



WSNetwork News

August 15, 2003

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

Click on these WSN priority issue section links
or scan the Acrobat bookmarks on the left:

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

Geske recuses herself from A-W line proceedings

If you have not already heard, Judge Geske has recused herself from the Arrowhead Weston proceedings because of a serious conflict of interest. Also SOUL has won the battle to have public hearings although the date and place has not yet been set!

SOURCE: Logan Edinger, edinger@centurytel.net.

ATC meetings lacked attendance

SOUL and WSN have attended the American Transmission Company (ATC) informational meetings in Wausau, Spooner, and Superior. The meetings lacked the attendance we had anticipated, especially from businesses. Evidently the ATC had planned for larger attendance, or crowd control, as they have had protection from three local law enforcement officers at both events. Much attention has been given to both SOUL's and WSN's display and information by the attendees to the event. Our thanks to Bruce Lindgren and WSN for support with this event, and to Clean Wisconsin for the "Deadly Power" video that has attracted much interest at this event.

SOURCE: Linda Ceylor, hillsidedairyfarm@yahoo.com.



Castelnuovo new resource planning section chief at DATCP

Richard Castelnuovo, DATCP, has been selected as the new Section Chief for the Resource Planning Section, in the Land & Water Resources Bureau. This section oversees these activities: land and water resource management plans and soil and water resource management grants. The section was reconfigured after the former Section Chief Mary Rose Teves moved to DNR in 2001....

SOURCE: WDNR "Basin Briefs," 8-6-03.

Teachers preparing multi-year nonpoint program

A story by Peter Rebhahn in the July 25 *Green Bay Press Gazette* reports that seven northeastern Wisconsin teachers are preparing an in-depth program relating to nonpoint pollution. According to the story, "The program is a multi-year watershed monitoring plan that will join teachers and students from Green Bay Southwest, Markesan, Appleton East and Luxemburg-Casco high schools with students and faculty from University of Wisconsin campuses in Green Bay and Milwaukee. The Green Bay Metropolitan Sewerage District and the U.S. Geological Survey are also partners in the program, which was funded by a \$1.5 million grant from Arjo Wiggins Appleton, the former owner of Appleton Papers." More at http://www.greenbaypressgazette.com/news/archive/local_11423130.shtml.

SOURCE: WDNR "Basin Briefs," 8-6-03.

Ocean problems coming from upstream

"Bioscience Online," the online version of their journal "Bioscience," reports that "Coastal waters are suffering from too much of a good thing. A National Research Council report recently concluded that nutrients are the largest pollution threat to the coastal waters of the United States. Nutrient overenrichment of coastal waters (eutrophication) contributes to hypoxia and blooms of toxic algae. As these phenomena increase in their scope and frequency, Congress and others are stepping up action to get to the real source of the problem."

The story continues, "Nonpoint source pollution-caused in large part by urban and agricultural runoff-is not a new issue for Congress. Provisions to combat nonpoint source pollution exist in both the Clean Water Act and the Coastal Zone Management Act. However, progress has been "slow and difficult" because of the "diversity of diffuse sources, resistance to regulatory solutions, and the multiple pathways through which the pollutants can reach coastal and ocean environments," according to a report prepared for the Pew Oceans Commission."

SOURCE: Bioscience online, <http://www.aibs.org/biosciencelibrary/vol53/aug03.ldml>.

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Forest Fragmentation

Two ATV hearings scheduled for Aug. 19 at Capitol

Hearings have been scheduled next week for a bill that would allow ATV use in state parks and a change to the natural resources rule dealing with wild rivers. The WI League of Conservation Voters is against both proposals and may include them as components of their legislative scorecard. Click here for an overview of [Assembly Bill 174](#).

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Bill or Rule Number	Subject/Issue	Date	Time	Room No./ Location	Committee	People to Testify
	Baiting and Feeding	8/19/03	9 AM	412 E	JCRAR	Scott Hassett Laurie Osterdorf
NR 302	ATVs and Wild Rivers	8/19/03	9 AM	412 E	JCRAR	Mike Staggs/Steve Miller
AB 174	ATVs in State Parks	8/19/03	11 AM	300 NE	Assembly Tourism	Laurie Osterdorf

SOURCE: WSN.

Story outlines Bush administration roadless attacks

The following link brings you to a piece on the Bush administration's attack on roadless areas in our national forests. Wisconsin's Chequamegon-Nicolet National Forest has approximately 69,000 acres of roadless area, all of which should be recommended for wilderness protection in the new forest plan for the CNNF. Please check out the following link: http://whyfiles.org/182roads_in_wild/index.html to read *Road Rage. Wilderness: Roads to Ruin?*

As one of its final acts, the Clinton Administration put a lock around 58.5 million acres of untrammeled national forests. After 600 public hearings by the U.S. Forest Service, the Roadless Area Conservation Rule banned roads and other development in the most inaccessible parts of the forests. That rule is under severe strain."

SOURCE: Dave Zaber, dzaber@chorus.net.

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Mercury Reduction

Update on Madison mercury rule hearing

Wednesday, August 13, the Senate and Assembly Natural Resources committees held a hearing in Madison on the proposed mercury reduction rule for power plants. I knew this hearing would be a long one, but I didn't realize it would go on for more than six hours! In addition to me, representatives from environmental organizations, sporting groups, medical professionals, and others testified about the threat that mercury poses to our health and our tourism economy.

Power company lobbyists suggested a number of weakening amendments to the mercury rule. It was clear to me from questions asked by the committee chairs, Senator Neal Kedzie and Representative DuWayne Johnsrud, as well as some of the other committee members, that many committee members were more sympathetic to the power companies than to the public.

There was no vote made by the committee; a vote will occur this coming Wednesday. Although the committee chairs did not say for sure how they would vote, it was clear to me that they favored weakening the mercury rule.

In the next few days, I ask all WSN supporters to send an e-mail message to Representative Johnsrud and Senator Kedzie. Tell them you support a strong mercury rule. Their e-mail addresses are: rep.johnsrud@legis.state.wi.us and sen.kedzie@legis.state.wi.us

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There is some good news to go with the bad: the Wisconsin League of Conservation Voters is tracking the vote on the mercury rule and whether the rule is made stronger or weaker in the legislative process. We need to hold our elected officials accountable for their votes on issues like mercury, a WSN priority issue. The Legislative Committee vote is not the last step in the mercury rule process. I will keep you updated on the next step in the process.

SOURCE: Marc Looze, Clean Wisconsin, WSN mercury issue chair, mlooze@cleanwisconsin.org.

Writer is frustrated over tone at mercury hearing

I share [name withheld's] frustration with "our elected officials" who don't seem to represent us on issues like the mercury rule. The solution is to work to replace some of those representatives with others who better reflect the bi-partisan support for conservation and the environment this state once was known for. I'm working with the Wisconsin League of Conservation Voters (WLCV) to do just that, and would welcome your help!

On the hearing itself, be glad you didn't make the trip south to testify. Following an established pattern, the joint committee invited testimony from agency personnel (they have to give the DNR a chance to explain their proposal) and then perhaps an hour of comments from industry representatives in support of the position of the committee chairs. Only then did they begin taking comments for and against the rule. The speaking order was determined by the chairs and had little or nothing to do with when the speaker signed in. A couple of rule supporters who drove in from the Green Bay to testify in support of the rules were called present their statements around 4 p.m., but they had left by then. The hearing lasted to well after 5 p.m.

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An impressive array of scientists and public health specialists supported the rule along with a number of conservation and environmental groups, but there was little evidence the committee was interested in their comments. The rule is likely to be reviewed next by the Joint Committee on Review of Administrative Rules.

SOURCE: Bill Pielsticker, WLCV, billpiel@merr.com.

Act now to reduce mercury pollution

For years, Clean Wisconsin with dozens of other hunting and fishing, conservation and environmental groups have been working to control mercury pollution in our lakes and rivers. Today, you have an opportunity to help. Please contact Senator Kedzie, chair of the Senate Committee on Environment and Natural Resources and Representative Johnsrud, chair of the Assembly Committee on Natural Resources and let them know you support rules to reduce mercury pollution (Rule CR-01-181) without further delay or weakening.

Remember to copy or call your own Senator and Representative as well. This would be particularly important if they are a member of one of the Committees. **(Members: Senators Stepp, Zien, Risser and Wirch. Representatives Gunderson, Ott, Pettis, Bies, Krawczyk, M. Williams, Black, Gronemus and Huber).** Contact legislators by calling the legislative hotline at 1-800-362-9472 or log onto www.legis.state.wi.us and go to the legislators web page.

SOURCE: Elizabeth Wessel, Executive Director, Clean Wisconsin (formerly Wisconsin's Environmental Decade), 122 State St., Suite 200, Madison, WI 53703 (608) 251-7020, www.cleanwisconsin.org.

Gaylord Nelson says coal-burning power plant threat is serious

An op-ed by former Senator Gaylord Nelson in the July 31 *Capital Times* opens, "More than 30 years ago, when the notion of Earth Day was first introduced, I, along with millions of my fellow Americans, knew we had a duty to respect and preserve our environment. We were driven by a sense of responsibility to future generations.

Today, science has caught up to the pace of social environmentalism. We now know what we once strongly suspected. Years of research and advancements in technology have provided us with solid evidence of the importance of environmental responsibility.

New data have also opened a new and very real issue for our consideration — the correlation between environmental stewardship and our own health. We can now see the impact that various types of development and resulting pollution can have on our own personal well-being." Read the entire piece at http://www.greatlakesdirectory.org/wi/073103_great_lakes.htm.

Metallic Mining

WDNR preparing to start metallic mining rulemaking process

The following scoping statement (notice of intention to start the rulemaking process) appears in the new Administrative Register. It notes that the "proposed rule will have direct application to the proposed Crandon Mine project and will likely be extremely controversial." The statement that it will apply to the Crandon mine applicant is encouraging, given that the DNR executive assistant had publicly stated she wasn't sure if it would.

"A statutory directive to adopt minimum qualifications for mining and prospecting permit

applicants and operators has been present in the statutes for nearly 30 years. The mining rules, for the most part, were drafted in the early 1980s through a consensus process that involved a diverse group of participants. For unknown reasons, the rules did not directly and thoroughly address the requirement to establish minimum qualifications. The omission and hence the need for additional rule-making was recently brought to the Department's attention through a Notice of Intent to File a Citizen Suit submitted by a coalition of environmental and tribal interests.

"The proposed rule will have direct application to the proposed Crandon Mine project and will likely be extremely controversial. At some point in the regulatory process, the applicant will need to demonstrate compliance with the minimum qualifications. The rule will be of interest to legislators and a number of environmental, tribal and business groups. We expect that there will be a wide range of viewpoints as to the nature and scope of the minimum qualifications.

"As required by statute, the rules must be developed in consultation with the Metallic Mining Council, a nine-member advisory body. The Council has not met for a number of years and the terms of all of its members have expired. The Council will need to be re-formed."

SOURCE: WSN source.

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Shoreland Zoning & Water Protection

FMR calls for urban shoreline concerns for NR115 committee

Milwaukee's Riverkeeper, Cheryl Nenn, represents FMR on the urbanized waters subcommittee for the rule revision of NR115, Wisconsin's Shoreland Management Program. This committee will help address specific problems in urban areas where shoreland zones of lakes and rivers have been developed at higher densities than currently allowed for in NR115 or proposed revisions. NR115 deals with shoreland setbacks and buffers, development density, nonconforming structures, minimum lot sizes, and mitigation. Public hearings on this rule revision will be held in the fall. For more information or to provide comments on current revision options, please check out the DNR Shoreland Management website at <http://www.dnr.state.wi.us/org/water/wm/dsfm/shore/news.htm>.

This is a huge opportunity to advocate for corridor and water quality protection, and we are excited to be part of this process. Please call Cheryl with any questions at (414) 476-6042.

SOURCE: Friends of Milwaukee's Rivers, mriver@ameritech.net.

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Construction site runoff options for local governments

Wisconsin could become one of the first states in the nation to take advantage of an innovative option for local governments seeking to comply with new federal rules for control of construction-site runoff. "I'm not aware of any other states doing it," said Eric Rortvedt, state Department of Natural Resources stormwater coordinator. The state's voluntary 'Authorized Local Program' would empower local governments to approve plans and issue permits for erosion control and

storm-water management now issued exclusively by the state. The new program is contained in Wisconsin's first comprehensive overhaul in a decade of rules aimed at curbing nonpoint pollution" See full article at http://www.greenbaypressgazette.com/news/archive/local_11537155.shtml.

SOURCE: WDNR "Basin Briefs," 8-6-03.

Dane County seeking comments on draft Flood Mitigation Plan

The occurrence and impact of flooding are issues of increasing concern to Dane County residents. Severe flood damages over the past decade (notably in 1993, 1996, and 2000) have cost local governments and property owners tens of millions of dollars. Smaller scale, localized flooding occurs in the County on an almost annual basis. The potential exists for future damages to the County's farmland, crops, homes, shorelines, and roads.

In response to this concern, the Dane County Lakes and Watershed Commission and the County's Department of Emergency Management have been directing an effort to develop a plan to minimize future losses resulting from floods. The purpose of the Flood Mitigation Plan is to assess the flood risks that confront the County and to articulate a strategy for implementing feasible, cost effective programs that will reduce the identified risks. The plan outlines the risks associated with flooding, describes existing conditions in Dane County, describes existing flood management programs, and presents a series of steps the County can take to reduce future flood damages.

Before submitting the plan to the County Board, however, the planning team would like to give citizens the opportunity to comment on the draft. In fact, your input is essential. While many flooding issues are regional in nature, the impact is local and personal. This is your opportunity to review the draft plan and provide feedback on the County's flood mitigation strategy.

The plan is available on-line for download on the Lakes and Watershed Commission's website at <http://www.co.dane.wi.us/commissions/lakes/floodmitigation.shtml>

SOURCE: Erik Carlson, Carlson.erik@co.dane.wi.us.

Wisconsin Lakes Convention April 15-17

The 2004 WI Association of Lakes conference will run Thursday-Saturday, April 15-17, at the KI Convention Center, Regency Suites in Green Bay. A planning committee has been convened to determine the program agenda for Thursday of the Lakes Convention, which traditionally has been a special workday to focus on a particular subject.

SOURCE: Susan Tesarik, Wisconsin Association of Lakes, Inc., One Point Place, Suite 101 Madison, WI 53719 (608) 662-0923, stesarik@chorus.net.

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ANNOUNCEMENTS

Caneff named new River Alliance Exec. Director

Denny Caneff has been named the new Executive Director of the River Alliance of Wisconsin replacing Todd Ambts who resigned a number of months ago to head the WDNR water division.

Caneff has been Upper Midwest Region Director for the American Farmland Trust where he oversaw policy, technical assistance, research and land projects in Illinois, Wisconsin, Minnesota and Iowa. Prior to joining AFT's staff in 2000, Caneff worked for various nonprofit organizations in the Upper Midwest for 20 years. His responsibilities included conservation and agricultural policy development, communications and fundraising. His work experience includes seven years as the executive director of the Wisconsin Rural Development Center (WRDC), a nonprofit organization supporting family farming, sustainable agriculture and rural development. Under his leadership, WRDC became the first organization in Wisconsin to promote intensive rotational grazing for livestock, an economically and ecologically sustainable farming system, and helped create sustainable agriculture programs at the state's department of agriculture and the University of Wisconsin-Madison. He also worked for two years as a research associate for the Midwest Technology Development Institute, where he focused on alternative farming and rural economic development entrepreneurship. Caneff earned a master of science degree in agricultural journalism and a certificate in African studies from the University of Wisconsin-Madison and a bachelor of science degree in mass communications from St. Cloud State University.

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Earth Charter Summit Oct. 11-17 in Oshkosh

Perhaps you've already heard about a week-long celebratory event taking place October 11-17 in Oshkosh — the UW-Oshkosh Earth Charter Community Summit? If not, I'd like to invite you to take a look...for your (hopeful) participation in our Green Fair, Saturday, October 11, 2003, from Noon to 5 p.m., following the international web uplink of the world's endorsers.

Of special note: The UW Oshkosh Earth Charter Community Summit is going to be the largest in the world, and has been for two years running! We hope you can attend one or more of our events throughout the week, but we especially encourage you to join us on the 11th for the international day of celebration, concluding in Oshkosh with our highly attended Green Fair.

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Please take a few moments to view our Program, on-line at: www.uwosh.edu/earthcharter and we also invite you to take a look at the larger Earth Charter sites, which help to explain this initiative more fully: www.earthcharter.org.

SOURCE: Dani Stolley, UWO Earth Charter Community Summit organizer, stolley@uwosh.edu, (920) 424.7121.

Nuclear waste report released

Clean Wisconsin (formerly Wisconsin's Environmental Decade) released a report called *Nuclear Waste and Wisconsin* which examines the environmental impacts of a high-level, large-scale nuclear waste facility in Wisconsin. In February, 2002, President Bush recommended Yucca Mountain as the site of the first potential high-level nuclear waste repository; experts are concerned there may already be too much waste to fill Yucca Mountain and that another site will have to be selected. In the 1980s, Wisconsin's Wolf River Batholith, a geological feature covering 5,800 square miles in northeastern Wisconsin, was proposed by the Department of Energy (DOE) as a potential site for large-scale nuclear waste disposal. Additionally, the Bush Administration is pushing for more nuclear power and new plants; creating more waste increases the chance that Wisconsin will be asked to host thousands of tons of our country's nuclear waste.

Wisconsin previously faced the threat of a nuclear repository in the Wolf River Batholith in the 1980s, when the site passed the DOE's screening criteria for acceptable sites. However, Clean Wisconsin's report uncovers that the Batholith contains many of the screening factors that should have disqualified the site. These factors include:

- proximity to populated areas in Shawano, Clintonville, and Waupaca;
- rivers, streams, and wetlands within site boundaries; and
- contains protected lands such as the Nicolet National Forest and the Wolf National Wild and Scenic River.

SOURCE: Clean Wisconsin, schmidtc@cleanwisconsin.org.

Materials exchange keeps items out of landfills

I thought you all might want to know about the Wisconsin Business Materials Exchange — a service to keep useful stuff out of landfills and sometimes a good way to get free things you need — at www.bmex.org. There are lots of industrial materials but also office equipment and other things that might be needed (or discarded) by education centers. I hope it helps!

SOURCE: Chris Beimborn, chrisbe@uwm.edu.

Renewable energy program available

I help run Wisconsin's Focus on Energy Renewable Energy program (www.focusonenergy.com), as well as the Wisconsin Solar Use Network or WisconSUN (www.wisconsun.org). A core part of my renewable energy work is education of the public. People with an interest in environmental issues are audiences naturally interested in renewable energy. Thus, I am interested in speaking to your group about renewable energy systems. Particularly renewable energy for homes, farms and small business. If you can pull together 30 people or more, I would be interested in speaking to your group (or displaying at a related event).



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WSN Member Groups

Get connected...join the WSN

Aldo Leopold Audubon Society
 Anishinaabe Nijjii/ Protect the Earth
 Badger Fly Fishers, Inc.
 Brown County Conservation Alliance
 Central WI Chapter of SOUL
 Central Wisconsin Chapter of TU
 Citizens for a Scenic Wisconsin
 Clean Wisconsin
 Concerned Citizens of Newport
 Door County Environmental Council
 Environmentally Concerned Citizens of Lakeland Areas
 Families and Friends for Social Responsibility
 Frank Hornberg Chapter of TU
 Friends of the Jump River

Green Bay Area Great Lakes Sport Fishermen
 Green Bay Chapter of TU
 Groundwater Guardians
 Habitat Education Center
 Harry & Laura Nohr Chapter of TU
 Inland Sea Society
 Izaak Walton League of America - WI Division
 John Muir Chapter of the Sierra Club
 Lake Superior Greens
 Lakeshore Chapter of TU
 Madison Audubon Society
 Menomonee Valley Partners
 Midwest Environmental Advocates
 Mining Impact Coalition of WI, Inc.
 Neighbors Standing United
 Northern Thunder
 Pheasants Forever - Sugar River Valley Chapter
 Plover River Alliance
 Random Lake Association
 River Alliance of Wisconsin
 Save Our Unique Lands

Shaw-Paca Chapter of TU
 Smallmouth Alliance Southern WI Chapter
 SOUL of Kennan/Catawba
 SOUL of Lake Superior
 SOUL of Rusk County
 SOUL of Sawyer County
 Southern Wisconsin Chapter of TU
 The Muskellunge Club of WI
 Twin Lakes Conservancy
 Waterkeepers of Wisconsin
 WI Association of Lakes
 WI State B.A.S.S Federation
 WI State Council of Trout Unlimited
 WI Wetlands Association
 Winnebago Audubon Society
 Wisconsin Conservation Voters Institute
 Wisconsin Resources Protection Council
 WI Public Interest Research Group (WISPIRG)
 Wolf River Chapter of TU

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WSNetwork News is published twice monthly by the Wisconsin Stewardship Network, Inc., a network of Wisconsin hunting, fishing, conservation, environmental, and other groups interested in protecting and preserving Wisconsin's natural resources.

The WSN's Board of Directors consists of representatives from the following organizations: Brown County Conservation Alliance, Concerned Citizens of Newport, ECCOLA, Izaak Walton League of America, Madison Audubon Society, Midwest Environmental Advocates, Inc., 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's Environmental Decade, and Wisconsin Trout Unlimited, plus individuals who serve as at-large members.

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 WSN Exec. Director Todd Hanson at wsn@chorus.net.

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History of Assembly Bill 174

ASSEMBLY BILL 174

An Act to create 23.33 (1) (g) and 23.33 (3m) of the statutes; relating to: operation of all-terrain vehicles on real property under the management, supervision, or control of the Department of Natural Resources for purposes of hunting. (FE)

2003

- 03-18. A. Introduced by Representatives Pettis, Johnsrud, Hines, Suder, Musser, Seratti, Ainsworth, Gunderson, Albers, Ott, Petrowski and Friske; cosponsored by Senators A. Lasee, Schultz and Stepp.
- 03-18. A. Read first time and referred to committee on Natural Resources 127
- 03-25. A. Withdrawn from committee on Natural Resources and referred to committee on Tourism pursuant to Assembly Rule 42 (3) (c) 146
- 04-22. A. Fiscal estimate received.
- 08-07. A. Assembly substitute amendment 1 offered by Representative Pettis 318

2003 - 2004 LEGISLATURE

LRB-1543/2
MGG:wlj:rs

2003 ASSEMBLY BILL 174

March 18, 2003 - Introduced by Representatives PETTIS, JOHNSRUD, HINES, SUDER, MUSSER, SERATTI, AINSWORTH, GUNDERSON, ALBERS, OTT, PETROWSKI and FRISKE, cosponsored by Senators A. LASEE, SCHULTZ and STEPP. Referred to Committee on Natural Resources.

- 1 AN ACT to create 23.33 (1) (g) and 23.33 (3m) of the statutes; relating to:
- 2 operation of all-terrain vehicles on real property under the management,
- 3 supervision, or control of the Department of Natural Resources for purposes of
- 4 hunting.

Analysis by the Legislative Reference Bureau

Under current rules promulgated by the Department of Natural Resources (DNR), no person may operate a motorized vehicle on land or in bodies of water that are in state forests or in other areas under the management, supervision, or control of DNR unless the operation of the vehicle is specifically authorized by posted notice.

This bill codifies this rule in statute as it relates to all-terrain vehicles (ATVs) and provides an exemption to this rule. Under the exemption, any person who is at least 65 years old or who has been issued a Class A or Class B hunting permit by DNR may operate an ATV on land under the management, supervision, or control of DNR, and on any roadway through such land, for the purpose of legally hunting, field dressing, tagging, and retrieving game.

A Class A permit is issued to a person who has a permanent disability such as cardiovascular disease or a prosthesis and authorizes the permit holder to hunt from a stationary vehicle and to hunt with a crossbow under certain circumstances. A Class B permit is issued to a person who has a temporary disability that restricts mobility and authorizes the permit holder to use any method that is available to a Class A permit holder and that is specifically authorized by DNR under the Class B permit.