

Clean Water Action Council

OF NORTHEAST WISCONSIN

— CELEBRATING 26 YEARS OF WORKING TO PROTECT PUBLIC HEALTH AND THE ENVIRONMENT IN NORTHEAST WISCONSIN —

WINTER 2012

A Changing Ice Fishing Catch in Green Bay Brings Concern for Fish-Eaters

By Dean Hoegger

With fishing conditions ever evolving, the latest catch by Green Bay ice fishing enthusiasts requires careful examination of the Wisconsin and Michigan fish advisories. Not so many years ago, yellow perch were the primary species sought by those looking to stock their freezers and to host a fish fry for their family and friends. Perch were a good choice, not only because they are delicious, but they also have received only modest eating advisories. No more than one meal per week is recommended by the Wisconsin Department of Natural Resources. The Michigan Department of Human Health rates them even better by tagging them with no eating restrictions. While perch were still being caught in the 2010-2011 season, whitefish has become the new take-home catch, and it brings with it some special concerns.

The whitefish total daily bag limit is 10 in Wisconsin Green Bay waters, a limit often reached by many anglers in recent years. It is also common for whole families, especially in the Hmong population, to participate and bring home a “family limit.” When the limit includes prize fish with their tails showing at the top of catch buckets, the level of concern rises even higher.

What are the concerns?

Polychlorinated biphenyls, or PCB’s, and dioxins are chemicals of concern. Both are found in whitefish, and both have serious health implications. Wisconsin recommends eating no more than one meal every two months or no more than six per year. Michigan further recommends not eating those prize catches: whitefish larger than 14 inches. One meal is assumed to be one-half pound of fish, before cooking, for a 150-pound person. For children, a meal is assumed to be four uncooked ounces. So much for the all-you-can-eat fish fry.

PCB’s and dioxins are human-made chemicals present at low levels in Green Bay, but biologically accumulate



in organisms, such as phytoplankton, to much higher levels. As the phytoplankton are eaten by zooplankton and small fish, the concentrations increase, and continue to do so all the way up the food chain. This process is known as biomagnification and results in potentially unsafe levels of these chemicals in the whitefish.

PCB’s have entered the Fox River and Green Bay primarily through the manufacturing of carbonless paper coated with a PCB emulsion. Between 1954 and 1971, Fox River paper mills released an estimated 691,370 pounds of PCB’s into the Lower Fox River. The WDNR estimates that 160,000 pounds of these PCB’s have already entered Green Bay and Lake Michigan and that an additional 620 pounds are annually transported from Fox River sediments into the bay. This annual transfer is why CWAC continues to call for the enforcement of the 2007 EPA administrative order to remove or cap contaminated river sediments.

(See CWAC Fall Newsletter, “Appleton Papers, Inc. and NCR Corp. Leave Their PCB Cleanup for Others.”)

PCB’s are shown to cause a variety of adverse health effects in humans and wildlife including cancer and disorders of the immune system, reproductive system, nervous system, and endocrine system. EPA funded studies have shown a link between mothers who ate PCB contaminate fish and developmental deficits and neurological problems in their children.

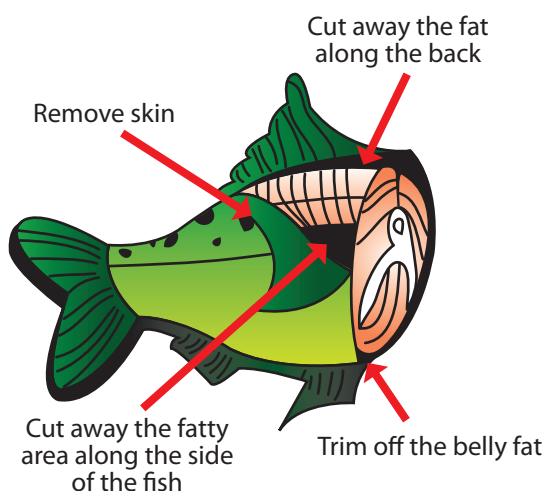
Dioxin, while widely distributed throughout the environment in low concentrations, has additional sources of entry into Green Bay via the paper industry. Dioxin is a byproduct of manufacturing PCB’s and are thought to have entered the Fox River with the PCB emulsion. Dioxin is so toxic, that it is measured in grams rather than pounds, so even the smallest amounts have serious biocumulative

affects. Dioxin continues to enter the Green Bay watershed as a result of industrial incineration and the use of industrial driers for drying contaminated water treatment plant sludges from paper manufacturing. One such plant, Gran Tech, is located in the heart of Green Bay at the corner of Liberty and Ashland streets. The Center for Media and Democracy reports that Koch Industries-owned Georgia-Pacific plant on Broadway Avenue in Green Bay emitted dioxins on-site more than any of the 14 paper facilities emitting dioxins in Wisconsin in 2007.

Since dioxins are widely distributed throughout the environment, most people have detectable levels of dioxins in their tissues. According to the Great Lakes Human Health Network, "This background exposure is likely to result in an increased risk of cancer and is uncomfortably close to levels that can cause subtle adverse non-cancer health effects in both animals, and to a more limited extent, in humans." More than 90% of human exposure is through food, mainly animal products including fish.

How do I minimize risk for myself and my family?

Following the advisories is the first way to minimize risk. Keep in mind that larger fish will contain more of the toxins, which is why the Michigan Advisory warns against eating whitefish greater than 14 inches. Both dioxin and PCB's accumulate in the fatty tissues of whitefish allowing for removal of up to one-half of the toxins through careful cleaning and specific cooking techniques. However, this is not true for fish containing mercury, since mercury is found in muscle tissue.



The diagram above, from the Michigan Fish Advisor, shows how to remove the fatty tissue along the backbone, sides, and belly. Remove the skin, or make cuts through the skin so fat can escape during cooking. Remove all organs, and do not eat the organs.

Cook the fish by steaming, boiling, grilling, or broiling without capturing any of the fat, and do not use the fat for gravies or sauces. Pan frying and deep-frying are methods to be avoided, since more fat is retained using these methods.

Beware of whitefish being served locally, especially when offered on all-u-can-eat menus. Ask where the fish were caught, and note the type of preparation. Breaded and deep-fried, is the least desirable method of cooking since the fats that contain the toxins are retained.

What can I do to keep toxins out of the fish I eat?

Join us in protecting the Green Bay and Lake Michigan watersheds. Help us ensure enforcement of the 2007 EPA administrative PCB clean up order and to prevent new sources of dioxin emission, such as the Oneidas Seven Generations Corporation's trash-to-energy pyrolysis gasification incinerator. Help us to monitor industry and municipal activity and study proposals for new projects to be sure further damage is not done to this valuable fishery.

Downplaying Invasives Not a Good Idea

By Charlie Frisk

A recent article in the Press-Gazette downplayed the harm that can be done to natural communities by invasive species. The author stated that, "Nature adapts to whatever comes its way." The basic premise of his article was that the threats posed by invasives are greatly exaggerated and that our concerns are more driven by our desire to be "masters of our universe," than by any real damage that these invasives can cause.

It would be nice if this was actually true, but in many cases invasives cause severe and irreversible damage to natural communities. Lake Michigan is a classic example of almost complete ecosystem failure due to invasives. The entire cold water fishery is now totally dependent on fish stocking programs by the surrounding state DNRs. The native top predator, the lake trout, has not reproduced in any numbers in decades. Four of the five species of native cisco, the fish that fed the lake trout, have been extirpated from the lake. Between the sea lamprey, the quagga mussel, and a myriad of other invasives, the native fish don't stand a chance. If the hatcheries were to be turned off, within five years the entire sport fishery would disappear from Lake Michigan. The yellow perch in Lake Michigan cannot recover from overfishing by commercial fleets because the zebra mussels improved the water clarity to the point that non-native smelt and alewives catch almost all of the perch fry. The zebra mussel is now virtually gone from Lake Michigan, but that is not good news, it has been out-competed by its larger, also non-native cousin, the quagga mussel.

The west shore wetlands of Green Bay are being similarly devastated by phragmites, a tall cane-like plant. Phragmites is rapidly eliminating the native cattail, bulrush, and sedge meadow communities. Tom Erdman, local bird expert and curator of the Richter Museum at UWGB, maintains that phragmites has eliminated or greatly reduced at least 20 nesting species of birds from the bay. Many of these species are cattail obligates, meaning they can only nest in cattail stands. Terns, grebes, coots, moorhens, rails, bitterns, and yellow-headed blackbirds all fall into this category. Gadwalls, redheads, canvasbacks, and pintails, all highly valued by duck hunters, have all but disappeared from the bay because of phragmites. No one really knows what impacts phragmites is having on invertebrates and fish nursery areas but it is not likely to be good.

Wisconsin's woodlands are being assaulted by buckthorn, garlic mustard, and Eurasian honeysuckle. There are forests in northern Illinois and southern Wisconsin where those three species have largely eliminated the entire suite of woodland species. Garlic mustard competes with the understory plants such as trilliums, May-apples, and jack-in-the-pulpit that bring so much beauty to our woodlands in the spring. Garlic mustard gets an earlier start than our native woodland flowers, grows taller, and completely shades out all competitors. Buckthorn competes both with the understory plants and trees. Buckthorn actually alters the soil chemistry to benefit itself to the detriment of the native trees.

What difference does it make? Plenty! Introduced plants leave their insects behind, thus short-circuiting the entire food chain, resulting in an ecosystem that is far less productive.

Invasives greatly reduce diversity. Hawaii has lost over half of its native bird species, and has one third of the entire nation's endangered bird species, primarily due to invasives. The island of Guam has lost almost all of their native birds due to one introduced species, the brown tree snake. Burmese pythons released in the Everglades of Florida are damaging the ecosystem by eating everything and anything. They consume wading birds, turtles, fish, deer, alligators and endangered crocodiles. They have no effective predators, alligators may kill a few until they grow too large, and then the pythons become very effective predators of the alligators. There are thought to be more than 100,000 Burmese pythons in the Everglades now and any meaningful control of their numbers is probably impossible.

A healthy prairie will support over 400 species of plants. Introduce reed canary grass, and that diversity will dwindle to a mere handful of species. Many of our most desirable game animals and fish are negatively impacted by invasives. Invasives make our natural world less interesting. Which would you rather see, bluebirds or European starlings, trilliums or dandelions, brook trout or carp?

Invasive dominated ecosystems are less interesting, less beautiful, less productive, and very difficult if not impossible to repair once the invaders move in. The best strategy is to keep the invasives out in the first place. It might cost millions to keep the Asian carp out of the Great Lakes but the potential damage if they do get into the lakes would be in the billions. But like the sea lamprey and the quagga mussels once they are in the Great Lakes we will never get them out.

Runaway Mining Train Will Ruin Wisconsin's Fresh Water

By Curt Andersen

How did we get back to this topic of mining after the resounding defeat of the Crandon Mine about ten years ago? Back then, it took a mining moratorium law to stop the permitting of any mining in Wisconsin unless the mining company could show an operating mine in a similar environment that has operated for ten years without polluting, and another mine in a similar environment that has been closed for ten years that has not polluted. The mining companies were unable to find any mines, out of thousands and thousands of mines worldwide, that met these criteria. We thought we had saved Wisconsin's forests and waters from being ravaged by unbridled mining exploitation.

The reason this is an issue again is not the jobs that the mining company and the Walker administration promise, but rather it is a tip of the Walker hat to special interests, such as Gogebic Taconite and Koch Industries. Koch Industries has numerous subsidiaries who would profit greatly from the establishment of operations in Wisconsin.

Governor Scott Walker is only in office now because of his infamous "bait and switch" tactics during his campaign. He never told public workers and school teachers that he would trash their union rights. He never told conservationists, hunters, and anglers that he would favor mining companies that could spoil trout streams and 35 square miles of northern Wisconsin with an open pit mine. This enormous mine has the potential to destroy numerous little creeks and streams that crisscross the area, and thousands of acres of wetlands that serve as filters for our groundwater.

Walker never mentioned he would ruin the DNR, whose charter is to "protect Wisconsin's natural resources," by hiring developer Cathy Stepp as his DNR Secretary and who he has described as having a more "Chamber

**THE "TOP 10" IMPACTS
ON POLICY IN LRB3520
AS REPORTED BY
BADGER DEMOCRACY ARE:**

1. The new law would supersede any rule-making authority the DNR now has regarding mining permitting and regulation.

2. The new law would rescind the requirement for a public informational hearing prior to the release of the Environmental Impact Statement, regarding the content of the EIS.

3. The new law rescinds the requirement for a "contested-case hearing." This hearing is conducted under Administrative rule, with testimony under oath, and allows for cross-examination of testimony.

4. DNR will have a 360 day deadline to act on a permit request. If this window expires, the permit is automatically granted. DNR would no longer have consideration of the "quality of information" submitted in a report, and may not reject a permit based on that question. DNR may request clarification, but this does not delay the process within the 360 day window. A national study shows the average time for a mining permit review to be 2-4 years (source – US Army Corps of Engineers).

5. The new law does not allow for a person aggrieved by a DNR decision regarding permitting to a "contested-case hearing" under administrative rule. The only remedy is in the courts. additionally, the new law states that no citizen may file suit against a permitted mining operation.

6. The new law would loosen the regulations for surface water withdrawal. The DNR would be unable to interfere with the drawing of surface water if doing so would "limit or interfere with the needs of a mining operation."

7. The new law would allow a mining company to request exemption for any law under the permitting process. DNR would have 15 days to respond.

8. The new treatment of the Occupancy Tax would take 50% of the net tax to go into the state general revenue fund. Under current law, 100% stays in the community, and is administered by a local board.

9. Conditions regulating contracts, leases, and record keeping transparency are rescinded.

10. Weakens (virtually eliminated) DNR rule making authority in regard to ferrous mining. The new law also only applies to ferrous mining permitting.

of Commerce point of view." This "Chamber of Commerce point of view" is why the DNR was created in the first place, to stop the unbridled theft and/or ruination of our forests, minerals, and water.

Those of us who were around to fight the Crandon Mine in the 1980s, 1990s, and into the 21st century, will remember how there was a rush to change numerous laws to get the mine permitted. So why is there a big rush to modify Wisconsin's mining rules now? If this bill is so good, why do its supporters want to rush it through? You would think they would want extra time to show everyone how well the bill is going to work for all Wisconsin's citizens. Therein perhaps lies the truth.

The claims about jobs are totally bogus, just like they were during the statewide fight to stop the Crandon Mine. Back then the mining supporters claimed they would "hire locals" to work the mine. The truth, we found, was that the locals they planned to hire were pretenders who would move into the area from Chile, Mexico, Peru, Italy, Canada, or other out-of-state locations. They would move into a nearby community a month or two before the hiring would start. No jobs would have gone to real locals, except for part-time, minimum wage, no benefit, gate guards. The jobs issue is a false hope.

There were numerous other falsehoods exposed when we worked on the Crandon Mine issue. The mining companies bragged that the tailings pile would barely leak any toxic waste. Clean Water Action Council did a little calculating and found that the pile would have been 30 feet tall and would have covered an area equal to most of downtown Green Bay, from Broadway on the west to Baird Street on the east, from Tiletown Brewing Company on the north to Fort Howard Paper Company on the south. Try to picture this pile. Because those tailings would have been full of sulfur, the leachate would have been sulfuric acid, which could have destroyed valuable trout,

walleye, and sturgeon populations in the Wolf River.

This new mine proposal in the Mellen area will negatively affect the Lake Superior watershed as well. Right now, there are dozens of mines surrounding Lake Superior in Wisconsin, Minnesota, Michigan, and Canada. All of them, operating or closed, are leaking toxic materials into what appears to be a pristine and beautiful Lake Superior. Included in the pollution that runs into the lake from those mines are radioactive substances, arsenic, mercury, lead, and other heavy metals that are harmful to you, your kids, and grandkids.

Not only are there changes in the offering for mining, which has been a pestilence on our state's land and water, there are numerous other changes that will deny citizens the right to speak out against such proposals. Assembly/Mining Bill LRB3520 will change everything about Wisconsin's fresh water, and not in a good way. There are rules that will eliminate the input from the Wisconsin Conservation Congress by effectively disbanding it. There goes the public's voice in matters concerning conservation, trapping, hunting, bird watching, and angling.

The deregulation of mining is another step in the wrong direction. There are thousands of former truck drivers in Wisconsin who will tell you first-hand how well deregulation of the trucking industry went. It put them and their bosses out of work. There are millions of people who will be happy to tell you their sad tales about how well the deregulation of the banking industry went and millions who will tell you how well the deregulation of the airlines industry went.

Now, in the rush to deregulate mining restrictions that would allow some big, out-of-state corporate entity to come in and take Wisconsin's minerals, we are fighting the same untruths that we did last time, only this time we have to compete with huge mining companies, the Koch brothers'

immense fortune, and the combined wealth of a thousand phony advocacy groups. This time it's for keeps. Get on board now or lose what gave Wisconsin its singular beauty; lots of clean, fresh water and magnificent forests.

Read the content of the bill at <http://www.co.iron.wi.gov/docview.asp?docid=10246&locid=180>

The Death of the Conservation Congress

By Curt Andersen

The Conservation Congress was brought into being in 1934 during the term of Governor Albert G. Schmedeman, a Democrat, to provide Wisconsin citizens a venue to voice their opinions concerning conservation issues, including hunting, fishing, and trapping laws. Prior to 1937, all fees, seasons, bag limits, and regulations were established by the State Legislature, which was (and still is) unqualified to handle such matters.

s. 15.348, Wis. Statutes says, "The Conservation Congress shall be an independent organization of citizens of the state and shall serve in an advisory capacity to the Natural Resources Board on all matters under the jurisdiction of the board. Its records, budgets, studies, and surveys shall be kept and established in conjunction with the Department of Natural Resources. Its reports shall be an independent advisory opinion of such congress."

Most people know about the Conservation Congress because of two fairly recent issues: a request for a season to hunt feral cats, and a request to hunt doves. Both caused quite a bit of public consternation. The Conservation Congress was a place to be heard and listened to, and that is what happened. The feral cat issue was scratched by citizen vote. The dove issue passed. Everyone got his say. The point is, we all had a voice.

Each district in Wisconsin had a voting location that made attendance easy. People were required to show I.D. to prove they lived in that district. They were given a booklet explaining the issues and a ballot on which to vote. You could stay for the entire hearing or just vote for your favorite issues and then leave. It was well organized and DNR employees and volunteers from Brown County Conservation Alliance did a fantastic job making things go smoothly every year.

Oddly, Governor Walker wants to eliminate the Conservation Congress and install a "town hall type of meeting." This idea lacks any sense. The Conservation Congress meetings in April of each year have served the purposes of a town hall meeting but without having any town or city carry the costs or responsibilities.

There are political reasons for the change, as the Walker administration appears to be rejecting any feedback from the public, especially if it has to do with waters around any new mines or developments. They want all of the power to control the DNR so they can hand out special deals to their donors. That means deals like a permitting process for mining that overlooks the very dark side of mining, the pollution.

Contact your State Assembly person and Senator (see pg. 8) and urge them to keep the people's voice a part of the process. The Conservation Congress has successfully done that since 1937.

If you are interested in getting involved with the Conservation Congress or have a specific question about the Conservation Congress, please contact:

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Regional Interests Involving the WDNR and the EPA

By Jane Blameuser

The five Great Lakes of North America (Superior, Michigan, Huron, Erie, and Ontario) form the largest surface fresh water system on earth. They contain approximately 84 percent of the fresh water in North America and approximately 21 percent of the fresh water in the world. The Great Lakes are extremely sensitive to the effects of pollutants, including toxic and nutrient pollution, invasive species, and habitat degradation. Sources include runoff soils and farm chemicals, direct industrial discharge and leaching, and sewerage waste. Pollutants from the atmosphere such as rain, snow, or dust make the Great Lakes large surface area extremely vulnerable to these atmospheric pollutants.

As the Great Lakes basin encompasses both the USA and Canada, addressing any issues is a complicated process. Within the USA, the EPA and nine other federal agencies administer more than 140 different programs to fund and implement restoration in the Great Lakes basin. Governance of the basin is shared with 8 states, nearly 40 tribal nations, and numerous local, county, and metropolitan sewage systems.

In the past decade, the federal government has targeted funding for Great Lakes restoration and education. The Great Lakes Legacy Act has identified 26 major Areas of Concern (AOC) in the U.S., one of which is the Lower Fox River /Green Bay. The Wisconsin Department of Natural Resources (WDNR) administers this AOC and has an advisory board (The Lower Green Bay and Fox River Area of Concern) made up of local citizens.

This board will meet on Thursday, January 19 from 3:00 - 5:00 p.m. at the Green Bay Metropolitan Sewage District, 2231 North Quincy. *For more information, call Vic Pappas (920-892-8756.)*

In a recent speech at UW Madison, Lisa P. Jackson, an EPA administrator, states that in 2011 the Republicans in the U.S. House of Representatives have passed 170 votes against environmental protection. Lobbying and interest groups with the help of major news outlets claim that the EPA is putting forward a “train wreck” of regulations that will weaken the economy. In reality, there is an unprecedented effort by these groups to rollback the Clean Water Act, the Clean Air Act, and the nation’s waste disposal laws. The U.S. Congress appears to be in a “race to the bottom” for having the weakest health protections and the most loopholes in its environmental policies.

High volume horizontal hydraulic fracturing, commonly known as “fracking,” is an urgent concern of environmentalists around the country. Fracking uses high-pressure water, sand, and chemicals to release trapped natural gas in rock. In the past three years, demand for fine silica sand used in the fracking process has spurred large land transfers from individual Wisconsin residents to out-of-state mining companies. From central to western Wisconsin, there are sixteen frack-sand mines and processing facilities operating, and 25 more proposed sites that would cover fifteen Wisconsin counties.

The sought after sand, known as Northern White, is easily accessible and plentiful in the state. It is the perfect shape, size, and strength for the fracking process. Residents in several counties are concerned about the health and environmental impacts of the mining, as well as the speed that the mining companies are using to purchase land across the state.

In late 2010, the WDNR draft report on the health effects of silica sand acknowledged possible dangers, but concluded that the agency lacked the expertise and resources to monitor silica in the air.

A September 2011 WDNR study was released on what is currently known about the sources, emission, and health effects from exposure to crystalline and amorphous forms of silica. The WDNR states that silica emissions have been controlled by state particulate matter regulations for forty years, and are confident that the past compliance with these regulations will reduce silica emissions. This study was passed on to the Natural Resources Board, which took up the issue in October 2011. Any decision to regulate air quality would be decided by this board. Currently, most of these sand mining operations ask for and are granted a variance to bypass air quality monitors.

Since March 2010, The EPA has held nationwide

public meetings to discuss the fracking process and the potential impacts on drinking water resources. The results will be released in 2012, and a final report in 2014.

Information for this article was obtained for the following websites: www.epa.gov
www.wisconsinwatch.org
www.dnr.wi.gov

The Action in CWAC

By Dean Hoegger

Clean Water Action Council board members took a variety of actions on behalf of the membership and the community of northeast Wisconsin since the last newsletter. Our organization has no paid staff members. The board of directors and member volunteers are carrying out the work of the organization. Membership dues, our annual meeting fundraiser, and donations are paying the expenses for this work, such as printing, mailing, annual fees, phone and internet fees, posters, media campaigns, fees associated with legal actions, and limited travel to state hearings. This is why your participation is so important. Your 2012 paid membership will help us continue taking these actions and keep you informed. Your volunteer check-off, or a phone call or e-mail to us will help CWAC connect you to volunteer opportunities. Listing your e-mail in the *Action Alerts box* will keep you informed of environmental concerns, actions we have planned, and ways you can participate.

The following are our most significant activities since September...

Polluters Over People Bill

Clean Water Action Council Treasurer John Hermanson and I joined 229 other concerned citizens, some representing the Sierra Club, the Wisconsin Wildlife Federation, the Bad River Band of the Lake Superior Tribe of Chippewa Indians, or the Wisconsin League of Conservation Voters to testify or register against the bill at a joint hearing of the Natural Resources and Environment Committees on October 26, 2011.

Special Session AB / SB 24 was dubbed Polluters Over People Bill by the Wisconsin John Muir Chapter of the Sierra Club because it threatened to roll back some of Wisconsin’s most vital environmental protections. This legislation appears to be an attempt to weaken environmental law to suit the needs of mining interests, such as Gogebic Taconite. Specifically, it would remove air emission modeling requirements for new air permits.

Under current law, applicants must perform air dispersion modeling for such activities as taconite pellet processing and the associated electrical generating plant.

It would also create default, or presumptive permits, for high capacity wells needed for metallic mining operations. Under the proposed law, the Department of Natural Resources would only have 30 days to complete the hydrological studies needed to assess the impact of taking more than 70 gallons of groundwater per minute, which is the threshold for a high capacity well application. However, mining requires much more water. For example, the Crandon Mining Company High Capacity Well Permit Application included a request to use up to 1,150 gallons per minute and estimated the draw down could affect wells up to 1.7 miles away.

The bill also has other unusual, and seemingly, unrelated provisions. It would make it more difficult for citizens to follow and react to new applications by requiring only Internet based notices and reducing time to review applications from 30 days to only 20 days. It would also shift the burden of proof regarding the accuracy of information contained in an application from the applicant, which could be a rich corporation, to private citizens. Additionally, there are a number of provisions that would make lake and river dredging easier, approve existing illegal large pier structures, and even provide a single developer relief from court action in order to develop condominiums on a lake bed.

Rep. Brett Hulsey, D-Madison, told the Wisconsin State Journal, "This appears to be a back-door attempt to promote mining and take away people's right to have their concerns heard." The legislation, introduced by two Republican lawmakers on behalf of the governor appears be exactly that, as well as favors to the governor's campaign supporters rather than the necessary DNR reform it is claimed to be. In the hearing, Hulsey asked why this reform was needed when 97% of the permits are approved in less than 25 days?"

Senator Wirsch, D-Kenosha, questioned DNR officials at the hearing regarding where the participation by the state holders was when this legislation was written. "What environmental groups were at the table?" he asked. The DNR knew of none. Rep. Molepske, D-Stevens Point, reminded the committee of the DNR's role. "Their charge is the environment first!"

No further action on the bill was scheduled and it appeared that legislators heard the message. However, because it was a "special session" bill it could move with little notice so, we continued to follow it. Then on December 8, an amended version of the bill was introduced. The same day, Republicans from the assembly introduced LRB 3520, a complex 183-page bill that guts Wisconsin's

mining safeguards. Hearings for both bills were given less than a week's notice with both scheduled on December 14, one at the capital and one in Milwaukee. **This appears to be an attempt by the extremist anti-conservation forces to divide and conquer the opposition in an effort to rollback decades of environmental progress before the end of the year.**

Contact your state senator and assemblyman to express your concern with changes to Wisconsin's current mining safeguards. Following these bills, or bills on other topics, would be a great way for a CWAC member to take action and get involved.

Legal Actions to Protect Health and the Environment

James Saul, from McGillivray, Westerberg & Bender, reported that there was nothing we could release to our members at this time regarding the pending legal actions that we reported in the Fall 2011 issue.

Dennis Grzezinski, of Midwest Environmental Advocates, reported that they looked at our request to seek a legal remedy for insuring that the Fox River PCB clean up would continue this spring. As we reported in the Fall 2011 issue, dredging came to an end when US District Court Judge William Griesbach essentially reversed his previous ruling that required Appleton Papers and the NCR Corporation to pay for a significant part of clean-up costs. Unfortunately, MEA determined there is no citizen suit provision to enforce the EPA's Administrative Order, in that enforcement of the Order is essentially in the hands of the EPA. We must urge the EPA to continue to enforce the Order to remove dangerous PCBs from Fox River sediments.

Write a letter to the EPA or your newspaper expressing your outrage that the PCB cleanup has stalled.

Providing Support and Community Organizing to Groups Opposing Oneida Tribe's Trash to Energy Plant

CWAC provided extensive support to individuals and groups opposing the Oneida Seven Generations Corporation (OSGC) trash to energy gasification plant, which essentially is a two stage incinerator. We have sided with the opposition not because the technology is unproven, but because it is proven to be just as harmful to health as other commercial incinerators. It also reduces efforts to reduce, re-use, and recycle. Worst of all, the citizens have been given false information by OSGC, city officials, and the Green Bay Press-Gazette. OSGC President Kevin Cornelius first sold the facility by saying that it used a closed looped process and there would be no smokestacks.

Later the plan showed numerous smoke stacks. Mayor Jim Schmitt reported to TV 26 that Incinerator Free Brown County (IFBC) had not contacted him about their opposition. Yet the fact was, he had received letters from the group and had been present during their testimonies. Even the Green Bay Press-Gazette wrongly reported, "Biomass protestors keep the heat on," in reference to a rally held against the trash to energy incinerator. This facility would not burn biomass. It would be licensed to burn municipal solid waste including non-recyclable plastic, foam packaging, carpet and carpet padding, furniture, and other non-biomass material.

CWAC has worked closely with IFBC in planning and implementing a number of actions. A media campaign was launched using four Next Media digital billboards, which ran in key Green Bay locations for 14 days. We organized and provided signs for a good turnout of protesters who demonstrated their opposition prior the Materials Separation Plan hearing held at the Brown County Library on December 1. Three CWAC board members attended the hearing along with IFBC members and citizens who were alerted to the meeting. IFBC representatives have had at least two follow-up television interviews regarding the billboard, bringing more attention to the opposition. Together, we have launched a petition to boycott Oneida Tribal businesses until construction is halted. The petition and other valuable resources are available at www.incineratorfreebrowncty.com

On December 6, I met with Oneida Tribal Business Chairman Edward Delgado to hear first-hand what the official tribal position was on the project and to express the desire of CWAC's board to work as environmental watchdog partners with the tribe in the future. We wanted to send the message that being on opposite sides of this issue did not dampen our enthusiasm to be partners in the future. The chairman stated that he, and the entire business committee, was in favor of the project and that they trusted the DNR's evaluation of, and subsequent permitting of the plant. I pointed out that DNR was granting them a permit to pollute, and that we worried that the plant would exceed those limits based on studies of similar projects. Mr. Delgado agreed to read the literature I gave him. I agreed we would refrain from making any reference to the Oneidas in our media campaigns, but instead would use Oneida Tribe, which the chairman said referred to the government of the Oneidas.

A great way to get involved as a CWAC volunteer would be to circulate anti-incinerator petitions in your neighborhood or those neighborhoods most closely affected on the northwest side of Green Bay. Email us to request a petition and contact me (Dean) at 920-495-5127 to participate in the January 14th petition drive.

Letters to the Editor

Board members wrote letters to the local newspapers of which three were published in the *Green Bay Press Gazette* and one in the *Door County Advocate*.

Please consider writing to your local newspaper on issues of concern. Feel free to contact us for information or assistance with a letter.

Action Needed for Office Search

CWAC is searching for a free or low-cost office space in the Green Bay area. Our vision is to be a resource to the community. We want our organization to have a home where members and concerned citizens can bring their environmental concerns, and then work together with members from other organizations towards solutions. Ideally, we would like to be part of a community of service organizations sharing a larger complex.

Please contact us if leading the office space search is the ideal volunteer job for you.



YOUR ELECTED OFFICIALS

When communicating with these officials, you can use their website "Contact" link below, which includes your name, address and ZIP code so the staff can verify you are a constituent of that Member of Congress. Be sure to reference the bill number and talk about the impact of the bill on the district or state, and your own reason(s) for opposing it.

Your District's Congressman

Tom Petri - District 6
<https://petri.house.gov/>
 2462 Rayburn HOB
 Washington, DC 20515
 Phone: (202) 225-2476
 Fax: (202) 225-2356

Sean Duffy - District 7
<https://duffy.house.gov/>
 1208 Longworth HOB
 Washington, DC 20515
 Phone: (202) 225-3365 or
 Toll Free: (855) 585-4251
 Fax: (202) 225-3240

Reid Ribble - District 8
<https://ribble.house.gov/>
 1513 Longworth HOB
 Washington, DC 20515
 Phone: (202) 225-5665
 Fax: (202) 225-5729

Your U.S. Senators

Ron Johnson
<http://ronjohnson.senate.gov/>
 386 Russell Senate Office
 Building
 Washinton, DC 20510
 (202) 224-5323

Herb Kohl
<http://kohl.senate.gov/>
 330 Hart Senate Office
 Building
 Washington, DC 20510
 (202) 224-5653
 Fax: (202) 224-9787



To contact your State Assembly person or Senator,
 go to: <http://legis.wisconsin.gov>
 Click on:
 Who Represents Me?

Join Clean Water Action Council in 2012!

Name(s) _____

Address _____

City _____

State/Zip _____

Phone _____

E-Mail _____

() Please send me, privacy protected, occasional action alert e-mails.

() I would like to volunteer. **Please contact me to help with:**

- ☐ the newsletter ☐ events ☐ website
☐ joining or leading one of the committees ☐ other

() \$20 Individual () \$30 Family (this amount would really help)

() \$50 Sustaining () \$100 Donor () Other \$ _____

() \$5 for mailing newsletter OR provide your e-mail address below
for an eco-friendly version sent privacy protected

E-Mail _____

Send check or money order to:

Clean Water Action Council
P.O. Box 9144
Green Bay, WI 54308

COMMITTEES

Non-Point Pollution: Charles Frisk

Special Events: Bev Watkins

Public Health: Dean Hoegger

Membership, Finance and Fundraising: John Hermanson

Renard Island: Curt Andersen

Phone numbers are listed under 2011 Leaders

Legacies, memorials, and direct gifts are deeply appreciated.

**Please contact our treasurer, John Hermanson at
tug3@centurytel.net for more information.**

2011 LEADERS

Officers

Dean Hoegger, President
920-495-5127

Charlie Frisk, Vice-President
920-406-6572

Curt Andersen, Secretary
920-434-1288

John Hermanson, Treasurer
920-845-5479

Board Members

Jane Blameuser
920-468-1509

Audrey Thompson, Website
920-498-0197

Bev Watkins, Newsletter
920-866-3648

CONTACT US

By phone:

920-421-8885

*If you leave us a message, we will try
to get back to you within 24 hours.*

By mail:

Clean Water Action Council
P.O. Box 9144
Green Bay, WI 54308

By e-mail:

Our new e-mail is ready to go:
contact@cleanwateractioncouncil.org



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of Northeast Wisconsin

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Green Bay, WI 54308

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Find us on Facebook for updates on hearings such as the Oneida Trash to Energy Project and current or upcoming events.

www.cleanwateractioncouncil.org

MARK YOUR CALENDAR

Hearings

~ **January 24** - A class 1 contested case public hearing in the matter of the application of Richard Resch for a permit to place a wind turbine on an existing solid pier on Green Bay, Town of Green Bay, Brown County, Wisconsin Case No. IP-NE-2010-5-05480, will be held at 9 a.m. in Central Meeting Room 1 at the Brown County Central Library, 515 Pine St., Green Bay. For more information contact the Division of Hearings and Appeals at (608) 266-7709 or go to <http://dnr.wi.gov/org/caer/ce/news/hearmeet.html>

Meetings

~ **January 19** - The Lower Green Bay and Fox River Area of Concern Citizen Advisory Committee will meet from 3 to 5 p.m. at the Green Bay Metropolitan Sewerage District, 2231 N. Quincy Street, Green Bay. The Department of Natural Resources has created an advisory group of local governments, nonprofits, residents, outreach/education, and private business representatives to make recommendations regarding actions to restore impairments in the Area of Concern. For more information contact Vic Pappas at (920) 892-8756.

~ **CWAC Board Meets the last Wednesday of the month.**
Contact us for the location of the meeting.

Actions

There will be anti-incinerator petition drive on Saturday, January 14, to show opposition to the Oneida Tribe's gasification incineration plant. Contact Dean Hoegger at 920 495-5127 to volunteer.