

***Milwaukee Journal* editorializes for PIO return**

The *Milwaukee Journal* editorialized in July for a return of the Public Intervenor’s office. The editorial can be read at <http://www.jsonline.com/news/editorials/jul01/inter-edit070101.asp>.

Shoreland/Wetland Protection

DNR finds zebra mussels in Forest County lake

The DNR confirmed on July 23 that zebra mussels had been found in Cedar Lake in Manitowoc County. This comes just days after the discovery of adult zebra mussels in several locations in Metonga Lake in Forest County — the northernmost introduction of zebra mussels into Wisconsin's inland waters.

SOURCE: WDNR

Petition supports local conservation plan for Badger Army Plant

The Community Conservation Coalition for the Sauk Prairie is circulating a petition calling for implementation of the Badger Reuse Plan as the best possible conversion and reuse of the Badger Army Ammunition Plant in Sauk County.

The coalition supports the conclusions of the local Badger Reuse Committee which calls for ecological restoration, education, sustainable agriculture, recreation, research, and other conservation-compatible activities as the most appropriate future uses of the property.

To learn more about the petition and the committee's plan, visit www.saukprairievision.org.

SOURCE: Jason Van Driesche, info@saukprairievision.org.

Groups intend to sue Milwaukee Sewerage District

Two public interest citizens' organizations have filed a Notice of Intent to Sue the Milwaukee Metropolitan Sewerage District (MMSD) for billions of gallons of wastewater discharged to regional waterways causing human health risks, beach closings, and other problems.

Noting that MMSD has released up to 13 billion gallons of wastewater, the groups — Friends of Milwaukee's Rivers (FMR) and the Lake Michigan Federation (LMF) — claim in their notice that MMSD has illegally discharged highly polluted waste to contaminate Lake Michigan, rivers, and groundwater supplies since 1994.

Wisconsin has experienced increased numbers of beach closings for the past five years. Accord-

ANGLER AND BOATER ZEBRA MUSSEL PREVENTION TIPS:

- Remove plants and marine animals from boat, trailer and accessory equipment before leaving the water access area.
- Drain livewells, bilge water and transom wells before leaving the access area.
- Empty bait buckets on land.
- Dry the boat and equipment in a sunny location for at least three days before transferring to a new lake. If drying isn't possible, wash boat, tackle, downriggers and trailers with hot water. Flush water through the motor's cooling system and other boat parts that normally get wet.
- Learn what exotic organisms look like.

ing to recent LMF research, the state experienced:

- 77 closings in 1996,
- 131 in 1997,
- 133 in 1998,
- 109 in 1999, and
- 246 in 2000.

More on Wisconsin beach closings is available online at: http://www.lakemichigan.org/conservation/beach_wisconsin.asp and <http://infotrek.er.usgs.gov/pls/beachhealth>.

“MMSD continually violates the Clean Water Act with regard to sewer overflows,” said Karen Schapiro, attorney for the groups. We’ll be seeking a remedy that ensures court supervision to ensure the agency abides by the requirements of the Clean Water Act.”

SOURCES: Friends of Milwaukee’s River, www.mkeriverkeeper.org, and the Lake Michigan Federation, www.lakemichigan.org.

Input sought on beach monitoring and notification standards

Citizens can weigh in August 23 in Chicago on the federal government’s proposal for national standards for beach monitoring and notification. The proposals also cover performance standards states must meet to receive grants to help pay for beach monitoring and notification programs within their own borders. For more information visit EPA’s website: <http://www.epa.gov/ost/beaches/meetings/forums.html>.

SOURCE: Amy Cosgrove, (703) 385-6000.

EPA aquaculture effluent rules expected next summer

The Clean Water Network notes that the EPA will be proposing effluent guidelines for the aquaculture industry next summer. The CWN is gathering information about aquaculture operations (fish farms) for a new web site. Look for it under the CWN’s “coastal” page at www.cwn.org. Another good site for aquaculture is the DOC/NOAA Aquaculture Information Center which has information on the Commerce Department’s policies and programs for aquaculture research. It is at www.lib.noaa.gov/docaqua/frontpage.htm. Finally, the Wisconsin Aquaculture Association has an on-line presence at www.wisconsinaquaculture.com where you can read their “Creel” newsletter.

SOURCE: Clean Water Network.

Farmer defends streamside grazing

From the July 12 *Agri-View*: It is possible to graze animals along a stream without causing environmental damage, according to Don Dudenboestel, a Steuben area farmer. Speaking at a recent streamside grazing conference, Dudenboestel said, “The public needs to know that it is feasible to graze stream areas. The non-farming public is concerned that farmers are destroying stream

banks, and that's not true. If you have a cover on (the soil), it's not going to wash away or erode." Experts from both Wisconsin and Minnesota echoed the views of Columbia County Crops and Soils Agent Laura Paine that farmers need to work with, rather than against, existing ecosystems to make rotational grazing along waterways benefit everyone.

SOURCE: WDNR "Basin Briefs," 7-19-01.

Coastal Management Council gets grant for nonpoint and other projects

From the July 13 *Ashland Daily Press*: The Wisconsin Coastal Management Council has received a \$5.7 million grant to be used for stormwater controls, acquisition of greenways and buffers and other projects designed to control polluted runoff and protect and restore coastal resources, and contaminated site clean-up and wetland restoration. More at http://www.ashlandwi.com/placed/index.php?sect_rank=1&story_id=77937&referr_url=http.

SOURCE: WDNR "Basin Briefs," 7-19-01.

Cedarburg geese toxic waste?

Sorry, food pantries. State officials have told the town of Cedarburg north of Milwaukee that they should treat the town's pesky geese like toxic waste because they have such high levels of polychlorinated biphenyls (PCBs). Cedarburg geese have 0.46 parts per million of the carcinogen in their tissue — more than twice the level considered unsafe by health officials. The town will bury any geese killed in the local landfill.

SOURCE: Barb Jacobs

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

The WSN's Steering Committee consists of representatives from the following organizations: Citizens for a Better Environment, 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, Sierra Club — John Muir Chapter, Wisconsin Association of Lakes, Wisconsin B.A.S.S. Federation, Wisconsin Conservation Congress, Wisconsin Council of Sportfishing Orga-

nizations, Wisconsin's Environmental Decade, and Wisconsin Trout Unlimited.

The WSN's mission is to build a cooperative network that recaptures and 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.

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August, 2001

The Honorable Governor Scott McCallum
State Capitol
Madison, WI 53707

Dear Governor McCallum,

I understand you are still considering and will take into account the wishes of the people in deciding whether to veto the DNR Forestry Department split provision in the state budget.

Please add my name to those opposing this split. The DNR's national reputation was earned as an integrated agency. I'm sure any modifications to make the Division of Forestry run more smoothly can be dealt with by your newly appointed Secretary Bazzell.

The merits of a far-ranging decision like creating a separate Forestry Department should be debated in the open with public input, not by a handful of individuals acting in secret. That has not been the Wisconsin way. It should not be your way.

I ask that you veto the Forestry Division split.

Thank you for your time.

Sincerely,