

The Door County Environmental Council News



SPRING 2016



“Fostering the preservation of Door County’s rich heritage of natural resources for the health, welfare, and spiritual uplift not only of its inhabitants, but for generations to come.”

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Great Lakes Commons Charter Declaration

WE, THE PEOPLE OF THE GREAT LAKES, LOVE AND DEPEND UPON OUR WATERS TO SUSTAIN OUR LIVES, OUR COMMUNITIES AND ALL LIFE IN OUR ECOSYSTEM.

IT IS THEREFORE WITH GROWING ALARM THAT WE CONFRONT A PAINFUL REALITY THAT DESPITE DECADES OF EFFORT THE LAKES ARE MORE THREATENED THAN EVER. AS PEOPLE FROM ACROSS THE GREAT LAKES, WE FIND THIS UNACCEPTABLE. WE CANNOT STAND BY WHILE OUR WATERS ARE TREATED AS AN EXPENDABLE AND EXPLOITABLE RESOURCE WHEN WE KNOW THEY ARE A SOURCE OF LIFE.

MOVED BY A HOPE THAT WE CAN YET CREATE A THRIVING AND LIFE-SUSTAINING FUTURE FOR OUR LAKES, WE STEP FORWARD TO TAKE UP OUR RESPONSIBILITY TO CARE FOR AND ACT ON BEHALF OF THESE WATERS, OUR GREAT LAKES COMMONS.

SEEING THAT THE HEALTH OF OUR WATERS IS INTERTWINED WITH OUR OWN HEALTH AND THAT OF GENERATIONS YET TO COME, WE ARE CALLED TO ASSERT A DEEPER CONNECTION AND MORE POWERFUL ROLE IN THE FUTURE OF OUR WATERS.

WE HEREBY SET FORTH THE GREAT LAKES COMMONS CHARTER, A LIVING DOCUMENT THAT AFFIRMS AND EMPOWERS THE WISDOM AND RIGHTFUL ROLE OF THE PEOPLE OF THE LAKES AS STEWARDS OF OUR WATERS.

THIS DECLARATION AND THE FIRST PRINCIPLES EMERGE FROM THE COLLABORATIVE WORK OF PEOPLE AND COMMUNITIES AROUND THE LAKES. TOGETHER WE REFLECT MANY WALKS OF LIFE, HISTORIES AND CULTURES. AT THE SAME TIME, A SINGLE PURPOSE UNITES US: TO TRANSITION TO A MODE OF GREAT LAKES GOVERNANCE BY WHICH THE

WATERS AND ALL LIVING BEINGS CAN FLOURISH.

TOWARDS THIS END, WE AFFIRM:

- ❖ THAT THE WATERS OF THE GREAT LAKES HAVE SUSTAINED THE LIVES OF THE PEOPLE AND COMMUNITIES IN THEIR BASIN SINCE TIME IMMEMORIAL, AND THEY SHOULD CONTINUE TO DO SO IN PERPETUITY.
- ❖ THAT THE WATERS, ECOSYSTEMS, AND COMMUNITIES OF THE GREAT LAKES ARE ENTWINED AND INTERDEPENDENT. DAMAGE TO ANY OF THESE CAUSES HARM TO THE OTHERS.
- ❖ THAT THE GREAT LAKES ARE A GIFT AND A RESPONSIBILITY HELD IN COMMON BY THE PEOPLES AND COMMUNITIES OF THE LAKES AND MUST BE TREATED AS SUCH AS TO ENSURE THEIR PRESERVATION FOR COMING GENERATIONS.
- ❖ THAT THE BOUNDARIES OF STATES, PROVINCES AND NATIONS CRISSCROSS THE LAKES BUT DO NOT DIVIDE THEIR NATURAL INTEGRITY. ALL DECISION-MAKING THAT IMPACTS THE GREAT LAKES MUST PLACE THE WELL-BEING OF THE BIO-REGION AND ECOSYSTEM AS A WHOLE AT THE CENTER OF CONSIDERATION.
- ❖ THAT THE INHERENT SOVEREIGNTY AND RIGHTS OF INDIGENOUS PEOPLES AS CODIFIED IN TREATIES AND INTERNATIONAL AGREEMENTS MUST BE UPHELD AS

FOUNDATIONAL TO COMMONS GOVERNANCE.

THEREFORE:

WE JOIN OUR VOICES IN AFFIRMING THE SPIRIT AND NECESSITY OF THIS DECLARATION AS THE FOUNDATION FOR A RENEWED RELATIONSHIP AND MODE OF GOVERNANCE FOR OUR GREAT LAKES COMMONS. WE WELCOME THE WISDOM, STANDING, AND POWER THAT THIS DOCUMENT WILL ACCRUE OVER TIME TO SHAPE THE FUTURE OF OUR LAKES. WE INVEST IT WITH OUR HOPES AND COMMITMENTS TO THAT FUTURE AND TO THE FUTURE GENERATIONS WHO WILL INHERIT THE LEGACY OF OUR ACTIONS.

IN SIGNING THIS CHARTER, WE EMBRACE OUR RESPONSIBILITY, INDIVIDUAL AND COLLECTIVE, TO ACT ON BEHALF OF THESE WATERS AND OF FUTURE GENERATIONS.

For more information go to the Great Lakes Commons website at:
www.greatlakescommons.org/charter-declaration/



Photo by Mike Bahrke

Lake Michigan

The Public Wins a “Round” on Public Records Access

Finally some good news! Faced with a fierce backlash from members of the public and open government groups, state officials have rescinded a recent move that has been used to limit citizen access to some records.

The state Public Records Board voted unanimously January 4 to revoke its August decision that expanded the definition of records considered to have temporary significance, known as transitory records. Such records could be immediately destroyed by government officials. The real question then becomes what records have temporary significance, and who decides? The board’s decision came after nearly 1,900 emails and letters poured in from around the state in advance of its meeting in Madison, with hundreds of Wisconsinites writing to say they opposed the changes. The emails were posted to a state website before the meeting, and more than a dozen others spoke out against the changes at the meeting.

“My parents taught me well, I believe, that citizens need to stay engaged,” Deb Parman of Beaver Dam said. “I have to tell you, I’m very angry.”

It’s unclear when, and if, the board will revisit the issue of how to define what records should be considered transitory, but Matthew Blessing, the board’s chairman, said he thinks such a move is “necessary.”

“We’ll address it in the future,” Blessing said after the meeting. Likely the matter is not dead. Therefore, we all need to stay vigilant.

Many commenters expressed outrage and weariness over repeated attempts by state officials in 2015 to curtail access to open records. One has to ask why?

The board’s previous vote to expand the definition of transitory records was on August 24. One day later, a spokesman for the Walker administration said he didn’t have text messages requested by a newspaper, and added that officials do not have to retain such “transitory messages.”

Open records attorneys and advocates have accused the Public Records Board of violating Wisconsin’s open meeting law with its notice for the August meeting, which did not specifically mention the transitory records issue, and its minutes, which failed to provide details of the board’s actions.

The Wisconsin Freedom of Information Council filed a verified complaint on December 14, 2015 with the Dane County district attorney against the board, alleging open meetings law violations.

Blessing, the head of the board, initially said the move to cut back on requirements for maintaining some records was “not significant enough” to warrant advance public notice. But just a few days after the open meetings violation complaint was filed, Blessing said the board would re-evaluate the matter in hopes of avoiding an expensive court battle.

The recent battle over open records in Wisconsin is just the latest fight to erupt around the state over public access to officials’ texts and other electronic messages.

It is also the last in a string of actions taken in the state over the past year aimed at limiting open records.

This lack of transparency, where no record keeping is allowed, certainly has had a negative impact on the creation and interpretation of rules and laws affecting Wisconsin's environment. Decisions by agencies or boards, where no records are kept, can lead to no one being responsible for the actions taken. There simply is no accountability. The Wisconsin DNR, under the Walker Administration, has indeed done a very poor job of protecting Wisconsin's natural resources.

As stewards of the environment and open government, we all need to demand clear and complete written records from all our elected, appointed, and employed public servants. Certainly that includes the Wisconsin DNR. Sunlight is indeed the best sanitizer in both nature and politics. It is much easier, it seems, to make decisions that favor special interests and not the preservation of our state's natural resources when there is no written record of who did what. Public rights unexercised are public rights lost.

By Steve Eatough

Edited and adapted from an article written by Mary Spicuzza and Patrick Marley of the Journal Sentinel newspaper staff.

Emerald Ash Borer Impact Grant

The Bay-Lake Regional Planning Commission has received a \$100,000 Great Lakes Restoration Initiative grant from the U.S. Forest Service to assist communities, counties, and tribes with mitigating Emerald Ash Borer (EAB) impacts.

The funding will be provided to Wisconsin

jurisdictions and tribes within the Great Lakes Basin that are under an EAB quarantine (which includes Door County). Funded projects will be selected through a mini-grant process using an advisory panel made up of representatives from Southeastern Wisconsin RPC, East Central Wisconsin RPC, North Central Wisconsin RPC, Northwestern Wisconsin RPC, and the Wisconsin DNR. The DNR will also assist with helping to get the word out to communities, counties and tribes that the funding is available. More information will be available as the mini-grant program develops in the next couple months.

Reprinted from the Door County Peninsula Pulse, February 12, 2016 issue.



Photo by Mike Bahrke

Ash tree

Monarch Butterflies

The monarch butterfly may be the most widely recognized of all American butterflies with its distinct orange, black, and white wings. The monarch butterfly, or simply monarch, is a milkweed butterfly. Each year, a new generation of monarchs flies south for the winter – but habitat loss is making the journey harder. The monarch butterfly is in trouble, and now the U.S. government has stepped in with Canada and Mexico to save the iconic annual migration.



Photo by Mike Bahrke

patterns; and monarchs face many risks from natural enemies, such as predators, parasitoids, and diseases.

On August 26, 2014, the Center for Biological Diversity and Center for Food Safety, in conjunction with the Xerces

Society and Lincoln Brower, filed a legal petition to the U.S. Fish and Wildlife Service seeking protection for the monarch butterfly under the Endangered Species Act (ESA). “The monarch is the canary in the cornfield, a harbinger of environmental change that we’ve brought about on such

The monarch migration is one of nature’s most spectacular events. North American monarchs travel up to an astonishing 3,000 miles in an annual migration from their summer breeding habitat to overwintering grounds. The migration was listed by the International Union for Conservation of Nature as an endangered phenomenon in 1983. The World Wildlife Fund included monarchs on its list of the “Top 10 to Watch” in 2010: species that are thought to be in need of close monitoring and protection.

a broad scale that many species of pollinators are now at risk if we don’t take action to protect them,” said Brower. It is important to recognize that the petition requested that monarchs be listed as *threatened*, not *endangered*. As a candidate for a *threatened* species listing, the monarch is at risk of becoming endangered in the near future throughout all or a significant portion of its range.

Monarchs face many risks that are resulting in declining populations in both the eastern and western parts of their North American range. The largest impacts come from the loss of habitat for breeding, migrating, and overwintering. In addition, pesticides and mowing practices that are used to control insects and weeds have harmful unintended consequences for monarchs; a changing climate may be making some habitat less suitable and forcing changes in migratory

The Door County Environmental Council is working with Sturgeon Bay-based monarch butterfly expert Julie Hein-Frank and Crossroads of Sturgeon Bay to schedule a monarch butterfly presentation as one of our summer programs. Stay tuned!

By Mike Bahrke

Adapted from the Monarch Lab website: <http://monarchlab.org>. As a partner of the Monarch Joint Venture, the Monarch Lab at the University of Minnesota works to help

conserve the monarch migration primarily through education. The Lab works with other partners in the Joint Venture to educate teachers, conservationists, and citizen scientists about the importance of monarch butterflies and what they can do to help. MJV partners include federal and state agencies, non-governmental organizations, and academic programs and they are committed to a science-based approach to monarch conservation work, guided by the North American Monarch Conservation Plan, 2008.

Don't Wait on the Science Before Helping Victims of Groundwater Pollution

Governor Scott Walker recently visited Kewaunee County, promising that our groundwater pollution problems would be addressed by “science based” solutions. Since Walker considerably gutted the state Department of Natural Resources science staff recently, the governor’s words not only echoed as disingenuous, but were filled with hypocrisy.

Thirty-four percent of the tested wells in Kewaunee are contaminated with E. coli, high nitrates, or both. In 2014, a U.S. Department of Agriculture researcher equated well water samples he had tested in the town of Lincoln to what one would expect to find in a Third World country.

For citizens living with water contamination, Walker’s words and the associated DNR and federal Environmental Protection Agency work group meetings (that have been under way since last September and

promise short-term solutions, compliance, recommendations, and regulations to address our contamination) have become synonymous with futility and further delay. They are seen as ineffective responses to those living daily with water they cannot drink, bathe in, brush their teeth with, or wash their produce in: hence, water they cannot use in their homes; water that poses a threat to their health and well-being.

Those living without clean, accessible water deserve better than the posturing of help on the way as days and years go by without relief.

We must not wait on “science” as the antidote necessary for corrective and emergency responses to take place while people suffer. Compassion and help must be given to those in need without the contingency that definitive answers be found as to “why” such contamination exists before aid can be given.

While the governor and other leadership relate that we do not know where our contamination comes from, we certainly have a good idea – and it’s based on facts. With 82 percent of Kewaunee’s residential septic up to code, the potential for contamination coming from septic should be minimal. However, Kewaunee currently has over 98,000 head of cattle—almost five times as many cows as it has humans. Millions of gallons of untreated waste are spread on the landscape in Kewaunee, a landscape that includes the uniqueness of the Niagara Escarpment and the karst topography that leaves us so vulnerable to water contamination.

The industrial farming presence, which has a seat at the table in the work group, is a conflict



Photo by Chuck Waggoner

Contaminated vs. clean water

of interest in these work group discussions. They continue to hamper progress and deflect responsibility, all the while extolling the virtues of “nutrients” that poison and pollute our water – manure that has ended up in our lakes and streams, our groundwater and wells.

In cases such as the agricultural pollution found in Yakima Valley, Washington, excessive nutrients have been classified as “dumping” – an overloading of nutrient wastes applied upon the landscape that result in runoff that contaminates. Lawsuits have now ensued in these areas, the court ruling that clean water to affected citizenry must be supplied by the violating agricultural operations.

Over and over nationwide, in Chesapeake Bay, Yakima Valley, Des Moines and Kewaunee, we have seen the failure of “voluntary measures” used in farming to amend behaviors that have the potential to cause great harm to both human health and the environment. Violators must be met with enforcement measures and fines for the costs of their pollution and its cleanup – violators who have for too long externalized their true costs of business to the community and the resources we all share.

For citizens affected by contaminated water through no fault of their own, the wait must be over. It is time for local and state governments, health departments, and agencies to quit waiting on the science, and provide the necessary health and safety measures to those desperately in need of clean, accessible water where they live.

Prioritize human needs first and help others in obtaining life’s most basic human need and right: clean water.

*By Nancy Utesch, Kewaunee County farmer,
February 5, 2016*

Flint, Michigan and Northeast Wisconsin

Flint, Michigan

In 2013, Flint, Michigan was buying water from the Detroit Water and Sewerage Department (DWSD). In an effort to reduce costs of water service to the city, the city chose to have a new pipeline brought into the city by a competitive company called the Karegnondi Water Authority (KWA). The construction of KWA’s new water line from Lake Huron would not be completed until late 2016. The DWSD opposed the switch, accusing the city of Flint of starting a “water war”.

Nonetheless, the Michigan State Treasury Department approved of Flint joining the KWA. In response, the DWSD gave Flint notice that they would end water service in one year, April 2014. That decision would leave the city of Flint in a bind until late 2016 when KWA’s pipeline would be finished. To cover this time gap they decided to switch their water source to the Flint River. The Flint River is a polluted river, and after the switch, people started complaining about the quality, taste and smell of their water. The river water had a corrosive element to it, and soon lead was leaching from old supply pipelines and lead soldered pipes within the city. Health officials also began noticing an increase in Legionnaires Disease within the city.

While state agencies and the federal EPA argued over the legalities of who has jurisdiction over water quality decisions in Flint, the use of an important corrosion control treatment (CCT) was not put into the water supply at the time it was needed. With tensions mounting, Michigan Governor Rick Snyder created the Flint Water Advisory

Task Force. The task force found the Michigan Department of Environmental Quality (the MDEQ or DEQ for short) to blame for the water crisis. Even after repeated requests from the EPA to put CCT into the water supply, the DEQ chose not to, saying it was not necessary until two six-month sampling periods had been completed. In the meantime, Flint residents would continue to drink, bathe and cook with this terribly contaminated water while the DEQ was “waiting for the science” results of their six-month sampling periods. Outrageous!

The situation became a tangle of finger-pointing, blaming, and law suits during the investigation. However, the bottom line is that authorities knew about the problems of the city for a long time before they ever issued any warnings to the general public! Outrageous!

The cost of this water crisis will be in the billions of dollars. Unfortunately, the human cost of this water crisis will have to be realized in the many years to come. Brain damage, nerve damage, learning disabilities, particularly in children, will be felt throughout their lives. Lead has long lasting consequences.

The Flint water crisis could have been avoided had officials followed the correct procedures and sounded the alarm to the public right away.

Northeast Wisconsin

Here in Northeast Wisconsin we see another water crisis in the making. With a fragile and vulnerable aquifer lying underneath a fractured karst bedrock topography, Brown, Kewaunee, and Door Counties are being subjected to liquefied

animal waste being applied at levels incompatible with the area. These counties have a long history of water pollution-related problems. Lead arsenate pesticides, leaky underground gasoline storage tanks, and leaky underground septic systems are failing. Just about any chemical substance that is applied upon the land here can find its way into our water supply. Kewaunee County has put itself in the spotlight with over 30% of their wells being contaminated with E. coli or elevated nitrates or both. One township has over 50% of their wells contaminated. Door County had an incident last year where over a dozen wells, all at once, became contaminated due to improper spreading of cow manure. Adults and children were hospitalized. Outrageous!

This is not a new story for Northeast Wisconsin. Authorities have known about the water situation for decades. As was so clearly pointed out in Nancy Utesch’s letter (printed above), people are suffering in Kewaunee County with bad water while authorities delay taking action while they look for WHY it is happening. Really? After meeting with the Wisconsin DNR and the federal EPA, our governor says that they will address the problem with “science-based” solutions. Meanwhile, the affected citizens have to deal with the realities of unusable water on a daily basis while they, like Flint Michigan, are forced to wait for the science before anything will be done. While we wait, we’ve seen our governor significantly reduce the DNR scientific staff and the DNR give the okay for Kewaunee factory farms to increase their herd sizes up to 40%.

Northeast Wisconsin has been waiting for a long time. There is already a lot of science out there addressing this problem. In simple math terms:

Too many cows
+ Too many more cows
Way Too Much Manure for NE Wisconsin!

It seems logical for the people who are affected to get help right away. It seems logical that a moratorium on increasing herd size is put into effect until “science-based” solutions can be put into practice.

Clean water is our most important resource, and it’s becoming more and more polluted and unavailable. We cannot survive without it.

It is very important that the citizens of NE Wisconsin get their wells tested on a regular basis. Have them tested for more than just coliform bacteria, such as nitrates, metals, and chemicals as well. If we don’t stand up for clean water today, tomorrow might be too late. Have your wells tested. Let your legislators know how you feel.

By Paul Leline

Kimberlee Wright Speaks about Wisconsin’s Clean Water Future

On May 18, 2016, at 7 pm, at the Door County Fire Company, Kimberlee Wright, Midwest Environmental Advocates Executive Director, will address the DCEC and members of the public on the topic of “Wisconsin’s Clean Water Future.”

Kimberlee Wright is the Executive Director of Midwest Environmental Advocates, a non-profit environmental law center in Madison, Wisconsin that works for healthy water, air, land and government for this generation and the next.

“We can’t sustain a clean water future

without an effective and responsive government,” states Lauren Rudersdorf, Ms. Wright’s administrative assistant. “Our rights in the waters of the state are being chipped away by our current legislature, both by rolling back long-standing protections and by starving our DNR of resources and autonomy for professional staff. People all over Wisconsin are working together to protect our water and to hold polluters and government accountable. A lot of us care about water; we need to make that concern visible every day.”

Please join us for this informative presentation.

Maureen Muldoon to Speak

The Door County Environmental Council is thrilled to report that Maureen Muldoon, PhD has agreed to speak at an upcoming public program in Door County. Maureen is an Associate Professor of Hydrogeology and Environmental Geology at The University of Wisconsin, Oshkosh. She is an expert on the hydrogeology of Door County and, in fact, did her doctoral thesis on that topic.

Maureen can speak with great authority on the local challenges to our groundwater. Specifically, we hope to hear her views on the threats to all our waters brought about by current agricultural manure management practices. We anticipate that she may have some great insights into how to deal with, and perhaps reduce, the potential for future pollution of our aquifers.

The details of her public presentation will be announced as soon as they are finalized. Please stay tuned, this will be a talk you won’t want to miss!

Environmental Legislative Bills

Many of you are undoubtedly aware of a small number of bills – currently moving through our Wisconsin state legislature – that have the potential to wreak havoc on our environment. A list of these bills – with a brief description and the current status of each (as of March 3, 2016) – follows. If we are to continue to protect our fragile environment here in Door County, it is imperative that each one of us is aware of what is transpiring in Madison and how these changes will affect our local environment.

Assembly Bill 600 / Senate Bill 459

This bill makes various changes to the regulation of navigable water, artificial water bodies, wetlands, and nonpoint source pollution. Although there were numerous improvements to the bill, it will be a direct attack on our natural resources. The legislature passed this bill.

Senate Bill 493 / Assembly Bill 640

This bill makes various changes to the regulation of aquaculture and fish farms. This bill would allow fish farms to be less regulated and allows them to dump contaminated water into our local waterways, increasing both nitrate and phosphorus levels. We should not be reducing regulations on these facilities; our waterways are

already under pressure from pollutants. The Assembly passed this bill on February 16, 2016. It is now being scheduled for hearing in the Senate. *There is still time to contact Wisconsin senators and government officials urging them to oppose this bill.*

Senate Bill 432 / Assembly Bill 554

This bill relates to allowing out-of-state sewer and water affiliates of public utility companies and the sale of municipal water or sewer public utilities to investor-owned public utilities. The Assembly passed this bill on February 12, 2016. The Senate killed this bill and it is dead for this current legislative session. Whew! Big win for our environment!

Senate Bill 239 / Assembly Bill 875

This bill relates directly to the construction and transfer of high capacity wells and could be devastating to many areas of our state if it moves forward. The Assembly passed this bill on February 18, 2016. The Senate has not yet acted on this bill, with the most recent Senate action taking place on February 24, 2016 – when yet another amendment was made to the bill. *Again, there is still time to contact Wisconsin senators and government officials urging them to oppose this bill.*

To learn more about and to oppose the above legislation, go to the Wisconsin League of Conservation Voters website at conservationvoters.org.



Photo by Mike Bahrke

Trillium



Photo by Mike Bahrke

Lady's Slippers

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