

DCEC Newsletter

Environmental News for Door County



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Lake Michigan Water Diverted? New Berlin Makes Diversion Request

THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES is considering a proposal to divert Lake Michigan water outside the Great Lakes basin in New Berlin, Wisconsin—apparently *ignoring its obligation to a Federal law* requiring approval from all eight Great Lakes governors.

This approval is a mandated requirement of the *Great Lakes Compact* which was adopted after six years of deliberation and mutual agreement by the Great Lakes governors and Canadian Premiers.

Moving forward with New Berlin's proposal would hinder legally binding protection for the lakes that will ensure a healthy economy and ecology for today's and future generations.

New Berlin's application comes as another attempt to use access to Lake Michigan's water resource as a solution to their water quality and quantity problems. These problems are facing many smaller cities just outside of the Lake's watershed boundary.

A short distance from Milwaukee, New Berlin has had severe water shortages. Some of the shortage is due to a lack of any real water conservation policies in the past that might have ensured a future supply for the community.

Their request comes at a poor time, as their attempt to apply an "interim protocol" will lessen the incentive for the Wisconsin legislature to move ahead and pass the compact into force as state law.

As chairman of the *Council of Great Lakes Governors*, Governor Doyle was key to the final agreement on the compact language, with all eight states required to ratify the agree-

Please see Water—Page Six

A Fond Good-bye to Patricia Harris

THE BOARD AND STAFF OF DCEC were saddened to hear of the death of Patricia Harris on November 18th. Pat, as she was affectionately known by all, was a DCEC board member for many years and served as our president for two terms.

During her tenure as president, many important projects were completed to better serve our resource protection efforts in Door County. The most outstanding of these efforts was the hiring of Stephen John to do research and author homeowner publications. Pat was also intensely involved in many other equally important issues.

While reviewing the years he had known Pat Harris, Jerry Viste, executive director of DCDC, commented, "Pat was a real asset to our organization and was one of those rare people who always had time for a friendly conversation and seemed to bring cheer with her during times that were challenging. We will all miss her very much."

The Board of Directors and Staff extends their sympathy to the family of Patricia Harris. We will always cherish her memory and her outstanding work for our environment.



DCEC Incorporated in 1971 under the laws of Wisconsin as a nonprofit, tax-exempt corporation

Watch Out for the Emerald Ash Borer

IN OUR LAST NEWSLETTER WE brought you the basic information on the newest and nastiest invasive insect to threaten our forest resources, the Emerald Ash Borer. In October, DCEC sponsored an in-depth presentation at *Cross-roads at Big Creek* by Linda Williams, *WDNR Forest Health Specialist*, addressing the problems associated with this potent, new threat.

Ash trees are 6.8 percent of the total forest population in Wisconsin. In Michigan and Illinois, the borers presently impact mostly urban and roadside areas. At this date, no infestations have been found in Wisconsin, but their signs may not be visible yet for infestations already in place.

In her presentation, Linda stressed that if an infestation is found in a specific tree or grove of ash trees, a cutting effort must take place *immediately* to lessen the spread. All ash trees within a radius of one mile must be cut down and destroyed. When this is done, the likelihood of eradicating the beetle is considerably increased.

This may appear to be a drastic measure to control the spread of these insects, but the alternative would be to let them pursue their destructive agenda. The Emerald Ash Borer prefers ash trees that are under stress and can detect them because they have a scent distinct from that of healthy ash trees.

If an entire woodland has signs of EAB infestation, and is

verified, the ash trees are doomed and harvest should take place quickly to reduce the loss of salvageable timber. The intent of the program is to halt the spread from a single infested tree to the surrounding non-infested trees. At this time, the only working solution is removal.

Specialists are working on options: natural enemies, other methods of control, etc., but as of now, nothing has proven effective. Some commercial business ventures claim to have valid treatments that inject insecticides to control the borer, but these have not yet been proven effective.

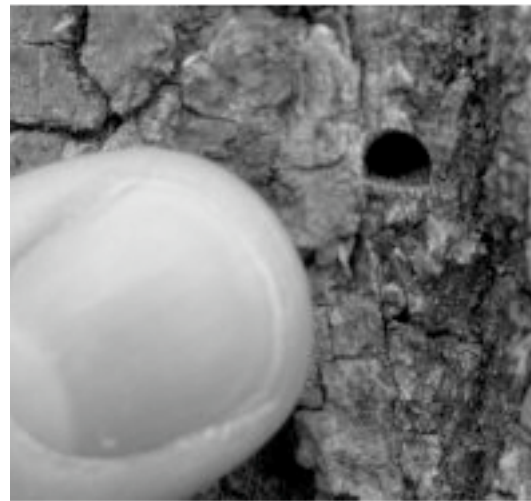
We need to be aware of the signs of infestation: upper branches showing loss of leaves and the telltale half-round bore holes in the bark. If you remove some of a suspected tree's bark and find a serpentine burrow, chances are you may have an infested tree. An expert should be called in for final determination.

Once these signs are present, the tree is doomed and the elimination process should be completed. The alternative is to let the borer proceed and watch the neighboring trees succumb to infestation. The sad result in this case would be similar to Dutch Elm Disease, which destroyed all but the most isolated and strongest elm trees resistant to the disease. (The

Gypsy Moth is an entirely different affliction that is easily seen and can be treated with constant spraying practices.)

Let's hope that controlling predator insects can be found, or

Please see Borer—page six



"D" Shaped Borer Exit Hole

Pulliam Plant Pollution Litigation Settled

THE LONG-POLLUTING PULLIAM coal-fired generating plant at Green Bay will now become legal under an agreement reached by the owners and the litigants seeking enforcement of Federal standards. The J.P. Pulliam Plant, which is owned and operated by Wisconsin Public Service Corporation, will come into compliance after more than six years of violation of Federal emission standards.

The litigation that was filed more than a year ago by the *Sierra Club* and *Clean Wisconsin*, with support from DCEC, has resulted in a mutual agreement to ensure that compliance will take place into the future. The corporation has agreed to the terms of the settlement which resolves the Federal suit that was filed when the groups discovered that air-monitoring reports submitted to the Wisconsin Department of Natural Resources exceeded the legal pollution limits.

The limitations had been knowingly exceeded for years and no agency was holding the corporation accountable. In cases such as this the only recourse is litigation to force compliance. The

terms of the settlement include:

- Upgrade air pollution controls on *all* coal-fired units.
- Invest \$500,000 in an energy efficient project in the Green Bay area.
- Limit use or shut down the two oldest and dirtiest coal-fired generating units.

The most dangerous emission of coal-fired plants is the particulate, which consists of tiny particles of soot. It causes respiratory diseases, chronic asthma problems, and other effects directly related but unknown at this time. These tiny particles lodge in the lungs and are transported by the blood stream, causing related long-range related afflictions. So, any decrease in the amount of particulate helps alleviate health problems.

Mercury emissions, which are responsible for contamination of every lake in Wisconsin, mandating fish consumption advisories, should also be reduced by the requirements of the new agreement. Mercury is a brain-damaging heavy metal that is transported through the atmosphere as a result of coal

Please see Pulliam—page five

DCEC Questions Horse Trails in Bluff Park

MANY INDIVIDUALS ARE CONCERNED with the long-range effect of a proposal allowing horse trails in the present natural-state Door Bluff County Park. As a result of their concerns, an investigation into the proposal, with a prognosis for its future uses, was made by DCEC with an on-site evaluation of the potential impact of this project on the existing primitive state of the parkland.

This use would have many effects on the presently undisturbed flora and fauna of this dense woodland park.

First and foremost, it would be a fair presumption that a full evaluation of possible residual endangered or listed plant species must be conducted. If not, a professional study during the normal growing season would be an **absolute requirement** before any disruption is allowed.

We are aware of the presence of *viola rostrata*, an endangered small violet-like flowering plant.

There may be others that have protection mandated by law. There are several qualified plant specialists within the county who would do a professional evaluation for a minimal fee or free, in the interest of knowing which endangered or threatened species are present in the park.

The state parks in the county are not open to horse use because of the potential for terrestrial damage and possible liability to other park users. It would be extremely difficult to forecast the amount of use horse trails would encourage in this park and what the ultimate effect would be on the desire of other users to also utilize the recreational potential of the park.

As the trend and pressure continues in the county for more recreational needs, it would be fair to predict that snowmobilers and other *motorized* users will also demand access to this

woodland facility. (It will be very difficult to deny further uses if a particular use, in this instance horse trails, is allowed.)

Though it may seem remote at this time, future generation(s) might see less value in pristine woodland areas. The park could ultimately become just another "place."

As this park becomes more well-known because of a

designated use, the problems associated with more visibility and popularity would also appear. Once the recreational public is aware that trails exist in this park land, the door will be opened to increased demands of other groups wanting equal rights.

The canal property near Sturgeon Bay is an example of unauthorized use creating ecological problems through uncontrolled use. Once this resultant destruction begins, the existing means of bringing the ecological abuses under control

are difficult, ineffective and will remain a permanent problem.

Given very careful consideration of the ultimate ecological effect on this citizen-owned property, we urge that the effort to create any permanent trails for any recreational use by a specific group of users be denied.

As the only remaining public-owned, wild land in our county, *this park must be left in its primal condition* and no specific uses in any category should be allowed. The recently adopted *County Parks Plan* mandates possible footpaths as the only use to be allowed in this park. It would be wise to follow this plan as the direction for future use of all county-owned parklands... period!

We owe this stewardship effort to the next generations of citizens seeking a genuine wilderness experience



Bluff Park Scene

Sturgeon Back in Sturgeon Bay?

STARTING IN 2006, the Wisconsin Department of Natural Resources (with additional funding provided through the Great Lakes Fish and Wildlife Restoration Act and the Great Lakes Fishery Trust) raised sturgeon in a streamside rearing facility on the Milwaukee River at **Riveredge Nature Center** in Newburg.

Sturgeon there are raised using Milwaukee River water to maximize the probability that they will imprint to that river and return to spawn 15 or so years from now when they reach maturity.

Eggs were obtained from Wolf River sturgeon in April and transferred to the **Riveredge** facility. The **Riveredge** staff

and volunteers were largely responsible for the daily operations of the fish-rearing facility.

In 2006, twenty-seven lake sturgeon were raised and released in October as large fingerlings. The project is under the direction of the Southeast Lake Michigan supervisor, Brad Eggold. A similar project is planned for the Manitowoc River.

[Ed. Note: In a recent article in the Door County Advocate, it was reported that skeletal remains of medium-sized sturgeon are washing up on the shores of Sturgeon Bay, possibly indicating that the species is making a come-back in local waters.]



Baby Sturgeon Fingerling for Release

Changes Proposed for PCB Cleanup Plan

THE ENVIRONMENTAL PROTECTION AGENCY and Wisconsin Department of Natural Resources propose to modify the current cleanup plan for sections of the Lower Fox River/Green Bay [referred to as operable units 2-5 (OU 2-5)]. This includes areas of the Fox River from Appleton to Green Bay.

The original plan primarily involved dredging of the river and bay, removing contaminated dredging material to landfill sites.

While designing the cleanup, engineers collected new information that has the EPA and DNR considering changes to the current cleanup plan. These changes would combine “capping” with dredging in order to reduce the amount of dredging required in areas where dredging would be virtually impossible. Capping will now be used in those areas. (Engineered caps consist of coverings placed over sediment in some locations and could be from 13 to 33 inches thick. They would consist of 6 to 15 inches of sand and 7 to 18 inches of stone in combination.)

The proposed plan would separate the sites into much smaller areas allowing the cleanup to be customized to meet the particular conditions of each area.

The proposed plan includes:

- Dredging 3.7 million cubic yards of contaminated sediment from designated sites (Down from the original 7.6 million yards planned.)



The Fox River from Green Bay to South

- Separating sand from the sediment and using it on and off the site to further reduce the amount of landfilled material.
- Using a combination of “capping” and “dredging” in Green Bay near the mouth of the Fox River.

- Using engineered caps in selected areas such as those where dredging could cause riverbank damage, or where contaminated sediment is deeply buried, or in the navigational channel as long as the cap is at least 2 feet below the authorized bottom of the channel—or lastly, near utilities where dredging would pose a risk to those facilities.

- Using sand covers as an alternative to dredging areas where the maximum PCB level is less or equal to 2 ppm and where the contaminated sediment is no thicker than 6 inches.

- Monitoring of caps and covers to ensure that contamination will not be released since some of the contamination will be left in place.

The basic difference between the original plan and the proposal is: far less dredging and more capping and covering of existing contaminated deposits. (The cost figure would be dropped by \$190 million dollars using the proposed plan.)

A public information meeting will be held at 7 pm on December 5, 2006 at the Brown County Library, 515 Pine Street, Green Bay. Representatives of EPA and DNR will be

Please see Dredging—page six

Silent Killer in Our Lake

WE REPORTED IN OUR LAST ISSUE on the U. S. Coast Guard’s proposal to conduct weapons training in 37 selected “firing zones” throughout the Great Lakes. As a result of public outcry, and the efforts of Michigan Congressman Pete Hoekstra, public hearings by the Coast Guard were mandated. (Sturgeon Bay’s being the *only one held in Wisconsin*).

Numerous groups and individuals were represented at the hearing and, while most seemed supportive, no one really addressed the issues that we will all have to face in the future if the training exercises proceed as planned.

The Coast Guard presented a lengthy document which appeared to assess the risks involved in this training proposal. However, their presentation did not address the real dangers of additional lead being deposited into a lake already containing many generations of large lead sinkers, deliberately discharged by some charter-fishing boats as a convenience measure.

The *Door County Environmental Council* made these comments as we presented our assessment of the proposal to create firing zones in Lake Michigan and the other Great Lakes which are international waters:

Wisconsin Department of Natural Resources has been enforcing the ban on “quick-release” sinkers used by some sport fishermen for the last

dozen years, in an effort to stop the deposit of lead on the Lake Michigan bottom.

In a 2004 prepared statement, a DNR head warden, Tom Hansen, warned that the use of these sinkers was “the intentional discharge of a known soluble, toxic metal into the environment”. Hansen further stated, “Lead is a highly toxic metal that has proven to cause several major health problems.

“Due to the solubility of lead in water, many municipalities have eliminated lead pipes in drinking water systems to ensure compliance with drinking water standards.” Plumbing codes restrict the percentage of lead that can be contained in plumbing solder. Homeowners are advised to run their water to avoid using water that has been standing in lead pipes and fixtures.

Hansen asked, “What are the long term ramifications of the practice of releasing sinkers considering that the waters of Lake Michigan and Superior are used for drinking water for millions of people living adjacent to their shorelines?”

No one knows. This will be a concern that will be discovered in the future, after the problem has become evident

Please see Lead—page six

Water—from page one

ment with ultimate approval by Congress. The DNR's consideration of an application, *prior* to the approval of the terms of the compact by all of the states, is at odds with the stated goal of the Council of Governors.

Some of the conservation measures imposed in New Berlin are glaringly weak and not widely accepted. For example: *Sprinkling restrictions* are limited to even or odd address days, but are not posted in general public information locations. A *leak detection test* is offered to customers requesting the test, but in 2005 (which was a record year) 103 tests were conducted which represents .7% of the housing units in New Berlin.

Enforced strict water conservation measures would go a long way to lessening the urgency of an alternative or supplementary water source. These measures would also delay the request until after the governors have all ratified the compact and it has the support and approval to become a real water diversion control measure.

Until the compact is ratified, we support the use of the *Federal Water Resources Development Act* (WRDA) section 1962d-20-d. It states that, "No water shall be diverted or exported from any portion of the Great Lakes within the United States... unless the diversion or export is approved by the Governor of each of the Great Lakes states."

This latest attempt to access Lake Michigan water must be evaluated and all possible solutions explored to promote a more reasonable use of our precious resource. An easy fix should not be established as a precedent. The "there will always be good water" idea that prevails in community and individual thinking must be re-thought!

Door County is not immune to aquifer depletion; these same problems will affect us in the future. That's a given.

Borer—from page two

other solutions developed, to control this nasty invader from Asia. In the meantime, people need to be conscientious about controlling any imported, out-of-county firewood.

If you would like to hear the DNR presentation and form your own opinions from that information, we will make arrangements for a return by Linda Williams. Please call us at (920) 743-6003.

If you suspect an infestation from the signs of stress, serpentine borer tunnels or "D" shaped exit holes, call the Department of Agriculture, Trade and Consumer Protection HOTLINE at 1-800-462-2803 or call our local DNR Foresters, Bill Ruff or Chris Plzak at 920-746-2880.

Dredging—from page four

present to explain changes and address questions. (Oral and written comments will also be accepted at that meeting.)

We encourage you to comment.

The official comment period is from November 13th through January 11th. There will be no extension to this comment period. You can also find the fact sheets and other related documents on the EPA web site: www.epa.gov/region5/sites/foxriver

You can also call Susan Pastor, Community Involvement Coordinator, EPA Region 5, 77W Jackson Blvd., Chicago, Ill 60604-

3590 (312) 353-1325 or pastor.susan@epa.gov

Or call Greg Hill, Project Coordinator, Water Division, Wisconsin DNR, 101 S. Webster St., PO Box 7921, Madison, WI. 53707-7921 (608) 267-9352 or gregory.hill@dnr.state.wi.us

Lead—from page four

The Massachusetts National Guard training facility at Camp Edwards on Cape Cod, has been operating under a lead ammunition ban since 1997 because of fears that the toxic metal would contaminate the Cape's drinking water supplies.

The National Guard is now proposing a number of methods to contain the bullets and keep them from leaching into the underground aquifer. Alternative "green" bullets have also been found to create problems and the National Guard is exploring other training methods, including recapturing spent bullets with various experimental methods.

The Preliminary Health Report executive summary of the *Coast Guard's Risk Assessment* document indicated, "Plants and animals that exist at the bottom of the food chain might ingest and be directly exposed to the metals in sediment.

"In turn fish might ingest these plants and animals and accumulate the metals in their body tissue, which is then consumed by recreational fishers [sic], birds or mammals."

The *Coast Guard's Risk Assessment* is based solely on the lead content of bullets being used. Pre-existing amounts of lead from other sources, such as release sinkers, have not been examined as polluting contributors in the Coast Guard's assessment.

We are all aware of the problems associated with mercury and fish advisories related to the ingestion of that dangerous metal and the long-range effects caused by pollution by mercury. Lead deposits must be managed in a *more intensive manner* so that our experiences with mercury pollution are not repeated and allowed to become a burdensome liability for future generations.

The Board of Directors of the Door County Environmental Council is in entire agreement with Wisconsin and Michigan organizations in insisting that a full *environmental impact study* be conducted before any further firing occurs on Lake Michigan waters. We also agree that alternatives exist that would allow proper weapon training on land at present training facilities, such as those currently used by the Navy in weapons training.

In summary, experiences DCEC has had in the last 30 years with various lakeshore and water quality issue conflicts involving our organization, have brought us to the realization that expert analysis documents are a variable that can be created to favor any position that the proponents wish to have accepted by the public and those responsible for making important decisions.

dcec membership application

YES! I WILL JOIN DCEC! SIGN ME UP AS A MEMBER THROUGH DECEMBER OF 2007.

- \$25 Individual
 \$35 Family
 \$50 Sustaining
 \$100 Donor
 \$_____ Other
 \$15 Student/Limited

This amount would really help! Thanks!



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Can You Make DCEC Your Legacy?

On August 17th, a federal law was enacted allowing IRA owners to share the wealth of their retirement savings by giving directly to charity *without first counting it as income and paying income tax.*

Perhaps you are one of the hard-working people who has diligently saved and invested in your IRAs, but would now consider giving your surplus to a nonprofit organization, like DCEC, rather than pay taxes on it.

Now is the time to do so.

This is a *limited time offer* by our government. The window of opportunity for this kind of gift will close in 2007, unless extended by Congress.

If you have a large surplus in your IRAs or retirement accounts, DCEC would deeply appreciate if you would consider a donation. Call Jerry Viste, 920-743-5003.

The fight for Door County's Environment **starts today, every day!**

Thank you.

Elected Officials

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Russ Feingold & Herbert Kohl
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WI CONGRESSMAN

Mark Green (thru 1/7/07)
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**Lake Michigan Water
Diversion Proposed**
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