



WSNetwork News

August 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](#)
- [DNR Independence and PIO Restoration Combined!](#)
- [Factory Farming](#)
- [Forest Fragmentation New!](#)
- [Groundwater Protection](#)
- [Mercury Reduction](#)
- [Metallic Mining](#)
- [Shoreland/Wetland Protection](#)

WSN sets 2003 annual conference

Mark your calendar for the WSN's annual conference to be held Friday night, Feb. 14, and Saturday, Feb. 15, at UW-Stevens Point. By popular demand, the conference returns to the UW-SP University Center.

Arrowhead-Weston Transmission Line

Conference to support Picikinak Cree Nation

There will be an upcoming press conference on August 20th with groups supporting the cause of the Picikinak Cree Nation, who suffers with the lack of enforcement of the Northern Flood Agreement in Canada. This conference will highlight the signing of resolutions in support of the PCN struggle for environmental justice. They are the last guardians of the boreal forest in Manitoba, and continue to get the word out about their cause as much as they can in the states.

SOUL has been in coalition with the PCN, as our primary focus on the Arrowhead-Weston Transmission Line derives much of the energy from Manitoba Hydro, at the expense of this band of Cree. Also, we have recently learned that this project, according to a press release from Manitoba Hydro in 1998, lays the framework for a plan for Minnesota Power and Manitoba Hydro to explore a way to sell energy as marketing partners in the US to Wisconsin. The signing will take place at LCO. As more information becomes available I will pass it on.

SOURCE: Linda Ceylor, hillsidedairyfarm@yahoo.com.

Hydro power for Arrowhead devastating Cross Lake people

This story (link below) accurately portrays the price in human rights, life, and environmental devastation that is currently being paid to export cheap Canadian hydropower to the United States, specifically Minnesota and Wisconsin. I have been to Cross Lake; I have seen the destruction and I have met these people. The Arrowhead-Weston transmission line will only provide the incentive

for more dams and more devastation. To read more about this, visit <http://citypages.com/data-bank/23/1129/article10581.asp>

SOURCE: Claire Schmidt, Wisconsin's Environmental Decade.

Citizen's Energy Forum announces speakers

The Citizen's Energy Forum to be held in Wausau Sept. 13-14 has the following key speakers: Secretary of State Doug LaFollette and Steve Hiniker of CUB. Get your reservation sent in, and get the word out!

SOURCE: Logan Edinger, edinger@centurytel.net.

To p.1

DNR Independence and PIO Restoration

Brown County group mails candidates DNR/PIO questions

As of today all the parties running for public office have been mailed the questionnaires [asking for their position on DNR independence and Public Intervenor Office restoration]. I have set August 9th as a deadline for accepting responses. There are an awful lot of candidates out there this year. I'll keep you posted.

SOURCE: Paul J. Mongin, Brown County Conservation Alliance, paul.j.mongin@aexp.com.

Factory Farming

MEA says Ag Extension agents violating UW testimony policy

Attached is a audio file/ radio news story on WPR regarding advocacy by Ag Extension Agents in violation of UW policy. I am also attaching a copy of the letter that gave rise to the news story. You will need "realplayer" to play the story. The software is free and easy to download — just go to www.real.com to download it.

We will continue to pressure UW-Extension to prevent them from allowing their agents to aid large farms in obtaining state and local permits, as with testifying at zoning hearings. I encourage all of you to forward this to others, and contact Chancellor Reilly of the UW Extension to let him know that this use of state resources is unacceptable. WPR story is at <http://clip-cast.wpr.org:8080/ramgen/wpr/news/news020722cqu.rm>.

SOURCE: Andrew C. Hanson, Attorney, Midwest Environmental Advocates, 22 E. Mifflin St., Suite 301, Madison, WI 53703 (608) 251-5047.

To p.1

Ag management systems workshops Sept. 25

A one-day workshop is being planned to increase understanding of Ag Environmental Management Systems (AgEMS) and begin exploring their viability in Wisconsin. Experts from across the U.S. and in Wisconsin will present timely information about how AgEMS's are being utilized and how they may be implemented.

Participation in this meeting is by invitation so the group size can be managed, but a representative cross section of stakeholders (interested parties) is essential for success. Space is limited, but if you know of someone that should be invited, and has a vested interest in agricultural environmental management systems, please share their contact information with us. Additional agenda and logistical information will be sent shortly. Please reserve September 25, 2002, on your busy calendar, so that we may get your input, on how agriculture will protect the environment in Wisconsin.

SOURCE: Brian Holmes and Gary Jackson, bjholmes@facstaff.wisc.edu.

Big Eau Pleine manure lawsuit settled

A large manure spill last winter could help a private group protect a Big Eau Pleine River. Chuck Quirnbach reports on what some are calling an unusual pollution settlement. Hear the archived Wisconsin Public Radio story at <http://clipcast.wpr.org:8080/ramgen/wpr/news/news020719cqu1.rm>.

SOURCE: WSN.

GRACE guide to confronting a CAFO available

When it comes to front line work helping rural communities and family farmers mobilize against large factory farms, GRACE (Global Resource Action Center for the Environment) has been a consistent and dedicated leader. Now GRACE has released a *Guide to Confronting a Confined Animal Feeding Operation*. This internet publication contains information and tools to help communities oppose new CAFOs in their area and to deal with existing CAFOs that are causing problems for local residents. The guide contains education resources and organizing tips to get you started. It also teaches you how to gather information about how the CAFO is impacting land values and air and water quality. The guide also includes campaign strategies, media and fundraising pointers, and advice on when to consider legal action. The *GRACE Guide to Confronting A CAFO* is available at <http://www.factoryfarm.org/guide/index.html>.

SOURCE: Scotty Johnson, defenders.returns@reply.net.

Farm Bureau efforts in support of CAFOs noted

Large corporate-owned farms, or CAFOs, pose enormous health and environmental threats, generate extensive air and water pollution, and push family farmers out of business. The Farm

To p.1

To p.1

Bureau, an organization that small family farmers rely on for support, often turns its back on the family farmer and instead, promotes factory farms. In one instance the Iowa Farm Bureau led the unsuccessful effort to defeat family farm friendly legislation, SF 2293. The bill increases DNR and local control over CAFO construction and reduces the air and water pollution caused by these massive corporate owned operations. Despite the Farm Bureau's success in substantially weakening the effect of the essential bill by delaying its effective date, the family farmers still won this battle. To learn more about this and other efforts to undermine environmental laws visit SERC's Watchdog page at <http://www.serconline.org/watchdogpage.htm>.

SOURCE: SERC *Wildlines Report* #29, July 22, 2002.

To p.1

Factory farms in California to be regulated

Federal officials are soon expected to announce a rule for unprecedented air pollution regulation of large California farms. According to the Associated Press, the U.S. Environmental Protection Agency is preparing to enforce regulations because state law has exempted farmers from air permit programs since the mid-1970s.

“As soon as California removes the agricultural exemption from state law, the EPA will return the permitting authority to the state,” said Jack Broadbent, air division director for EPA's Pacific Southwest Region. In related news, the National Academy of Sciences has released on July 23rd a report that states categorically that “ignoring air pollution generated by industrial farms and simply focusing regulatory efforts on controlling land application of manure will lead to poorer air quality, impair water quality, and threaten public health.”

SOURCE: Scotty Johnson, defenders.returns@reply.net.

Group opposes EPA's authority over nonpoint pollution

The California Farm Bureau Federation is seeking a new hearing to determine whether individual states retain rights to control water quality regulation. The group said in a news release that an earlier decision is inconsistent with the law and with other court opinions, so it has filed a petition with the 9th US Circuit Court of Appeals here for a new hearing.

A three-judge panel of the appeals court ruled last month that the US Environmental Protection Agency (EPA) may expand dramatically its jurisdiction to control water polluted only by non-point sources. The petition was filed by the American Farm Bureau Federation, California Farm Bureau Federation and Mendocino County Farm Bureau on behalf of Mendocino County land-owners Guido and Betty Pronsolino, Larry Mailliard, and Bill Barr, the news release said.

SOURCE: Alan Levine Coast Action Group, Box 215, Point Arena, CA 95468 (707) 542-4408.

To p.1

Farm Bill passage now leading to appropriation concerns

An alliance of environmentalists and family farmers succeeded in getting more conservation dollars into the recent farm bill. But will Congress now pay for the new programs? The jury is still out on this. The House Appropriations committee just approved the FY2003 Agriculture Appropriations bill last week, but vote on the bill by the full House may be pushed back until Congress reconvenes after summer recess on September 3rd. Judging from what has been approved by the House Ag. Subcommittee, the \$74.3 billion bill for the most part maintains the conservation funding that was authorized by the farm bill, with one major exception: it reduces the Conservation Security Program to an Iowa-only pilot program. It's unknown where this attack came from, but it's hopeful that the Senate will rectify the problem. Conservation funding may still face a threat, however, when the House bill goes to the floor.

It is rumored that the final bill will contain a \$400 million livestock disaster assistance provision that would be offset by taking money out of EQIP, the Nevada lakes program, and other conservation programs. An attempt by Representative Kaptur (D-OH) to add payment limitation language to the appropriations bill was cut short after leaders of both parties threatened to eliminate funding from 18 Ohio projects in retaliation.

SOURCE: Scotty Johnson, defenders.returns@reply.net.

No right-to-know in Kentucky

The Kentucky Farm Bureau worked closely with the Kentucky General Assembly to slash the public's right-to-know. The Farm Bureau endorsed HB 367 which ensures the secrecy of agricultural water quality plans submitted to local or state agencies. Kentucky farmers are required to produce plans outlining their procedures for protecting surface and ground water from toxins such as pesticides, chemical fertilizers, and manure. Under the new legislation, these records will remain confidential. The public would no longer have access to records indicating what pollutants are contained in their water and who put them there. For more, see <http://www.lrc.state.ky.us/2002rsrecord/HB367.htm>.

SOURCE: State Environmental Resource Center, Anne@serconline.org.

Peshtigo State Forest planning underway

Public meetings are set for Aug. 6 and 7 in northeast Wisconsin to enlist people in helping create the master plan that will guide the forestry, recreation, and other activities allowed in Wisconsin's first new state forest in 30 years. The meetings mark the official beginning of public participation efforts in developing the master plan for the new Peshtigo River State Forest located in Marinette and Oconto counties.

The new state forest comprises about 9,200 acres of mostly forested land along Caldron Falls Flowage, High Falls, Johnson Falls, and Sandstone Rapids hydropower reservoirs on the Peshtigo River. DNR bought the property from Wisconsin Public Service for \$25 million in November

To p.1

To p.1

2001, creating the first new state forest in 30 years. An introductory public meeting has already occurred for the state park; from here on out, however, the meetings will address both plans.

The public meetings are set for:

- August 6, Crivitz, 7 p.m. at the Town Hall of the Town of Stephenson, W11280 CTH X
- August 7, Green Bay, 7 p.m. at the Green Bay Wildlife Sanctuary, 1660 East Shore Dr.

SOURCE: WDNR.

To p.1

Forest Fragmentation

Paper giant's WI land sale a concern

A Green Bay *Press-Gazette* story by Peter Rebhahn reports plans by “papermaking giant Stora Enso to sell the 310,000 acres of forested land it owns in Wisconsin, Minnesota, and Michigan,” worrying many in northern Wisconsin. That land and the rest of Finland-based Stora Enso’s Wisconsin forest land is open to the public under the state’s Managed Forest Law. The law grants landowners tax breaks in exchange for guaranteed public access and a commitment to environmentally sound timber harvest.

A state purchase of all or some of the land is out of the question — at least for now, said Gene Francisco, the state Department of Natural Resources’ chief forester. “It’s a large piece of land and, given the budget situation, it would be very difficult for the state to put together a proposal,” he said. Read the complete story at http://www.greenbaypressgazette.com/news/archive/local_4484218.shtml.

SOURCE: Green Bay *Press-Gazette*.

BACKGROUND ON MANAGED FOREST LAW

Wisconsin enacted its Managed Forest Law in 1985. The law lets landowners with 10 or more contiguous acres of woodland contract with the state for 25- or 50-year periods. Landowners must submit and follow a forest management plan and follow guidelines for timber harvesting. Landowners must pay a 5 percent tax on value of harvested timber. In exchange, landowners pay reduced property taxes on forest land. The tax rate for landowners who agree to open forest land to public use is 74 cents per acre. Landowners who close their property to public use are taxed at the rate of \$1.74 per acre.

Uses allowed on land open to the public include hunting, fishing, cross-country skiing, sight-seeing, and hiking.

—Source: WDNR

To p.1

Guide to forest types available

A new guide to the types of forests and forest communities of northern Wisconsin is now available. *A Guide to Forest Communities and Habitat Types of Northern Wisconsin, 2002*, by Kotar, Kovach, and Burger, is a second edition, and contains significant revisions and improvements from the first edition. It has been expanded and now covers forest site types and communities from dry to wet-mesic. It contains information on forest plant community ecology, and includes a tool to help evaluate forest site potentials and vegetation management alternatives.

The northern Wisconsin guide is applicable in the following counties: Ashland, Barron, Bayfield, Burnett, Clark, Door, Douglas, Florence, Forest, Iron, Lincoln, Langlade, Marathon, Marinette, Menominee, Oconto, Oneida, Polk, Price, Rusk, Sawyer, Shawano, Taylor, Vilas, Washburn, and portions of Chippewa, Portage, and Wood.

Southern Wisconsin is covered by a separate southern guide (published 1996). People interested can purchase the books from the University of Wisconsin-Madison Dept. of Forest Ecology and Management at (608) 262-3119. The price of each book is \$40.

SOURCE: Joe Kovach, (715) 453-2188 and Eunice Padley, (608) 261-6459.

To p.1

Group buys logging rights to protect forest fragmentation

An environmental group has purchased logging rights on 5,750 acres of a historic cattle ranch in southwest Virginia in a novel approach to conserve wildlife habitat. The agreement is a first for the Nature Conservancy, better known for purchasing major tracts of land outright. The group's Arlington chapter announced the agreement with the 228-year-old Stuart Land & Cattle Co. near Abingdon. The conservancy will pay the Stuart family a percentage of the appraised value of the timber in exchange for logging rights.

By logging selectively or not at all, the group can protect habitats of songbirds such as the hermit thrush, magnolia warbler and Swainson's warbler, which need large contiguous tracts of forest to survive.

SOURCE: Associated Press via Zoltan Grossman.

Groundwater Protection

Indiana school finds tainted water

The 7/15 Indianapolis *Star* reported that more than 450 elementary students have been drinking water tainted with MtBE, a possible human carcinogen, for at least two years. Some drinking water at the school tested as high as 350 parts per billion of MtBE. Both the Environmental Protection Agency and Indiana Department of Environmental Management (IDEM) consider any water with more than 45 ppb unsafe to drink. Students and parents have been suffering from unexplained illnesses, including stomach aches, migraines, respiratory problems, rashes and nosebleeds. IDEM found that most of the MtBE in Lincoln Elementary School's drinking water originated a third of a mile away at a local service station.

SOURCE: State Environmental Resource Center, Anne@serconline.org.

To p.1

New Mexico water plan promoted

In the 7/24 Santa Fe *New Mexican*, it was reported that conservationists released a study that calls for the state to develop a comprehensive, statewide water management plan. Without a plan, the report argues, the state will fail to meet future demand and will risk a water shortage disaster. The report also says that the plan should integrate land-use and water planning in the state, manage groundwater and domestic wells, and promote water conservation. For more on what other states are doing to conserve water visit <http://serc.com/waterconservation/stateactivity.html>.

SOURCE: SERC *Wildlines Report* #30, July 29, 2002.

To p.1

Mercury Reduction

Metallic Mining

Governor seeking win-win for Wolf headwaters purchase

On Monday, July 15th, Governor Scott McCallum met for half an hour with proponents of the proposed public acquisition of the Crandon Mine site in the Wolf River Headwaters area and indicated that his administration was moving forward with efforts to negotiate a purchase that is a win-win for the people of Wisconsin. Meeting with the Governor were representatives of the Menominee and Mole Lake Chippewa tribes, Town of Nashville officials, Sierra Club, Mining Impact Coalition and Wolf Watershed Educational Project.

“The Governor assured us that he is seeking a solution that all parties will consider a win-win for Wisconsin,” said Caryl Terrell, Wisconsin Sierra Club representative. “The Governor said he understood that tribal cultural and environmental resources would be protected and he stressed that he wanted to see solid economic development in the area,” stated Terrell. “Even if there were no proposed Crandon mine, this would be a fabulous Stewardship Fund project.”

For more information about this proposed sale, visit the WSN’s website at www.wsn.org.

To p.1

People distributing resolutions supporting Wolf headwaters purchase

A sample resolution suitable for cities and county boards is being distributed to those interested in building support for the proposed Wolf Headwaters purchase. If you are interested in introducing such a resolution, click [here](#) for a printable copy.

For more information about getting involved in this effort, contact Claire Schmidt of Wisconsin’s Environmental Decade at (608) 251-7020.

Mining industry seeks to evade clean-up responsibilities

Mining expert Jim Kuipers from the Center for Science in Public Participation has testified before the House Resources Subcommittee on Energy and Mineral Resources that taxpayers may have to pay as much as 10 billion dollars to clean up polluted mine sites on public lands. Recent rule changes require the mining industry to ensure adequate funding for mine clean-ups before mining begins.

In response to industry lobbying against these rules, the Bush Administration formed a task force that is likely to propose changes to allow ineffective “corporate guarantees” rather than real financial guarantees. This would make it much easier for mining companies to avoid financial responsibility for clean-ups and shift the costs to taxpayers. View a fact sheet on this potential bonding rollback at http://www.mineralpolicy.org/pdf/MPCfs_BondingFINAL.pdf.

SOURCE: Mineral Policy Center, Michael Kharfen, (202) 478-6175.

Mine financing publication released

I am pleased to announce that a new publication is available from United Nations Environment Programme. The title of the publication is *The Role of Financial Institutions in Sustainable Mineral Development*. This report identifies the main parties involved in the mining process and describes the types of financing available to mining projects. It then explains ‘who is doing what’ and ‘who pays for what.’ Copies of this publication are available from: SMI (Distribution Services) Limited (www.earthprint.com). Electronic copies (in pdf) are available at www.mineral-resourcesforum.org.

(NOTE: This report has been downloaded and will be on the conference CD given out at the WSN conference in February.)

SOURCE: Mineral Resource Forum via Tom Wilson.

Cyanide use increasing in US mining

It only takes one teaspoon of a 2% cyanide solution to kill a person and an even smaller dose can kill wildlife. It is the poison of choice for gas chamber executions and has the ominous potential to be a terrorist’s weapon of mass destruction. Regardless of these dangers, however, the use of one of the world’s most deadly poisons, cyanide, has been growing in hard rock mining operations throughout the United States. This is despite several well-publicized disasters. In January 2000, in what has been described as Europe’s worst environmental disaster since Chernobyl, thousands of fish were killed and hundreds of miles of water were polluted due to a Romanian spill of cyanide-laced mine wastes. In 1986, a cyanide spill in Colorado killed nearly all wildlife in the Alamosa River. Such disasters prompted Romania and Colorado to ban the use of cyanide in mining operations. Billions of gallons of cyanide have been spilled into the environment since

To p.1

To p.1

the 1970s. To learn how your state can prevent cyanide disasters, visit our website at <http://serc.com/mining/>.

SOURCE: SERC *Wildlines Report* #29, July 22, 2002.

Shoreland/Wetlands

McCallum vetoes Ashley budget provision

To p.1

Governor McCallum [vetoed] the “wetland exemption” language intended for Ashley Furniture Company in the budget bill. This is an important victory for the environment and for our democratic system. There is absolutely NO DOUBT that the more than 1,000 citizen responses to Governor McCallum asking for this veto were in great part responsible for his decision. I assure you, the moneyed interests and Ashley Furniture lobbied hard for this exemption; the Legislature already approved the measure, as well.

Earlier, McCallum had indicated that he would support the measure. However, citizens from throughout Wisconsin spoke out against this outrage, and the Governor has listened! It is unfortunate that this issue has consumed the time, energy, and financial resources that it has over the past three years. Our fight has included a 2-year lawsuit (won in August, 2001, when a judge ruled that the wetland exemption was unconstitutional) and a massive publicity campaign to alert citizens of this special privilege for a corporate entity. The exemption would have been patently unfair to all citizens and other companies in Wisconsin, in that it provided a single entity (Ashley Furniture Industries) a special exemption from state law to fill 14 acres of floodplain wetlands. Such an exemption makes a mockery of our state laws.

This measure would have set a terrible precedent by allowing a company to skirt state environmental regulations. It is extraordinary that this measure made it as far as it did through the State Legislature! Recently Ashley CEO Ron Wanek sent a letter to McCallum indicating that Ashley was NOT going to apply for the wetland exemption in light of the intense public scrutiny this project has received and the strong environmental response. They indicated that they were moving their expansion to Mississippi (where environmental laws are lax, and where they have cheaper labor and more ready access to raw materials). [It must be noted that Ashley never applied for a permit to fill their wetland; they tried instead to get approval through the legislative process.] McCallum used the Ashley disinterest in the exemption in his statement justifying the veto. McCallum also indicated that he is asking for a review of the regulatory system to better facilitate the permitting process, what he calls a “one-stop” process. This is a warning that we will need to be vigilant of well-monied interests trying to weaken our wetland laws and the regulatory process in the coming months. We shall keep you informed.

To p.1

In the meantime, THANK YOU to all who sent their concerns about the Ashley exemption to legislators and to the Governor. Your efforts paid off. This veto alleviates the need to file yet another time-consuming and costly lawsuit — to protect and uphold the laws of the State of Wisconsin

from the actions of our own lawmakers! Let's hope this is the end of the "Ashley Furniture Saga," once and for all.

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

Ashley veto comes with ominous 'wetland review' note

In vetoing the Ashley exemption provision in the budget repair bill, Governor McCallum issued the following statement relating to future wetland approvals:

"I am vetoing these provisions because I object to the weakening of Wisconsin wetlands protection laws. These provisions set an undesirable precedent by allowing exemptions from a wide range of environmental regulations for projects that do not meet the requirements established to protect Wisconsin's wetlands. State and federal regulations establish standards and procedures for evaluating proposals that affect wetlands. These provisions bypass those regulations and jeopardize the quality of Wisconsin's waters and fisheries. However, I am concerned about the state's overall regulatory climate and its impact on job creation. As such, I am directing affected agencies to develop a plan for regulatory reform that will allow businesses to secure all necessary permits on a "one-stop" basis. That plan should be developed for consideration in the 2003-05 biennial budget. We must take this step to ensure Wisconsin's competitiveness."

SOURCE: Governor McCallum statement.

River Alliance says wetland 'review' must offer protection, not exemptions

The Board of Directors and members of the River Alliance of Wisconsin applaud Governor McCallum's decision to veto the so-called 'Ashley Furniture Exemption' contained in the Budget Repair Bill. The exemption was an unconstitutional, special interest, non-fiscal deal that had no business being in a budget bill.

While we applaud the veto decision, we do have some concerns regarding the proposed environmental regulatory reform effort. Any such review, if it is to be done, should be spearheaded by the state agency that knows the most about the environmental laws of Wisconsin — the Department of Natural Resources.

We have no problem with the idea of a 'one stop environmental shop' — provided that the shop sells the full enforcement of laws that give us clean water, clean air, and healthy natural resources. In the end, these are the most valued products we produce in Wisconsin."

SOURCE: River Alliance of WI.

Clean Water Coalition sets meeting, nonpoint rules party

The Clean Water Coalition (CWC) was organized to promote the adoption and implementation of effective rules to control polluted runoff by monitoring the rule-making process, submitting pub-

To p.1

To p.1

lic comments, and generating public support for a strong rule package. Now that the rules are finalized, the Clean Water Coalition will be actively engaged in monitoring and facilitating implementation, which will be an ongoing activity.

You are INVITED to the Clean Water Coalition Member meeting on August 6th in Madison, WI. While this is a member meeting to plan our direction for the future, organizations that might be interested in joining the CWC are welcome and encouraged to join us. The meeting will take place in the Monona Terrace Hall of Fame room from 12:30-4:30 p.m. This is your opportunity to help shape the direction the Coalition will take in the next few years!

Following the CWC member meeting on August 6th, we will be hosting a PARTY to celebrate the completion of the Nonpoint Pollution Control rules. CWC members and friends are invited. A lot of hard work and perseverance went into the rule making process and it is time to congratulate ourselves for a job well done. Legislators, agency employees, and others involved in the process will also be invited. Call or e-mail the Clean Water Coalition Coordinator to RSVP or for more information: (608) 441-8411 or cleanwater@wisconsinriver.org.

SOURCE: Clean Water Coalition.

Dockminium case settled in favor of public ownership

A seven-year legal battle ended...with a decisive victory for the Wisconsin Association of Lakes (WAL) and all of Wisconsin's waters. The Wisconsin Supreme Court agreed that the dockminium form of ownership "violates the public trust doctrine because it transfers ownership of public waters to private individuals." (For the opinion go to ABKA Limited v. DNR, 99-2306 www.courts.state.wi.us/supreme.)

Bill O'Connor, a Madison attorney who represented the WAL said that he was "tickled pink" by the decision. "This is a decisive victory for the people of the state of Wisconsin. The high court has refused to allow Wisconsin's lakes to be subdivided and sold to the highest bidder for private profit. Were dockminiums legal, they would spread like wildfire, ruining water quality and harming fishing."

SOURCE: Wisconsin Assn. of Lakes.

Buffer Council holds meeting, plans actions

Just wanted to give you all a brief update from the Wisconsin Buffer Council meeting which I attended last Thursday, July 25th. Three topics were touched on including and overview of the Buffer research committee that Todd [Ambs] and Bill [Pielsticker] are involved in, an update on Buffer internship field activity, and an update on CRP/CREP and the Farm Bill.

BACKGROUND ON DOCKMINIUMS

The case began in 1995 when the ABKA limited partnership decided to sell the boat slips at its Geneva Lake marina for up to \$70,000 each. In order to do so, ABKA set up a scheme where purchasers would buy a post office box located on land. The post office box carried with it the rights to a portion of Geneva Lake large enough to dock a boat at a pier. It called this scheme a "dockminium" or a condominium of the lake.

—SOURCE: WAL.

To p.1

To p.1

With regards to the Buffer Research, they basically handed out the minutes from the first Executive Committee meeting as well as the report on buffers and adaptive management from the previous Ad hoc committee. Buffer interns are apparently doing a good job, though an issue was raised about their training with regards to how they actually get used in the counties. Problems with filling out paper work wrong. Sounds like they want to continue the program again next year though.

Finally with CRP/CREP funds distribution to date were presented, challenges with conservation easements discussed, and how the new farm bill will impact eligibility was a hot item. A letter was shared, sent by Harsdorf to the Secretary Veneman of the USDA regarding the definition of hay in rotation for CRP eligibility requirements. That's the meeting in a nutshell. Let me know if you want further information on any of the above subjects. I have a number of handouts from this meeting.

SOURCE: Juniper Garver-Hume, Clean Water Coalition Coordinator Intern, River Alliance of Wisconsin, 306 E. Wilson Street, Ste. 2W Madison, WI 53703.

Support asked to keep Apostles 'Wild'

The wild beauty of Wisconsin's Apostle Islands National Lakeshore draws kayakers and others from around the world. The National Park Service is now involved in a study to determine how much of the Lakeshore it will recommend for permanent wilderness protection and is accepting comments on its draft study until August 1. We ask your help in ensuring that the Apostles remain wild. Please let the National Park Service know that you strongly support its Alternative 1, which would recommend 94 percent of the park for wilderness protection. Send a letter from: www.wilderness.org/takeaction/?step=2&item=1726.

TAKE ACTION — Your comments are needed by August 1. Send a letter from the above link or send your own.... Your letter will have more impact if you include your experiences at the Apostle Islands National Seashore. Thank you for supporting wilderness! Your comments will make a difference. Send your comments to: Mr. Bob Krumenaker, Superintendent, Apostle Islands National Lakeshore, Route 1, Box 4, Bayfield, WI 54814 or e-mail APIS_comments@nps.gov. To learn more about the draft alternatives, visit <http://www.nps.gov/apis/wstudy.htm>.

SOURCE: The Wilderness Society.

BACKGROUND ON THE APOSTLE ISLANDS

The Apostle Islands are an archipelago along Lake Superior's south shore in Wisconsin. Its 21 islands vary in size from a tiny 3 acres to 10,000 acres and are remarkably untouched. The islands feature sea caves and dramatic vistas of Lake Superior, a literal inland sea and the world's largest body of fresh water. Old growth forest covers the islands and house one of North America's largest concentration of black bears. Wilderness designation for the Apostles would give Wisconsin its first ever National Park Service wilderness.

Dotted around the islands are a number of historic lighthouses that are popular with visitors. Access to these will not change with the wilderness designation detailed in Alternative 1 of the Park Service proposal. Neither will motorized access in the channels between islands.

The Wisconsin legislature donated these islands to the Park Service for the creation of the National Lakeshore. In that donation, the legislature clearly sought permanent protection of the wilderness character of the islands. They've been managed as wilderness for the past

To p.1

To p.1

Public hearings set on lake erosion control rules

Public hearings are set statewide in August for a proposed rule aimed at preserving critical fish habitat along inland lakes and flowages while streamlining the process property owners must follow for projects to control erosion along their shorelines. Information meetings precede each of the public hearings.

The proposed rule, Natural Resources Chapter 328, simplifies the regulatory process for erosion control methods that benefit fish and wildlife. At the same time, it prohibits seawalls and other methods that can severely degrade fish habitat in sensitive settings where other alternatives work. The rule is based on work done by a team of 29 technical experts from the University of Wisconsin, UW Sea Grant, the Department of Natural Resources and the erosion control industry. For more information, visit DNR's Web site: <http://www.dnr.state.wi.us>, then search for "erosion control rules" to reach the address: <http://www.dnr.state.wi.us/org/water/fhp/fish/nr328/index.htm>.

Informational sessions on the rule begin at 6:30 p.m., an hour before the public hearings at the following sites:

- **August 13** — Oshkosh, 7:30 p.m., James P. Coughlin Center, 625 E. County Road Y.
- **August 14** — Stevens Point, 7:30 p.m., Schmeckle Reserve, UW-Stevens Point, 2419 North Point Dr.
- **August 15** — Madison, 3 p.m., room 511, Natural Resources Building, 101 S. Webster St.
- Waukesha, 7:30 p.m., Fox River room, Arena Building, Waukesha County Expo Center, 1000 Northview Road.
- **August 19** — Eau Claire, 7:30 p.m., DNR West Central Region Headquarters, 1300 W. Clairemont.
- **August 20** — Balsam Lake, 7:30 p.m., Polk County Special Education School/Adult Development Center, 400 Polk County Plaza
- **August 21** — Hayward, 7:30 p.m., Sawyer County Courthouse, 10610 Main St.
- **August 22** — Woodruff, 7:30 p.m. Woodruff Town Hall, 750 Elm St., (Hwy. 51)
- **August 26** — La Crosse, 7:30 p.m., Auditorium room, La Crosse County Administration Building, 400 4th St. North

SOURCE: Paul Cunningham (608) 267-7502 and Mary Ellen Vollbrecht, WDNR.

Milwaukee beach bacteria levels rising

A July 29 Manitowoc *Herald Times* story notes that "Milwaukee's beaches smell worse and have shown dangerous levels of bacterial pollution more often this summer than in previous years. Since the swimming season opened June 15, Bradford beach has registered high levels of E. coli on 21 days, compared with 16 days in the entire swimming season last year, according to Milwaukee Health Department figures. McKinley beach has had 15 days of high levels so far, compared with six days last year. City figures also showed South Shore Beach has had unhealthy bacteria levels on 24 days — more than half the swimming season so far — compared with 25 days in all

To p.1

To p.1

of last year. Complete story at www.wisinfo.com/heraldtimes/news/archive/local_5279353.shtml.

SOURCE: Wisinfo.com.

Stream monitoring award nominations sought

You are invited to nominate an individual or group for Wisconsin's newly established Stream Monitoring Awards. The University of Wisconsin-Extension and the DNR have implemented a Stream Monitoring Awards Program to recognize exemplary work in volunteer stream monitoring in Wisconsin. Individuals and groups will be recognized for their efforts leading to increased participation in stream monitoring, for collecting stream data and for sharing their knowledge of stream monitoring. Contact Kris Stepenuck at kris.stepenuck@ces.uwex.edu for more information.

SOURCE: WDNR "Basin Briefs," 7-25-02

Purple loosestrife survey underway

Over the next several weeks citizen surveys of purple loosestrife locations in Wisconsin's coastal counties will initiate the first state census of this exotic, invasive weed in 15 years. This year's work will take place in counties adjacent to Lakes Superior and Michigan, but will serve as a template for census work needed in other parts of the state over the next several years, according to Brock Woods, purple loosestrife control coordinator for the WDNR and UW Extension Service.

The survey is being organized by the Wisconsin Wetlands Association (WWA), in cooperation with Department of Natural Resources and the UW Extension. Federal funding supporting the work is coming from a Wisconsin Coastal Management grant.

Anyone interested in participating in the survey should consult the WWA web site at: www.wiswetlands.org or immediately call WWA program manager Derek Strohl at (608) 250-9971, as plants are blooming now. Outside coastal counties citizens may report purple loosestrife locations, size and land ownership to Brock Woods at woods@dnr.state.wi.us or Wisconsin DNR, 1350 Femrite Drive, Monona, WI 53716.

SOURCE: Brock Woods, (608) 221-6349 or Derek Strohl (608) 250-9971.

SWANCC fix bills introduced in Senate and House

Seeking to override a Supreme Court decision that limited the Army Corps of Engineers' authority to regulate isolated wetlands, three lawmakers introduced legislation in the U.S. House and Senate today that would authorize the federal government to regulate all waters of the United States. The legislation, introduced by Sen. Russ Feingold (D-Wis.) and Reps. James Oberstar (D-Minn.) and John Dingell (D-Mich.), is an attempt to reassert federal control over wetlands regulation that has become confusing and haphazard following the January 2001 Supreme Court deci-

sion that nullified the corps' ability to claim jurisdiction over isolated ponds based on their use by migratory birds. Under a broad reading of the *Solid Waste of Northern Cook County (SWANCC) v. Army Corps of Engineers* case, the corps is left to regulate only those wetlands connected to waters used for interstate commerce.

The Clean Water Authority Restoration Act of 2002 would restore the protection that existed for all waters and wetlands prior to the SWANCC decision by:

- Adopting a statutory definition of “waters of the United States” based on a longstanding definition of waters in the Corps of Engineers’ regulations (at 33 CFR 328.3).
- Deleting the term “navigable” from the Act to clarify that Congress’ primary concern in 1972 was to protect the nation’s waters from pollution, rather than just sustain the navigability of waterways.
- Including a set of findings that explain the factual basis for Congressional assertion of constitutional authority over waters and wetlands, including those that are called “isolated.”

SOURCE: Eddie Scher, cleanwaternt@igc.org.

Legal loophole leaves “isolated” wetlands in peril says report

A new report from two of the nation’s leading environmental groups warns of serious threats to people and wildlife stemming from a 2001 Supreme Court decision narrowing the scope of federal environmental protection for the nation’s wetlands. The National Wildlife Federation (NWF) and the Natural Resources Defense Council (NRDC) say the ruling invites the destruction of millions of acres of so-called isolated wetlands, eliminating their important role in providing flood control, natural water purification and essential wildlife habitat. The report, *Wetlands at Risk: Imperiled Treasures*, details the vital role played by isolated wetlands across all regions of the country, highlighting the important functions at risk. The report is at www.nwf.org/wetlands/wetlandsatrisk.html.

SOURCE: Julie Sibbing, National Wildlife Federation.

Delaware requiring farms to track animal waste

The Environmental News Network reported on 7/19 that Delaware is instituting a law requiring farmers to track their fertilizer use as part of a statewide effort to reduce farm animal waste runoff. The law requires management plans for all fertilized land, including crop fields and golf courses, and animal waste management plans for manure generated by livestock. The regulations require some landowners with excessive manure to remove it and transport it to land that’s in need of fertilizer.

The regulations were established in an effort to limit runoff of phosphorous and other components of fertilizer into the state’s waterways. Problems develop when farmers use more fertilizer and manure on their fields than they need to grow their crops. Excess phosphorus and nitrogen often end up in waterways, where they can harm underwater vegetation and fish.

SOURCE: SERC *Wildlines Report* #29, July 22, 2002.

To p.1

To p.1

Draft national strategy for water quality standards out for comment

EPA has published its newest strategy for water quality standards priorities for the Agency. The strategy will determine what actions with regards to water quality standards the Agency will implement over the next 5 to 7 years. You can find view a fact sheet about the strategy and the actual draft strategy at www.epa.gov/waterscience/standards/strategy/.

Many Network members have found their state agencies and industries attempting to lower water quality standards in recent years in order to appease industrial interests or to avoid listing a waterbody on the 303d list of impaired waters. For this reason, commenting on this strategy and helping to determine EPA's standards priorities for the next few years is important to the water quality work of all Network members. EPA is under pressure from states and industries to provide greater flexibility in the water quality standards program.

Comments on EPA's Draft Strategy for Water Quality Standards and Criteria are due August 16. Here's how you can help! Sign on to the Network letter below by August 12. All sign-ons must include your name, organization, city, and state and should be sent to Merritt Frey at mkfrey@mindspring.com. (We can also send you this letter as an attachment if needed.)

SOURCE: Eddie Scher, cleanwaternt@igc.org.

ANNOUNCEMENTS

FMR seeking executive assistant

Friends of Milwaukee's Rivers, located in Wauwatosa, WI, has an immediate opening for an Executive Assistant. A draft job description is pasted below. Please help us find the right person for this job by distributing this information to potentially qualified individuals.

The Executive Assistant's primary responsibilities include the management of the FMR office, membership communication, volunteer management and special event coordination. This is a salaried position, classified as "exempt" under the Fair Labor Standards Act. Anyone who is interested in this position should send a hard copy of their resume, with cover letter, to FMR at the following address: Friends of Milwaukee's Rivers, ATTN: Lynn Broaddus, Co-President, 7028 West State Street Wauwatosa, WI 53213 (414) 476-6042.

'Year of Water' calendar photos needed

This is a reminder that photo entries for Madison Environmental Group's Year of Water calendar should be submitted by August 5 (postmarked). In honor of the 30th anniversary of the Clean Water Act this October, Madison Environmental Group is creating a calendar with photos cele-

brating water. You will receive publicity and free calendars in exchange for photographs chosen for the calendar. If you have photos to submit, please e-mail them to the address below.

SOURCE: Rebecca Grossberg or Peter Streit, Madison Environmental Group, Inc., 22 North Carroll St., Suite 310 Madison, WI 53703 (608) 280.0800, rebecca@madisonenvironmental.com.

WWA field trip to Bottoms State Natural Area Aug. 10

The Wisconsin Wetlands Association is planning a field trip to the Tiffany Bottoms State Natural Area Saturday, August 10, from 9:30am-3:00 p.m. This trip features a ride on an open-air antique train that will take the group eight miles into extensive lowland hardwood swamp forest and open wetlands near the mouth of the Chippewa River. Trip leaders are Karen Voss (DNR Watershed Planner), Dave Linderud (DNR Wildlife Biologist at Tiffany Bottoms) and Evan Weiher (Assoc. Prof. Dept. Biology, UW-Eau Claire).

SOURCE: Karen Voss, WDNR, (715) 839-3746, Karen.Voss@dnr.state.wi.us.

To p.1

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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.

Subscriptions to *WSNetworkNews* are free. To opt in or out of this distribution list, either visit our web site at www.wsn.org or e-mail us at wsn@chorus.net.

To p.1

Resolution Supporting the Wolf River Headwaters Protection Purchase

Date:

Organization/Municipality:

Therefore be it resolved that we the undersigned support the Wolf River Headwaters Protection Purchase.

WHEREAS the proposed Crandon mine will irrevocably damage northern Wisconsin's culture, economy and environment; and,

WHEREAS proposed Crandon mine permitting process faces extremely difficult hurdles due to environmental, social and economic factors; and,

WHEREAS the proposed Crandon mine could still receive permits to operate despite being a significant risk to the environment; and,

WHEREAS Nicolet Minerals Company has expressed interest in being a willing seller; and,

WHEREAS the Wisconsin Stewardship Fund has \$300 million set aside for land purchases, separate from the current state budget; and,

WHEREAS the Wolf River Headwaters Protection Purchase will guarantee a permanent and inclusive solution that rules out the future resurrection of the Crandon mine proposal; and,

WHEREAS the Wolf River Headwaters Protection Purchase will safeguard the natural and cultural resources of the site into the future, with control of the mine site by an integrated board of state, local and tribal governments and private organizations; and,

WHEREAS the Wolf River Headwaters Protection Purchase will ensure that the State of Wisconsin and other potential buyers pay a realistic price for a mine site that is unlikely to receive permits, and allow for a mix of public and private funding in payments to be stretched over time; and,

WHEREAS the Wolf River Headwaters Protection Purchase will offer the mining company a dignified exit from Wisconsin and enable environmentally friendly sustainable economic development to replace dependency on a risky mine investment,

NOW THEREFORE BE IT RESOLVED the (ORGANIZATION/TOWN, VILLAGE, ETC)
_____ supports the Wolf River
Headwaters Protection Purchase according to the conditions outlined above.

FURTHER BE IT RESOLVED that a copy of this resolution will be sent to the Governor, Natural Resources Board, and our State Senator and Assembly Representative, as well as to: Wolf Watershed Educational Project, Box 124, White Lake, WI 54491.