

May 28, 2002

Governor Scott McCallum  
P.O. Box 7863  
Madison, WI 53703-7863

Dear Governor McCallum:

Just over a year ago you signed Special Session Senate Bill 1, a landmark law that made Wisconsin the first state in the nation to restore the protection of wetlands to the level that existed prior to the U.S. Supreme Court's wetland-threatening "SWANCC" decision. You worked closely with the Department of Natural Resources, environmental groups, and the business community to craft this law, which was passed unanimously by both the Assembly and the Senate. At the time you signed this bill you said,

*"protecting our precious wetlands became a priority from the moment the U.S. Supreme Court ruling came down and I said early on that it would be a priority for my administration."* [Source: Press Release, 5/7/01, Governor's office].

You made wetlands a priority because,

*"Wisconsin's wetlands are vital for flood control and for keeping our lakes and rivers clean, as well as for protecting fish and wildlife."*  
[Source: Press Release, 5/7/01, Governor's office].

More recently, your campaign advertisements have prominently featured wetlands protection as one of your proud accomplishments.

We are writing today to ask that you continue your commitment to protect Wisconsin's wetlands by vetoing a wetlands exemption provision in the Budget Repair Bill that will come before you shortly. This provision will exempt a wetland fill, to be selected by the Governor, from virtually all existing state requirements and restrictions that would normally apply to wetland fill projects. This provision was introduced in the Senate version of the 2001-2003 Budget Repair Bill and is a variation on an exemption included in 1999 Act 9. The 1999 exemption, also known as the "Ashley Furniture wetlands exemption," was declared unconstitutional in August 2001 by the Wisconsin Circuit Court in Buffalo County. Rather than appeal the Court's decision, the defendants in that case lobbied to have yet another, amended wetland exemption inserted into the 2001-2003 budget. Despite the amendments to the provision, the effect of such a law will be the same: it will allow for the *carte blanche* destruction of almost 15 acres of functional wetlands that prevent flooding, protect species habitat, and keep our lakes and rivers clean.

For these reasons we ask that you remain consistent in your commitment to protect Wisconsin's wetlands by vetoing the wetlands exemption provision of the Budget Repair Bill when it comes before you.

Sincerely,

1000 Friends of Wisconsin  
Midwest Environmental Advocates  
River Alliance of Wisconsin

Sierra Club—John Muir Chapter  
Wisconsin Wetlands Association  
WISPIRG-Wisconsin Public Interest Research Group