

DCEC Newsletter

published by
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Spring
2003

JIM ZIMMERMAN INDUCTED INTO CONSERVATION HALL OF FAME

*Consultant to DCEC for several years before his death,
our friend Jim Zim receives an honor he richly earned.*

James Hall Zimmerman now numbers among the select group honored by inclusion in the *Wisconsin Conservation Hall of Fame*. He was inducted into the Hall of Fame on April 12, along with Ingeborg Lothe of Poynette, the leader of the recycling movement in Wisconsin, and Forest Stearns, a University of Wisconsin-Milwaukee botanist. The inductees are memorialized in the Conservation Hall located at the Schmeckle Reserve in Stevens Point.

Jim Zimmerman, 1924-1992, brought important ecological messages to thousands of people of all ages and walks of life as a naturalist, educator, and communicator. He was equally adept at penning a newspaper column, leading a field trip and writing a detailed ecological study. He was a naturalist at the UW-Madison Arboretum from 1955 until his death in 1992. He also did extensive naturalist and fieldwork in Door County, Wisconsin. His newspaper column appeared in the Wisconsin State Journal.

Jim Zim, as he was affectionately known, co-founded the *Wisconsin Wetlands Association*, a group dedicated to identification, restoration and preservation of Wisconsin wetlands. Jim also performed a major

project commissioned by Door County, identifying and mapping natural features with significant need for protection. The colorful Zimmerman resource maps, which were completed while working as a consultant for DCEC, are always on display at our public functions. These maps are the original resource maps created by Jim and his wife Libby during their work here in the 80's and continue to be valuable reference tools.

We are proud to have been associated with Jim Zimmerman during his extensive work for the County and for DCEC. There are many fond memories of the field trips, the canoe explorations, and the gentle and subtle way Jim had of conveying his deep concern over the loss of critical areas here in Door County and throughout Wisconsin.

“One of the most pleasant afternoons I remember was the time I spent with Jim Zimmerman exploring the reaches of the Hungry Settlement Marsh on the Ahnapee Trail in Southern Door County,” DCEC Executive Director Jerry Viste recalls. “Jim Zim will be remembered here in the County as a good friend and sincere keeper of resources, a shining and realistic example of proper and dedicated stewardship.”

- **DCEC Wastewater Guide** is published and distributed throughout the County.
Public Meetings with author of the “Guide”, scheduled for **May 7 and 8**
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- **On the state scene:**
 - * Mercury Pollution—not to ignore.
 - * Protection from high capacity wells.
 - * Local or state control of big farms?
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- **Shipwrecks for Diving**- Public Trust Doctrine and Riparian Rights *Story on Page 4*
- **Ahnapee River Group** forms for watershed protection *Story on Page 3*
- **Renewable Energy and Sustainable Living Fair** June 20-22, 2003 - Custer, WI - an event not to miss. *Story on Page 8*

DCEC publishes "Wastewater Guide" for Door County

Waste treatment and development patterns are linked

Door County Citizens' Guide to Small Wastewater Systems is a comprehensive handbook about the treatment of human waste. This is a subject that concerns us greatly in Door County, where most sewage is treated on the site where it is produced and where thin soils and fractured bedrock make pollution a genuine hazard. In our rural county, onsite wastewater systems are continually being added for new development, and for replacement of failing systems. Our *Citizens' Guide* will help people make the best choices for their new or replacement systems.

The *Guide* also contains valuable information for county and local planning committees whose work will result in infrastructure choices for the future. Infrastructure drives development. If a community sees no alternative but to run a sewer to a new development, that community will experience the consequence of encouraging "secondary growth". As an alternative to the "either/or" choice between sewer lines and individual septic systems for an outlying development, Wastewater Cluster Systems deserve full consideration and study. They are described in detail, in the *Citizens' Guide*.

Cluster development basically means that homes are sited on just part of the land, leaving the remainder undeveloped as "green space". Instead of a septic system for each house, an appropriately designed and engineered cluster system serves them all. This preservation of green space is vital to the scenic attractiveness of our tourism dependent county. Cluster systems help safeguard water quality, by

being engineered for the site, and by having a "responsible management entity" to make sure they are operating properly. Water quality is further enhanced by reduced run-off pollution, because less of the total site is likely to be impervious surface when buildings are clustered.

We are in a crisis of development in Door County, with our rural areas increasingly dotted with residential development. We believe that Door County (or the individual towns, in the absence of county action) should *require* clustering in new rural subdivisions, by means of appropriate zoning and sanitary regulations. We must set a higher standard for development, or our County will continue to lose its charm and essential character.

We are distributing the *Citizens' Guide* throughout the County, to local officials, sanitary system professionals, citizens' groups, libraries, schools and individuals. You can request a free copy from DCEC.

The author of *Door County Citizens' Guide to Small Wastewater Systems* is Stephen John of Environmental Planning & Economics, Inc., Decatur, IL. Mr. John is very familiar with Door County, dating from the 1980s when he was commissioned by the County to analyze onsite wastewater systems and make recommendations for their regulation. That Report was published in 1988. More recently, Stephen John authored a study on Holding Tanks In Door County for DCEC. This new publication, *Guide to Small Wastewater Systems* is his second project commissioned by DCEC.

Wastewater treatment, ground water pollution, bad wells, beach closings these are complex, matters that are inextricably related to the amount and type of development. It is in the best economic interests of Door County citizens and seasonal property owners to support meaningful land use reform and sanitary regulations.

Public programs to explain and answer questions about small wastewater systems

Wastewater Guide author Stephen John will conduct two days of public information meetings on small wastewater systems. Steve is a national expert on the subject and will answer questions about a full range of topics, including cluster systems. As noted above, he is very familiar with Door County's particular situation. DCEC's Wastewater Guide is his third project in the County.

The following locations and times in Door County are set to ensure that there is a convenient time and place for everyone interested to find out the latest facts regarding wastewater treatment and new alternatives.

Wednesday, May 7th Forestville Town Hall in Maplewood, 7:30 pm

Thursday, May 8th Courthouse General Meeting Room in Sturgeon Bay beginning at 1:00 p.m.

Thursday, May 8th Bertschinger Center in Egg Harbor beginning at 7:30 pm

These presentations are free and open to the public. We sincerely invite all interested citizens, county and town officials, and professionals in wastewater services.

Ahnapee River Watershed Protection Group

Many friends of the Ahnapee River are recognizing as an irreplaceable resource, the scenic and nearly pristine waterway that has beginnings in Southern Door County and Kewaunee County. A group of these people responded to urging by Jerry Viste, DCEC Executive Director, John Slaby, a concerned resident of rural Algoma, and Pat Robinson, UW Extension Lake Michigan Basin Coordinator, to organize as a group dedicated to preservation of the Ahnapee.

At a Knudson Hall meeting on January 30th a slate of officers was elected to head this new resource group. John Slaby was elected as President and Lonnie Fenendael as Vice President. Secretary named was Mark Feuerstein with Russ Stoller as Treasurer. Also named to the Board of Directors were Jerry Viste, Lewis Gibson, Joe Musial, Mary Ludlow, Randy Schmidt, and Rob Anderson.

Meetings of the group in February and March resulted in a mission statement, by-laws, and operational procedures. The group will give priority to issues that need immediate action, as well as focusing on planning efforts to deal with threats to the character and quality of the Ahnapee corridor.

The watershed that supplies this great stream has origins that extend far into southern Door County and south nearly to Brussels and Kolberg. In Kewaunee County, the stream begins as Silver Creek, draining the Black Ash Swamp and beyond to Rio Creek connecting with the northern branch after leaving the Bruemmerville Dam and Millpond. The Ahnapee in Door county begins near Highway 57 (near Tornado Park)

DCEC Board Member Donna Brown and Executive Director Jerry Viste, at the Bruemmerville Dam on Silver Creek near Algoma.

and joins Door County's Silver Creek to become the Ahnapee. From the Forestville Dam it meanders along Highway 42 between Forestville and Algoma and can be crossed at Highway X and Shestock's Bridge on Washington Road.

This is an excellent canoeing stream, peaceful, and a great place to observe wildlife in natural habitat. As a prelude to suggesting formation of this river group, DCEC Board members toured the entire River length in August 2002 with Lisa Goodman of the Wisconsin Rivers Alliance. Many areas of the bordering shore land are heavily wooded wetlands or floodplains that are protected under State control. However, there are uplands and idle farmlands that are being held for speculation and possible access right-of-way for future development. To further complicate the preservation efforts, some of the towns in Door County where the River is located are unzoned and open for exploitation.

One of the many objectives of the support and preservation group will be to ensure that the river corridor remains pristine for future generations. This will be a real challenge with the intense development pressure that will come with the advent of four lanes of rapid access for commuters wishing to live in the country, especially along a beautiful stream such as the Ahnapee.

If you are interested in sharing the effort to preserve this great river, please join the group. We'd really like to have your help. Our monthly meetings are noticed in the local papers and radio. Please feel free to call a board member, listed above, or Jerry Viste at 920 743 6003.

CELLPHONE RADIATION STUDY

In lab rat studies of cell phone radiation researchers are finding a 2% brain cell death occurring at 0.1 watt. This exposure is one-sixth the usual output of a cell phone. Cell phones use microwave radiation for signal transmission. Previous studies have shown cell phone radiation causing leakage of the blood/brain barrier. Additionally the 'wireless' office uses the same radiation to transmit signals. (The study's author reduces exposure by using a headset while using a cell phone.)

Some notes from Science News, Feb. 23, 2003

RIPARIAN RIGHTS AND PUBLIC TRUST DOCTRINE

In August of 2002 there was a second attempt by the *Nimrods Dive Club*, headquartered in Green Bay, to place an old vessel in Lake Michigan as a diving recreational and training facility. A retired fire tug, the *Joseph Medill*, was towed to Sturgeon Bay from Chicago, then to Algoma from Sturgeon Bay. The tug broke free from its tow ropes while en route to Algoma and ended up on a sand bar north of Algoma for a few weeks, later to be removed to the Ahnapee River harbor in Algoma where it remains.

An application to sink the tug was submitted to the Department of Natural Resources (DNR) in August of 2002 with the city of Algoma listed as co-applicant. The city is a riparian owner, and meets the criteria as a co-applicant. (Riparian rights are allocated to property owners within the boundaries of their shore property and extend into the Lake or other body of water.)

The DNR has requested additional information on the proposal, including: history of the vessel, contaminant samples with handling and disposal plans, engineering studies on the vessel and location, along with clarification of riparian zone where the sinking is to occur. The diving club was also requested to submit a log of dives completed during the last three years. The diving club maintains that this venture is necessary as a training facility for divers and would be an asset to the community as a recreational area for other divers to utilize.

According to Michael Hanaway of the DNR, the Department has serious

concerns with the request to sink this ship and projects similar to this which have been proposed in Wisconsin's Lakebed areas. None have been approved. The Department views placing the diving attraction on the bed of a public trust water as a private use of a public resource, in this case a lakebed.

Some feel the structure would serve the private interests of a relatively small group, and that there is no demonstrated need. There already are 700 known wrecks on the Lake bottom, with others being discovered yearly. Allowing this to proceed would establish a precedent and open the door for other recreational demands on the public owned lakebed.

It is likely that the vessel would be encrusted with zebra mussels within a short period of time, and this would serve as another proliferation area for the destructive mussels. There is much concern by the Department that this sinking would also interfere with sport and commercial fishing in the area, with entanglement problems even though the vessel would be deep enough to not be a boating hazard. It could become a hazard for divers with the accumulation of lures, nets, downriggers, etc. The site is also relatively far from rescue services, with the Coast Guard Station at Sturgeon Bay being some distance away.

During the 2002 Conservation Congress Hearings statewide, there was a vote concerning sinking of ships in public waters which clearly indicated that sportsmen, fishers and others, did not want any sinking to happen

in Wisconsin waters. The vote was 4659 to 833 to *not* allow, with Door County and Brown County supporting the minority position in favor of the sinking.

The first attempt by the diving club to sink a vessel in Lake Michigan, involved the *Straits of Mackinac*, a ferry boat that served Mackinac Island traffic for years before being located in Sturgeon Bay as a floating warehouse and machine shop. It was towed to Kewaunee where it awaited determination of riparian rights, as the diving club had no such rights by State Statutes. That application was withdrawn and the *Straits of Mackinac* was towed to Chicago after the owner of the marina in Kewaunee requested the removal of the vessel.

The city of Algoma has agreed to utilize its riparian rights as a co-applicant in the current proposal and the plans presently list the area of Three Mile Creek, which is some distance south of Algoma, as the sinking site. Some would argue that this is beyond the riparian rights of the City and should not be considered. Others would argue that the City would be assuming a tremendous liability for the indefinite future, as there is always an element of risk when anyone is doing anything underwater.

Other states around Lake Michigan do allow sinking efforts similar to this. We hope that Wisconsin does not follow that lead and create a violation of the State's Public Trust Doctrine. There are enough natural wrecks in our lake caused by natural disasters to make this seem like an unnecessary venture.

SHARED TOXICS Studies are finding a cocktail of synthetic chemicals in our bloodstream, including heavy metals, flame-retardants, pesticides, herbicides, artificial hormones, and plastic compounds. These chemicals did not exist in blood 50 years ago, and are known to harm or are suspected of harming health. Because of different metabolic rates, children are especially susceptible. The body burden of banned and restricted compounds including DDT, lead, and PCB has dropped since earlier studies, indicating proper regulation works. Children eating organically raised vegetables had one-sixth the concentration of pesticides as children who eat conventionally raised vegetables.

Mercury Pollution: Bad for Wisconsin's Wonderland

By Marc Looze, Clean Air Campaign Director
Wisconsin's Environmental Decade

Picture the Mad Hatter from Alice in Wonderland. Mercury was used to make hats - and over time, the Mad Hatter was exposed to too much mercury. While a lot has changed since then, mercury poisoning is still a threat, mainly from eating large fish with high levels of mercury.

Mercury is a dangerous toxin that can have detrimental effects on the human brain and central nervous system, harmful even in very small amounts. In the last decade, the documentation of harm to a child's mental and physical development has occurred with smaller and smaller doses of mercury. The National Academy of Sciences estimates that each year, 60,000 children are born in the U.S. who may suffer brain damage and learning disabilities because their mothers ate mercury-contaminated fish.

In Wisconsin, the largest source of mercury pollution is coal-burning power plants, which are uncontrolled. Other large sources include waste incinerators and one chemical plant in Port Edwards. The mercury emitted into the air from these sources falls back to the earth in rain and snow, and into surface waters. Some small mercury sources include thermometers, thermostats and mercury switches.

So how can we work together to reduce mercury pollution? The Natural Resources Board (the governing body of the DNR) soon will be voting on a rule that could reduce mercury pollution from coal burning power plants by 90%. The legislature will also have a chance to review the mercury regulations. It is crucial that you make your voice heard. We need a 90% reduction in power plant mercury pollution and quick! Please call the Natural Resources Board, 608-267-7420, to urge favorable action on the rule.

New legislation will protect state's groundwater

from Wisconsin Stewardship Network News

Legislation introduced March 17th will strengthen protection for our state's groundwater supplies. The proposal, introduced by Representative Spencer Black, will close a major loophole in Wisconsin's groundwater law. Black's proposal would add criteria to the current law that requires permits for high-capacity wells, wells that can draw more than a hundred thousand gallons of groundwater a day. Current Wisconsin law allows the state to deny a high-capacity well permit only if it threatens a public water supply. If a high capacity well threatens to harm streams, lakes, or wetlands, the state

lacks clear legal authority to deny the permit.

The loophole in current law became evident when Perrier, a subsidiary of Swiss conglomerate Nestle Foods, submitted an application to withdraw 720,000 gallons of water a day from Big Springs in Adams County. The DNR had no authority to deny the application because the well did not adversely affect a *public* water supply and issued the permit to Perrier even though the Perrier well threatened to affect local lake levels and wetlands. The project was eventually stopped only because local zoning permission was denied for a factory to bottle the water.

"Our current groundwater law is too weak. Wisconsin needs clear legal authority to make sure that our water resources are not harmed by Perrier or anyone else if their operation is found to endanger our streams, lakes or wetlands," Black said.

DCEC notes that although the new criteria would be a gigantic step in regulating large aquifer withdrawals, there remains a need for protection of *individual* water supplies. If a development with major water withdrawal affects local wells owned by individuals, those homeowners have no recourse even if it can be proven that the development did impact their groundwater supply. They would be obliged to try to recoup their losses or extra expense with the uncertainties and expense of legal action.

This is a matter of concern wherever there may be more high-capacity wells for Door County, whether the intended purpose be a residential or commercial development or a large cattle operation.

ACTION ALERT: MEGA-FARM BILL PROPOSED TO DENY LOCAL CONTROL

State Senator Dale Schultz (R) Richland Center and Representative David Ward (R) Fort Atkinson are proposing legislation that would remove the authority of local government to issue permits for mega-farm operations. The authority would be given to the State for approval under State standards which are not currently in place but would be adopted to favor the large farm operations. Presently there are no air control standards and in all probability there will be none in the State requirements. Rep. John Gard, (R) Peshtigo, joined others in support of the legislation. The Governor has reacted favorably so far.

If passed, this legislation would give mega-farms a siting advantage at the expense of local decision making and environmental protection. Please join in the battle to keep Wisconsin's air and water free of odor and animal waste pollution. It's happening all over the State right now and no one seems to be able to keep it from occurring. WRITE OR CALL GOVERNOR JIM DOYLE and your state legislator and urge him to stop this destructive bill before it can be implemented and become a Wisconsin law.

Jerry Viste

DO YOU LOVE DOOR COUNTY???

Then help us protect it... please.

I support the Door County Environmental Council, working to preserve our heritage of natural resources.
Please enlist me as one of the following: (check enclosed)

Individual Member	\$15	Family Membership	\$25
Student Member	\$10	Sustaining Member	\$35
Guarantor	\$50	Donor	from \$100

Renewal? _____ New Member? _____ Door County Voter? YES _____ NO _____

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Please name your Door County municipality (town, village or city) _____

All donations are tax deductible to the extent the law provides.

DCEC is a nonprofit, tax exempt organization.

We supply receipts that meet IRS requirements for your gift of \$250 or more.

Thank you for being part of DCEC!

mail to: Door County Environmental Council, Inc. P.O. Box 114 Fish Creek WI 54212

for more information, call DCEC at 743-6003

Please contact DCEC if you are interested in attending a board meeting, or volunteering in any way. We could especially use someone to plan a campaign to increase our membership. The more we have, the more we can do!

Visit DCEC on the Internet!
doorcountycompass.com/dcec/

Thanks to Steve Kastner of DesignWise Studios.

e-mail DCEC at dcec@itol.com

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Let's Adopt Those Beaches

Meeting on May 22 at 7:30 in Sturgeon Bay!

DCEC has joined forces with the Lake Michigan Federation to initiate their "Adopt-a-Beach" program here in Door County. This comes as a direct result of the problems that we have experienced in Wisconsin and the County with unknown factors causing illness and beach closings. Various county and state agencies are taking steps to identify the causes of these problems and monitoring water quality on a regular basis. However, the fact remains that there are far too many beaches in the County to be monitored by any agency. There are fifty-five beaches open to the public, including small town beaches that will have not much attention.

The "Adopt-a-Beach" program will organize private citizens who own shore property, or others who belong to local organizations and property owner groups, to utilize their leisure time in patrolling the local beaches. They will formally "adopt" a section of beach or a particular beach that is their favorite.

Each participant or group is asked to monitor their "adopted" beach starting with the first Visual Assessment in April or early May which involves litter and water quality monitoring. This is followed by another in visit in June, another in July, August and the final in September. After each visit you

should record your findings in the Adopt-a-Beach database including water quality analysis (if you participated in that function) and a complete record of litter found during that visit. You would also include in your visit log the amount of resident waterfowl present at each time during the season of monitoring. Schools involved who choose the long-term schedule will have the option of water quality testing with basic E-coli test kits provided, with the results becoming part of the database.

With the "Adopt-a-Beach" program, you can:

- Help restore Lake Michigan's health,
- Learn about lake front issues and how to work toward solving problems,
- Serve your community through hands-on volunteer work,
- Understand local governance and decision-making process in regard to Lake Michigan, and
- Create a channel through which you can vocalize concern over beach closings and other lake front issues.

Mark your calendar for Thursday, May 22nd.

Laurel O'Sullivan and Stephanie Smith of the Lake Michigan Federation along with DCEC's Jerry Viste will explain the concept of the "Adopt-a-Beach" program. **Join us at 7:30 in the 3rd floor meeting room of the County Courthouse in Sturgeon Bay** for an evening of information and enthusiasm for making our Lake and our beaches clean again.

2003 is "THE YEAR OF THE WATER"

14th Annual DCEC Essay Contest

In observance of **Earth Day, April 22nd**, and the "**Year of the Water**" proclamation by Wisconsin's governor, DCEC is conducting our annual essay contest for students grades 5 through 12. This is the 14th annual contest sponsored by the Council and is open to all public, parochial, private and home-taught students in the County. In this "year of the water", the students are to write about their ideas for solutions to water quality problems.

PCBs in the waters of Green Bay

Water quality is also a major concern in the continuing clean-up delays and inadequate financial settlements, for PCB contamination of the Fox River and Green Bay. Even though scientists have indicated that 80% of the PCB deposits are located in the Bay of Green Bay, the entire cleanup proposal is dedicated to the Fox River. As DCEC has testified again and again, there should be major concern over what the future will bring, if the Bay deposits are not removed: the PCB laden deposits move counterclockwise within the Bay along the Door Peninsula. In regard to remediation funds, there is no fund established for the damage that will occur in the future, perhaps decades from now. The taxpayers/property owners will be left with the expense. It is time to let your voice be heard. Contact Governor James Doyle, Room 115 East, State Capitol, Madison WI 53702 and Mr. Scott Hassett, Secretary, WI DNR, PO Box 7921, Madison, WI 53707.

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Have you sent in your dues to DCEC?

We need your participation, and your paid membership. You need DCEC to work for Door County's environment.

See page 6 for details. Thanks!

MREA Renewable Energy and Sustainable Living Fair June 20-22, 2003 - Custer, WI

MREA stands for the Midwest Renewable Energy Association. Several DCEC board members have attended this fair. We heartily encourage our members to do so this year! It is one of the oldest renewable energy affairs in the nation. Each year thousands of people from around the world attend. MREA's Renewable Energy and Sustainable Living Fair three-day festival is the world's largest venue to learn about renewable energy, energy efficiency, and sustainable living.

The Fair offers over 100 workshops presented by experts from across the US, including working demonstrations of renewable energy and energy efficiency technologies; products that help consumers save money, save energy, and protect the environment; special workshops and entertainment for children and families, and a friendly festival atmosphere. Here are some of the highlights for the Fair this year:

Featured Speakers,

Randy Udall, Director of CORE (Community Office for Resource Efficiency), Aspen, Colorado. Randy is an active Board Member of Solar Energy International and the Colorado Renewable Energy Society, and was on the State of Colorado's "Renewable Energy Task Force." Randy's own home is powered by grid connected PV and solar hot water (a system that he estimates keeps 20,000 pounds of CO2 out of the atmosphere each year). Randy's numerous environmental and scientific writings have appeared in National Wildlife, Audubon, Outside, Sierra, and the LA Times.

Will Williams, Vietnam Vet and Peace Activist, Madison, Wisconsin. Will Williams' black beret reflects his political evolution. Williams will discuss his evolution from Vietnam vet to peace activist. He will also discuss the role that our nation's dependence on oil plays in war.

Fair Schedule

All workshops will be running on the hour, starting at 10:00 am each day.

**For information about the Fair or to volunteer to help, contact Tehri at tehri@the-mrea.org.
More information at <http://www.the-mrea.org/>**