



Wisconsin Conservation Congress  
 Environmental Committee  
 Meeting Minutes

**WCC Meeting Minutes**  
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<b>ORDER OF BUSINESS</b>	<b>10/3/2020</b>	<b>9:30 A.M.</b>	<b>Virtual (Zoom) Meeting</b>
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**I. ORGNIZATIONAL MATTERS**

**A. CALL TO ORDER**

<b>Meeting called to order by</b>	Meeting called to order by Chair Mary Ellen O'Brien at 9:35 A.M.
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**B. ROLL CALL**

<b>ATTENDEES</b>	There are 17 members on the Environmental Committee; 15 people were present, representing a quorum: Chair Mary Ellen O'Brien, Secretary Scott Pitta, Douglas Kurtzweil, Claude Bovi, Dave Blunk, Thomas Johnston, Ronald Krueger Sr., Marc Schultz, Lester Ryder, Allan Balliet, Jason Shelley, Michael Grimm, Mitch Baker, Ryan Lee Schutte, and Barbara Dahlgren.  The following DNR staff and WCC liaisons attended the meeting: Kari Lee-Zimmerman, Falon French, Chris Tall, Brent Alderman, Tara Bergeson, Madi Johansen, and Paul Hartrick.
<b>EXCUSED</b>	The following members were excused due to other commitments: Co-chair Julie De le Terre and Cassandra Erickson. Mary Ellen O'Brien noted that previous members Yvonne Mertig (Ashland County), Rick Koenig (Marathon County) and Duane Hoefs (Burnett County) have transferred to other WCC committees.
<b>UNEXCUSED</b>	None
<b>GUESTS</b>	The following resolution speakers and visitors attended the meeting: Bruce Keyzer (Washburn Co.), Dan Herscher (Washburn Co.), Connie Champnoise (Richland Co.), Dave Vold, Washburn Co.), Tom Wilson, (Vernon Co.), Bill Bussey (Bayfield Co.), Janet Wittman (Chippewa Co.), Mike Tewalthomas (Washburn Co.), Joe Russo (Bayfield Co.), Dan Barth (Marathon Co.), Kevin Welke (Chippewa Co.), Charles Curell (Chippewa Co.), Karen Martis (Chippewa Co.), Chris Woppert (Chippewa Co.), Brooke Schneider (Chippewa Co.), Beth Kreofsky (Chippewa Co.), Maricclair Schneider (Chippewa Co.), Nick Schneider (Chippewa Co.), and Tim Schneider (Chippewa Co.).

**C. AGENDA APPROVAL/REPAIR**

<b>DISCUSSION</b>	None
<b>ACTION</b>	A motion was made by Marc Schultz and seconded by Lester Ryder to approve the agenda. Motion carried.

**D. REVIEW COMMITTEE MISSION STATEMENT**

<b>DISCUSSION</b>	Dave Blunk read the mission statement into the record:  The mission of the Environmental Committee of the Wisconsin Conservation Congress is to review citizen resolutions, rules, policies, regulations, and legislation affecting the air, land, and waters of the state of Wisconsin. The committee's purpose is to ensure that the ecosystems of Wisconsin are fully protected with every effort taken to support Wisconsin's native flora and fauna and educate the citizenry. The committee will work with DNR staff and the citizens of the state to effectively protect the health and integrity of Wisconsin's natural ecosystems, utilizing the best available knowledge, technical resources, and keeping a balance for all interested stakeholders.
<b>ACTION</b>	A motion was made by Lester Ryder and seconded by Michael Grimm to approve the mission statement. Motion carried.

**E. PUBLIC COMMENTS**

<b>DISCUSSION</b>	<p>Seven people contacted Mary Ellen O'Brien ahead of the meeting asking to speak on the Energy Innovation and Carbon Dividend Act resolution. Two people asked to speak on the Lake Salisbury resolution. One person asked to speak on the Vegetative Buffer resolution and one person asked to speak on the High Capacity Well resolution.</p> <p>No other public comments were received.</p> <p>All guests were asked to introduce themselves after the meeting was called to order. Some guests expressed appreciation for being invited to the meeting and the opportunity to speak on their resolutions.</p>
<b>ACTION</b>	None

**II. INFORMATION & ACTION ITEMS**

**A. Citizen Resolutions**

<p>1. Resolution supporting the Energy Innovation and Carbon Dividend Act (020220, 040620, 180120, 530120, 570420, 630120 and 660120) <b>See Attachment 1</b> – representative resolution #020220</p>	
<b>DISCUSSION</b>	<p>Seven identical resolutions from Ashland, Bayfield, Eau Claire, Richland, Sauk, Vernon and Washburn counties were submitted. Seven people spoke in support of this resolution: Bruce Keyzer (Washburn Co.), Tom Wilson (Vernon Co.), Joe Russo (Bayfield Co.), Bill Bussey (Bayfield Co.), Connie Champnoise (Richland Co.), Dan Herscher (Washburn Co.), and Dan Barth (Washburn Co.). The speakers organized their presentations to minimize duplication and to present/emphasize particular aspects.</p> <p>Speakers summarized key concerns with increased CO<sub>2</sub> emissions such as climate change and associated impacts to the economy, farming, recreation and conservation.</p> <p>DNR liaison Tara Bergeson reviewed DNR's initiatives on climate change and clean energy. Per Governor Evers' Executive Order #38, The Department of Administration has created an office of clean energy that will work with DNR to develop a clean energy action plan for Wisconsin. There is also a climate action team involved in this effort.</p> <p>Committee members asked whether taking any action would be appropriate due to the uncertain status of this legislation (HR Bill 763) if there is a change in administration.</p>
<b>ACTION</b>	<p>A motion to advance this resolution was made by Barbara Dahlgren and seconded to Ryan Schutte. Motion carried.</p> <p>After further committee discussion that included comments on other carbon reduction initiatives through EPA, the auto industry, and state programs, there was general consensus that the goal of the federal act which is to reduce carbon use and encourage clean energy technologies has merit for backing by the WCC, DNR, and the Natural Resources Board.</p> <p>A motion was made by Douglas Kurtzweil and seconded by Scott Pitta to amend the last paragraph of the resolution to read: "Would you support the Conservation Congress in endorsing and encouraging the U.S. Congress to enact a revenue neutral, carbon fee and dividend act?" Motion carried.</p>

<p>2. DNR must deny water permits for the Dairyland Energy Cooperative's Nemadji Trail Energy Center (040420, 050320, 130520, 170220, and 410620)  <b>See Attachment 2</b> – representative resolution #040420</p>	
DISCUSSION	<p>Five identical resolutions from Bayfield, Brown, Dunn, Dane, and Milwaukee Counties.</p> <p>There were no speakers on this resolution. Mary Ellen O'Brien summarized background information from the committee's resolution packet.</p> <p>Dairyland Power Cooperative proposes a new 625-watt natural gas-powered electric generating facility referred to as the Nemadji Trail Energy Center in Superior. The Wisconsin Public Service Commission published a final Environmental Impact Statement in September 2019. Several DNR programs contributed to this EIS. The PSC issued a conditional approval on January 31, 2020. Several DNR permits and approvals are required by the applicant: These include wetland fill, waterway impacts, air pollution control, endangered species review, construction site storm water discharge, waste water treatment, and high capacity well approvals. Actions on most have not yet been completed.</p> <p>Committee discussion included the observation that the main focus of this resolution seems to be concern about fracking. It was also noted that DNR has already been involved in this proposal through the EIS process that was carried out by the Public Service Commission. The EIS process afforded an opportunity for environmental concerns to be identified and addressed. In short, DNR would not be in a position to deny future permits if all of the requirements for permit issuance have been met by the applicant.</p>
ACTION	A motion to reject this resolution was made by Lester Ryder and seconded by Dave Blunk. Motion carried.

<p>3. Eliminating the risk of a Line 5 spill (040520, 050420, 130420, 400120, 410520, 450220, 520220, 680220, and 710320)  <b>See Attachment 3</b> –representative resolution #040520.</p>	
DISCUSSION	<p>Nine identical resolutions from Bayfield, Brown, Menominee, Outagamie, Winnebago, Dane, Racine, Milwaukee, and Waukesha Counties. Some of the resolutions had multiple signatures for a total of 19 signatures.</p> <p>There were no speakers on this resolution.</p> <p>Committee discussion included a comment that the Bad River Native American Tribe did not renew a lease with Endbridge for the pipeline to pass through the reservation. Therefore it was routed around the reservation causing strong concerns about potential impacts to Copper Falls State Park.</p> <p>Further discussion indicated concern about the wording in the last paragraph of the resolution. The WCC is not in a position to <u>direct</u> the Natural Resources Board or the DNR to take particular actions.</p> <p>In general, committee members agreed with the environmental concerns brought up in this resolution and suggestions were made for revising the language in the last paragraph.</p>
ACTION	<p>A motion to advance this resolution was made by Michael Grimm and seconded by Barbara Dahlgren. Motion carried. Following discussion, a motion to amend the resolution was made by Michael Grimm and seconded by Marc Schultz. Motion carried to amend the last paragraph of the resolution as follows:</p> <p>"Be it resolved that the Wisconsin Conservation Congress oppose construction of the new Endbridge Line 5 segment due to the environmental risks it represents, and encourage Endbridge to decommission the pipeline."</p>

<p>4. Lake Salisbury Boat Usage (090420) <b>See Attachment 4</b></p>	
DISCUSSION	<p>Three people spoke in opposition to this resolution: Janet Wittman (Chippewa County), Kevin Welke, (Chippewa County), and Beth Kreofsky (Chippewa County). Janet Wittman also submitted a letter to the environmental committee expressing her viewpoints about this resolution. In general, those who spoke in opposition to this resolution did not agree with the concerns raised, and noted that decisions about this lake should be resolved at the local level.</p> <p>DNR liaison, Madi Johansen reviewed information provided by DNR Chippewa County fisheries biologist, Joseph Gerbyshak. There have been no fishery surveys conducted on Lake Salisbury because it is not open to the public. Without fishery information, it is difficult to know how populations have changed over time. DNR recommends that no fishery regulation changes be made on this lake until there is data to show that a change is warranted.</p> <p>DNR recommended that the resolution author and other interested persons contact the local DNR office for further discussion about local options. DNR liaison Paul Hartrick stated that the resolution author could contact his office for further information and guidance. He suggested that the town board would be the appropriate body to develop an ordinance regarding use and restrictions on the lake. He also noted that the town would also need to be responsible for enforcement.</p> <p>Committee discussion included questions about whether there is a lake association that governs this lake, a suggestion that fishery surveys might be able to be conducted through DNR's citizen science program, and other ideas for local action. There was consensus among committee members that this resolution represents a local issue. It was agreed that the response to the resolution author should recommend that a local DNR office be contacted for further information and guidance.</p>
ACTION	<p>A motion was made by Marc Schultz and seconded by Dave Blunk to reject this resolution because it did not meet the statewide importance resolution criterion. Motion carried.</p>

<p>5. Establish perennial vegetative buffers along rivers, streams, and ditches (660620) <b>See Attachment 5</b></p>	
DISCUSSION	<p>Resolution author, Dave Vold, spoke in favor of this resolution.</p> <p>DNR liaison, Madi Johansen noted that Wisconsin's Shoreland Management Program (NR 115) has a 35-foot setback requirement (from the ordinary high water mark) for all waterbodies in unincorporated municipalities.</p> <p>Committee discussion noted that there have been similar past resolutions regarding buffers along streams and lakes. It was also noted that in areas without shoreland zoning ordinances, the NR 115 setback requirements do not apply. After further discussion, there was general consensus that a specific question based on this resolution would have merit at the next spring hearing.</p> <p>DNR reiterated their previous position on similar resolutions that legislative action would be required to enact a law with specific new buffer distances.</p>
ACTION	<p>A motion was made by Dave Blunk and seconded by Barbara Dahlgren to advance this resolution with suggested wording conducive to a spring hearing question. Motion carried.</p> <p>Mary Ellen O'Brien agreed to draft amended language for this resolution and share it with the committee.</p>

6. Evaluation and restriction of high capacity wells in the State of Wisconsin (660820) <b>See Attachment 6</b>	
DISCUSSION	<p>Resolution author, E. Michael Tewalthomas spoke in favor of this resolution and noted that it is the same resolution he submitted in 2019.</p> <p>DNR liaison, Madi Johansen provided some updated information regarding DNR's review of high capacity well applications. A previous Attorney General's opinion that restricted DNR review has been lifted in May, 2020. DNR is now able to make fact-specific determinations for proposed high capacity well applications if presented with sufficient concrete, scientific evidence of potential harm. For each application, DNR will assess whether the well is within a groundwater protection area; will result in 95% water loss; degrades drinking or groundwater; when combined with existing wells will result in significant impact to a spring of greater than 1 cfs flow; when combined with other wells will result in significant impact to a navigable water; when combined with other wells will impair a public water system.</p> <p>Madi Johansen also noted that DNR is wrapping up the 3-year central sands study that examined the effects of groundwater withdrawals on water levels in three Waushara County seepage lakes. The results are due to the legislature by June, 2021. More information is available on DNR's website under Central Sands Lake Study.</p> <p>In view of the above information, DNR is not in a position to offer any specific suggestions about changes to its practices for reviewing and acting on high capacity well applications and legislation would be required to change current practices.</p> <p>Committee discussion included observations that high capacity well concerns stem mainly from wells used by consolidated animal feeding operations (CAFOS) and concerns that DNR has not done a good job of monitoring such wells. One member suggested DNR is doing all it can to monitor and enforce high capacity well requirements and standards. It was also suggested that because this resolution is the same as the 2019 resolution, some changes to language in the last paragraph need to be made. Some members thought there would be merit in bringing concerns about high capacity wells to the public at the next spring hearing.</p>
ACTION	<p>A motion was made by Thomas Johnston and seconded by Ryan Schutte to advance this resolution with language changes to update it from the 2019 version, and that would make it more conducive to a spring hearing question. Motion carried.</p> <p>Mary Ellen O'Brien agreed to draft amended language for this resolution and share it with the committee.</p>

**B. Department Information and Updates**

DISCUSSION	DNR liaison Madi Johansen mentioned updates to DNR's Aquatic Plant Management Program. Paul Hartrick noted that DNR's vacant warden positions have mostly been filled and that staff should be near full capacity by December. Doug Kurtzweil thanked Paul for the work done by DNR wardens.	
ACTION	None	
PERSON(S) RESPONSIBLE:		DEADLINE:

**C. Future Committee Meetings**

DISCUSSION	<p>New WCC chair, Tony Blattler, wanted this agenda item added to allow members an opportunity to weigh in on possible meeting dates, times, and agenda content. Motions can also be made if desired.</p> <p>In general, committee members support having Saturday meetings and would like as much lead time as possible prior to holding the meetings. There was support for having the meetings before September 15. DNR liaison participation is important so future scheduling will try to meet their availability while also choosing a date that most committee members can make. A couple of members noted that the Zoom meeting format is good in that it saves a lot of travel time.</p>	
ACTION	None	
PERSON(S) RESPONSIBLE:		DEADLINE:

**III. MEMBER MATTERS**

DISCUSSION	<p>Several committee members thanked DNR for their handling of the Zoom meeting and for participating in the environmental committee meetings.</p> <p>Barbara Dahlgren noted that the environmental committee's mission statement has duties other than reviewing citizen resolutions and suggested that an additional Zoom meeting might be a good way to bring up and discuss other topics. Such a meeting could also be held in conjunction with the annual meeting. Barbara also suggested that a debrief Zoom meeting be held after the District Leadership Council takes action on the citizen resolutions submitted by the environmental committee.</p> <p>Marc Schultz stated there is merit in letting the Natural Resources Board know about citizen resolution topics that did not advance to the spring hearings. It should still be of interest to the Board to know what issues Wisconsin's citizens are concerned about.</p> <p>Scott Pitta suggested that if the same resolution is introduced three times, it should automatically go to the Natural Resources Board.</p>
ACTION	None

**IV. ADJOURNMENT**

MEETING ADJOURNED	A motion to adjourn was made by Michael Grimm and seconded by Douglas Kurtzweil. Motion carried. Meeting adjourned at 1:55 P.M.
SUBMITTED BY	Mary Ellen O'Brien, Chair, and Scott Pitta, Secretary.
DATE	October 17, 2020