



# Wisconsin Trout

Spring 2000

Company now pursuing Big Spring location

## Perrier pulls plug on Mekan springs site

By John Welter

After a storm of public protest about plans by the Perrier Group of America (PGA) to bottle and market water from the Mekan River watershed, Perrier is now focusing on a different spring in Adams County.

TU leaders met with Gov. Tommy Thompson and Perrier representatives Rodney Allen and Rob Fisher on March 13. They were told by Allen that under no circumstances will PGA seek to obtain water from the Mekan or its tributaries.

The TU representatives meeting with Perrier included John (Duke) Welter, State Council Chair, Steve Born, National Resource Board Chair, and Dave Beckwith, a member of the National Board of Trustees who arranged the meeting.

### TU's water concerns

TU's representatives stressed a number of points, including:

- full public disclosure of testing procedures, data, and ongoing monitoring results,
- planning for mitigation of impacts,
- testing by independent agencies, and
- support by Perrier of stream and spring rehabilitation efforts and acquisition of public rights in coldwater resources.

PGA is currently investigating the Briggsville area east of Wisconsin Dells. Perrier has hired crews to drill at least three test wells around Big Spring on privately owned farmland containing several springs.

### County passes moratorium

Meanwhile, a moratorium on zoning changes was passed March 15 by the Town of New Haven in southeastern Adams County where Big Spring is located. Presently no areas in New Haven are zoned for

industrial use.

Town officials said they are not against Perrier's plans, but feel the moratorium will give local officials some breathing room to examine their current land use practices.

### Central blows whistle

After Central Wisconsin Chapter members first blew the whistle in December on Perrier's plans for the Mekan River, Wisconsin TU joined the chapter in bringing public attention to the threat to the watershed.

The protest against PGA's Mekan River plans was led by TU and joined by hundreds of concerned citizens over the past three months.

Central Wisconsin Chapter leaders have expressed the chapter's continued opposition to Perrier taking water from any springs where the removal would adversely affect trout populations.

TU demanded the WDNR conduct a full environmental impact statement (EIS) and hydrogeological survey to determine baseline flows in the Mekan watershed before Perrier pumped the first drop of water for bottling.

TU was joined in the demand by the River Alliance of Wisconsin, Sierra Club—John Muir Chapter, Wisconsin Wetlands Association, and the Madison Audubon Society.

TU's State Council also opposed use of the Mekan Springs State Natural Area as a well site by Perrier, in a resolution passed at its February annual meeting.

The Natural Area received that designation in recognition of its natural values, which include several spring ponds, rare wetlands, endangered species, and fish and waterfowl habitat.

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### PERRIER'S PUBLIC MEETING FLOPS

Perrier's Valentine's Day public meeting in Coloma was attended by an estimated 1,000 people. Local media reported that most left the meeting disappointed by the lack of a public presentation on the company's plans.

Many critical of governor's role in resource issues

## Survey finds WDNR employees question agency politics

Politics color scientific evaluations and permit decisions to the detriment of the state's environment, according to the results of a recent survey of all employees of Wisconsin's Department of Natural Resources (DNR).

The survey, conducted by Public Employees for Environmental Responsibility (PEER), also found

overwhelming support for removing the governor's power to appoint the DNR Secretary and for re-establishing the Public Intervenor's Office which was abolished by Governor Tommy Thompson in 1996.

This past December, PEER mailed out surveys to all of the approximately 3,000 DNR employees consisting of questions written by

employees.

That same week, DNR Secretary George Meyer sent out an email encouraging all DNR employees to participate. More than half returned the PEER questionnaires.

According to survey results, a strong plurality of employees registered concerns about political influence within the agency:

- Nearly half of respondents feel that scientific evaluations are influenced by political considerations with less than a third in disagreement.
- More than half do not trust DNR administrators "to stand up against political pressure in protecting the environment."
- More than two in five think that business "has undue influence on DNR decision-making."

Overall, nearly half of DNR employees believe Wisconsin's environment is not better protected now than it was five years ago, while little more than a third disagree.

The PEER survey also asked employees to write essays identifying the "biggest problem" facing the DNR.

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## New access law will help wading anglers

By John Welter

Anglers will be able to walk legally on exposed shore areas along trout streams this season, an expansion of the traditional advice to "keep your feet wet" to avoid trespassing.

The change in state law became effective October 29, 1999, according to DNR lawyer Mike Lutz.

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## Wisconsin TU Directory State Council Leadership

**Chairman:** John Welter, 2211 Frona Place, Eau Claire, WI 54701-7513 (715) 831-9565 (W); (715) 833-7028 (H); (715) 831-9586 (fax); jwelter@discover-net.net  
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**Secretary:** John Bethke, 118 Vernon St., Westby, WI 54667-1122 (608) 634-3641  
**Treasurer:** Forrest Grulke, 1540 N. McCarthy — Apt. 7, Appleton, WI 54913 (715) 258-8450 (W); (920) 996-0025 (H); fgrulke@add-inc.com  
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**Chapter Development & Membership:** Jim Hlaban (see above)  
**Education:** Dale Lange, N2095 CTH "BB," Marinette, WI 54143 (715) 582-1135  
**Fund Raising & "Friends of Wis.**

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**Northeast Region Vice-Chair:** Lloyd Andrews, 8764 Brunswick Rd., Minocqua, WI 54548 (715) 356-5738  
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**Resource Policy & Rules:** Bill Sherer (see above)  
**River Restoration:** Kevin Cooley, 653 8th St. N., Hudson, WI 54016-2309; (715) 386-0559  
**Water Resources:** Mike Swoboda, 1312 Ridgewood Dr., Chippewa Falls, WI 54729-1931; mswob@execpc.com  
**Webmaster:** Andy Lamberson, 2104 Chestnut Dr., Hudson, WI 54016; andrewlamberson@hotmail.com.

## Chapter Presidents

**Aldo Leopold Chapter (#375):** Clint Byrnes, 921 S. Spring St., Beaver Dam, WI 53916-2831 (920) 885-5335  
**Antigo Chapter (#313):** Scott Henricks, 213 Mary St., Antigo, WI 54409-2536 (715) 623-3867  
**Blackhawk Chapter (#390):** John Miller, P.O. Box 893, Janesville, WI 53547 (920) 563-9085  
**Central Wis. Chapter (#117):** John Wahlers, 430 Broadway, Berlin, WI 54923-1761 (920) 361-0807  
**Coulee Region Chapter (#278):** Cyrus Post, 2909 James St., LaCrosse, WI 54601-7661 (608) 788-1325  
**Fox Valley Chapter (#193):** Dean Simon, 1531 E. Harding, Appleton, WI 54915 (920) 734-8371; dsimonkim@aol.com  
**Frank Hornberg Chapter (#624):** Jim Friedrich, 341 18th Ave. S., Wisconsin Rapids, WI 54495 (715) 423-0517; friedj@dnr.state.wi.us  
**Green Bay Chapter (#083):** Pete Harris, 606 Night Ct., Green Bay, WI 54313 (920) 496-9556; pharris@gbonline.com  
**Harry & Laura Nohr Chapter (#257):** Charles Steudel, 1217 Cty. QQ, Mineral Point, WI 53565 (608) 987-2171  
**Kiap-TU-Wish Chapter (#168):** Brent Sittlow, 803 Kelly Rd., Hudson, WI 54016-7640 (715) 386-0820; bsittlow@presenter.com  
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**Marinette Chapter (#422):** Lyle Lange, N3368 River Bend Rd., Peshtigo, WI 54157-9588  
**Northwoods Chapter (#256):** Brian Hegge, 5077 Sunset Dr. — #2, Rhinelander, WI 54501 (715) 362-3244 (W), (715) 362-3244 (H); bhegge@newnorth.net  
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**Ojibseau Chapter (#255):** Jeff Bartynski, 6450 Whitetail Dr., Eau Claire, WI 54701 (715) 832-2632; bartynski.jeffrey@mayo.edu  
**Shaw-Paca Chapter (#381):** William Wagner, N4334 Willow Creek Rd., Shawano, WI 54166-9436 (715) 524-2426  
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**Wolf River Chapter (#050):** Herb Buettner, N4297 Buettner Rd., White Lake, WI 54491 (715) 882-8611 (W), (715) 882-8612 (H)

## New chapter leader? Let TU know

Chapter leaders must inform TU National and the State Council when a new chapter president is elected. Send your name, address, phone numbers, email address, and your chapter ID number to both:

- TU National** — Wendy Reed at (703) 522-0200, or mail your information to Wendy at Trout Unlimited, 1500 Wilson Blvd., Suite 310, Arlington, VA 22209. Or email to wreed@tu.org.
- State Council** — Todd Hanson at (954) 9744, or mail your information to Todd at 819 W. Elsie St., Appleton, WI 54914-3774. Or email to thanson@vbe.com.

Visit Wis. TU on-line: [www.lambcom.net/witu](http://www.lambcom.net/witu)

## Chapter meeting times and locations

**Aldo Leopold:** When needed or called at Beaver Dam Conservation Club, Cty. G, Beaver Dam.

**Antigo:** Not listed.

**Blackhawk:** Third Monday of the month at 7:00 p.m. at the DNR office in Janesville.

**Central Wisconsin:** Second Monday of the month at the Berlin Bowling Lanes, Berlin. Board meets at 6:30; program at 7:30.

**Coulee Region:** Every third Thursday 7 p.m. at Whitetails, 5200 Mormon Coulee Rd., LaCrosse.

**Fox Valley:** Third Thursday of the month, 7:30 p.m., at the Gordon Bubolz Nature Preserve, 4815 N. Lynndale Dr., Appleton. No meetings June, July, and August.

**Frank Hornberg Chapter:** Second Thursday of the month 7 p.m. at Shooter's Supper Club, Hwy. 51 & 54, Plover. May-Sept. meetings are evening stream work events.

**Green Bay:** First Thursday of month (Sept.-Nov. and Jan.-May) at The Watering Hole, 2107 Velp Ave., Green Bay, 7:30 p.m. Christmas meetings/awards dinner in Dec. at site to be determined. No meetings June, July, and August.

**Kiap-TU-Wish:** First Wednesday of the month at JR Ranch east of Hudson on Hwy. 12 north of 1-94. Dinner at 6:30 p.m.; meeting at 8:00.

**Lakeshore:** Second Monday of the month, 7:30 p.m. at The Club Bil-Mar, Old Hwy. 141, Manitowoc.  
**Marinette County:** First Tuesday of the month, 7:00 p.m., at The Dome Lanes, 751 University Drive, Marinette.

**Harry & Laura Nohr Chapter:** Not given.

**Northwoods:** Third Thursday of the month, 7:00 p.m. at Associated Bank (Community Room), Stevens at Davenport Streets, Rhinelander. No meetings June, July, and August.

**Oconto River Watershed:** First Wednesday of the month, 7:45 p.m., at the Lone Oak Gun Club, Hwy. 32 North, Gillett.

**Ojibseau:** Second Tuesday of the month, 7:00 p.m., at the Eau Claire Rod & Gun Club, Eau Claire.

**Shaw-Paca:** Third Thursday of the month, 7:30 p.m., alternating between Anello's Torch Lite, 1276 E. Green Bay St., Shawano, and

Mathew's Supper Club, 155 8th St., Clintonville.

**Southeastern Wisconsin:** Fourth Tuesday of the month. Dinner at 6:00 p.m., meeting at 7:30 p.m. at the Bavarian Wursthau, 8310 Appleton Ave., Milwaukee.

**Southern Wisconsin:** Second Tuesday of the month. Dinner at 6:00 p.m., meeting at 7:00 p.m. At the Maple Tree Restaurant, McFarland.

**Wild Rivers:** The chapter is currently in the process of changing its meeting location. Contact President Jeff Carlson for late details.

**Wisconsin River Valley:** First Tuesday of the month, 7:00 p.m., at the Wausau Tile Co.

**Wolf River:** Second Wednesday of odd-numbered months, 7:00 p.m., at the Wild Wolf Inn, Highway 55 South.

## Changing addresses the correct way

The following is the proper way to inform TU of a new address.

Do not contact the State Council, your local chapter president, or *Wisconsin Trout*. Only TU National keeps a database of member addresses.

Following these procedures will ensure you don't miss any TU alerts, issues of *Wisconsin Trout*, or your chapter newsletter.

- Inform TU National.** Call, write, or email TU National. (See the contact information in the masthead below.)
- Include your ID number.** Your ID number is found on the upper left-hand corner of mailing labels attached to TROUT magazine or your chapter newsletter.
- Note new chapter affiliation.** If you are moving to a different city in Wisconsin and wish to be affiliated with the TU chapter in your area, make note of that, too. (See the chapter directory on this page for the three-digit ID numbers of Wisconsin's TU chapters.)

## WISCONSIN TROUT

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**Contributions and letters** to the editor are welcomed. Submit articles and returnable photos (color or b&w) to the editorial office:

Todd Hanson, editor  
 819 W. Elsie St.  
 Appleton, WI 54914-3774  
 (920) 954-9744 (phone & fax)  
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**Change of Address Notices**, including the member's eight-digit member ID number, must be sent directly to TU National at:

Membership Services  
 Trout Unlimited  
 1500 Wilson Blvd. — Suite 310  
 Arlington, VA 22209  
 (703) 284-9400 (fax)  
 wreed@tu.org

### Wisconsin Council of Trout Unlimited Officers

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**Chuck Steudel, Vice-Chairman**  
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 Mineral Point, WI 53565

**Forrest Grulke, Treasurer**  
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 Appleton, WI 54913



## Why jeopardize Mecan's public investment?

Editor,

I am very concerned about the plans of Perrier to extract water from the Mecan Springs aquifer. I have enjoyed the many facets of the Mecan river and surrounding area for over 20 years and cannot believe that the State of Wisconsin would even consider allowing Perrier to extract water from this aquifer. Having been a tax paying citizen for many years it concerns me that an area that has been entrusted to the State of Wisconsin and paid for with my tax dollars is going to be opened up to private enterprise. This is clearly not the intended use of Mecan Springs.

Beyond the immediate threat to Mecan Springs and the Mecan river, the precedent of exposing a public resource to damage from a private interest is unsettling. What assurances do you have as secretary that no damage to the spring, the fishery, the riparian environment, etc. will occur? What remedy exists for damages when they occur? Who will monitor and at what expense to the

taxpayers? Are we to rely on the testing by Perrier if and when they are in production? Certainly you cannot believe that a corporation will abandon or shut down an operation after investing \$35M even if told to do so because of real damages?

Every scrap of information that I have seen indicates that the typical mode of operation for Perrier is to first gain access and then begin production. Once this occurs the withdrawal levels are increased (with little or no monitoring or modeling of impact) with damn little regard to the environment or other users of the aquifer.

An environmental impact statement here is clearly warranted. I am very concerned and will follow this issue to conclusion. I await your reply.

Forrest Grulke  
Appleton

(Wisconsin Trout was copied this letter to WDNR Secretary George Meyer.-ed.)

## Congratulations to TU on Mecan victory

Editor,

Congratulations on a victory for conservation! It was splendid to hear that Perrier has decided to leave the Mecan Springs area.

Although it was disappointing to learn of the lack of protection that our laws afforded a State Natural Area and a beautiful trout stream, the energy and determination that was demonstrated by TU and others to nip this project in the bud really illustrated the power of citizen involvement. And how nice to get a resolution to this issue in just a few months!

I've been very impressed with Trout Unlimited's organization and drive. Having worked on motivating and organizing people around environmental issues for a number of years, I know how difficult it is! You must have a great communication network set up to be able to mobilize so effectively.

Again, congratulations! And thanks for your continued commitment to Wisconsin conservation.

Ann Finana, Coordinator  
Wisconsin Stewardship Network

## Critical of Perrier's back door U.S. tactics

Editor,

Perrier/Nestle is in a desperate search for spring water sources in the U.S. Why so desperate? Many of their plants are actually pumping less than permitted, so why do they ask for increases of up to five times what they need and why do they need new sources. Because they are expanding their markets to the Caribbean. Because, the Asian bottled water market is booming and Perrier, Evian, etc. want *our* water for these markets.

Asia's demand is three times that of the U.S. and growing. They have become desperate enough to risk recent protests at Crystal Springs and Mecan River to do so.

While asking for a pumping increase at Crystal Springs, Florida, Perrier stated that the increase was to supply growing markets locally and would not be leaving the country. We already know this statement to be totally untrue, citing advertisements for Zephyrhills Spring Water in Trinidad/Tobago as well as attempts to distribute in Central America.

Perrier picks on small Mayberry like towns that need the money and are not capable of fighting the lawyers of Perrier. Perrier promises them the world...how great life will be when we take control of your water.

Perrier ran into unanticipated re-

sistance when they confronted the trout fishermen of Wisconsin. Notice how quickly they did an about face when they ran into a formidable opponent? Should less affluent regions of our country be subject to these pressures and receive no help from the federal government?

In every instance thus far, the citizens of these communities targeted by Perrier have been the last to know about plans sometimes a year in the works. In the case of Crystal Springs in Florida, Perrier and the owner of the property surrounding the spring planned four years in advance of when local citizens found out. Even then, the land owner said he had closed their spring in order to build a scientific research center, something which has to this day has not happened.

Nestle is after every spring water source they can get their hands on in our country. They have planned this since the early 1980s and have met with little or no resistance until the past few years. Still they are allowed and many times even encouraged by the people we elect to represent us, not Perrier.

In Tampa, the mayor knew about and tried to assist Perrier even before their request was known about by the water management district. On the Mecan River, local officials and even the governor knew about and tried to assist Perrier before the

citizens of this community had a clue what was going on.

And just this past week, the community of Big Spring found out they were next on the hit list even though

## Sees value in TU's collective action

Editor,

As I reflect back on 10 years of internal bickering within Wisconsin Trout Unlimited regarding the early trout fishing season (thankfully now seemingly resolved by some creative leadership and action by a number of TUers and others), I've always been disappointed and saddened by the divisive "we vs. they" acrimonious posturing that occurred throughout much of the controversy.

We all (chapters and individuals) have "home waters" that we love, work to protect, and fish most often. Too frequently, however, the early season discussion degenerated to local parochial talk about *our* waters, as if all Wisconsin TUers didn't care about and have a stake in the conservation and recreational/ecological values in all of the badger state's splendid coldwater streams and fisheries.

The battles to protect the Wolf River, the Mecan, and dam removal fights on several Wisconsin waters clearly show that the strength of TU is our *collective strength*. How suc-

## Feels mine tailings will lead to disaster

Editor,

A February 12th Associated Press reported "In what may be Europe's worst environmental disaster since Chernobyl," a cyanide spill where a dam at the Baia Mare gold mine overflowed contaminating a major river has moved into Yugoslavia and destroyed all life in the water.

Water pollution from sulfide mining continues to poison thousands of miles of rivers and destroy communities who rely on fish for subsistence and economic prosperity. In 1990, nearly 11,000 fish were killed when heavy rains caused a containment pond to breach at the Brewer Gold Mine in Jefferson, South Carolina, sending more than 10 million gallons of cyanide-laden water into the Lynches River.

In May, 1998, a toxic mine sludge spill flooded rivers and farms in southern Spain near the Donana National Park when a mine tailings dam dyke ruptured leaving a poisonous path of heavy metals for more than 20 miles.

These horrific accidents underscore our determination to oppose

## Objects to 'closed-door meeting' charge

Editor,

I read with interest — and dismay — an article by Dean Simon in your fall 1999 issue entitled, "Petitioners trying to get DNR to write mining rules."

According to the article, the State Natural Resources Board "in closed meetings with mining company officials" determined state policy on how to implement the Mining Moratorium Law. Implied in the article was that mining officials were being favored and were influencing public policy on a key environmental issue. Nothing could be further from the truth.

I polled my fellow Board members on whether any of them had met behind closed doors with mining officials. None have.

Few issues have fueled public awareness and debate like the process for licensing sulfide mining in Wisconsin. I commend your publication and the public for getting involved, providing information and participating in public debate. However, you and author Dean Simon have an obligation to report public debate with factual information. In

the local officials already considered it a done deal.

Terri Wolfe  
Save Our Springs, Box 133  
Crystal Springs FL 33524

cessful would an individual chapter be waging a conservation battle against Exxon/successors, Perrier, corporate farms, and other interests? Only by capitalizing on all of Trout Unlimited's organizational capacity, resources and commitment — from local chapters to our State Council to our national staff and organization — can we successfully wage the efforts to protect and restore our state's and nation's vulnerable coldwater resources.

Watching TUers rally to ensure a healthy future for the Mecan River can't help but reinforce that point. It would serve all of us well to remember that in the heat of a contentious issue — and there will always be strongly held divergent viewpoints in a grassroots organization like TU — we need to be careful to act in ways that protect our collective well-being.

In the end, it is the strength of the whole, as well as the parts, that will enable us to achieve our goals.

Steve Born  
Madison

the Crandon project and should serve as a wake-up call to Wisconsin that mining waste does not lie inertly in the environment. Exposed to the elements, contaminants in mine waste material can easily leach out into surface and groundwater, causing serious long-term pollution.

Thousands of pounds of chemicals, including cyanide solution would be used at the Crandon site to leach out desired minerals from the host rock. The proposed tailings pond, the size of 350 football fields, would be the largest toxic waste site Wisconsin.

The general public is fed up with the egregious legacy of the mining industry. We can not afford to risk such special, pristine places of cultural and environmental significance such as our pristine Wolf River.

Mining Impact Coalition of Wisconsin, a nonprofit (all-volunteer organization) calls on all sports men and women to help stop the Crandon mine.

Linda Sturnot, VP  
Mining Impact Coalition  
Franklin, WI 53132

this case, you did not.

Good, strong public policy comes from factual information debated in the full light of day, not in closed meetings. I and the other members of the State Natural Resources Board are deeply committed to open, public consideration of natural resources policy. We do not engage in closed-door sessions. We will continue to seek out and consider every concern, opinion and viewpoint on the policy that we set for natural resources in Wisconsin.

Herbert F. Behnke, Shawano  
Land Management, Recreation  
and Fisheries/Wildlife  
Committee Chairman

WI Natural Resources Board

(While the NRB does not engage in closed-door meetings, it has demonstrated a disturbing tendency of approving recommendations developed behind the doors of the DNR and governor's office. Example: the NRB voted recently not to require that rules for the Mining Moratorium Law be written, a step that always follows any serious new law. So much for "good, strong public policy." -ed.)

## State Council holds annual meeting

By John Bethke  
Council Secretary

The February 7 meeting of the State Council of Wisconsin Trout Unlimited was called to order 10:30 a.m. in Oshkosh. Minutes from the September 18 meeting were approved.

Nominations for state council offices included:

Chair — John 'Duke' Welter  
Vice Chair — Chuck Steudel  
Treasurer — Forrest Grulke  
Secretary — John Bethke

The entire slate of officers was seconded and elected by voice vote.

Treasurer Forrest Grulke said banquet attendance and revenues are down and costs up. Forrest is asking for more support from chapters by increased involvement and attendance. He would consider changes in venue or location. Copies of the treasurer's report will be distributed to each chapter. Report approved by voice vote.

At this point several items were briefly discussed as follows.

Mike Brock has been appointed as National VP for our region. National has requested council financial support of \$1,000 from each state council in the region. This item was not voted on but it is assumed we will ante up our share.

Clint Byrnes announced that the Aldo Leopold chapter would pay \$125 for the state council's membership to the Wis. Wildlife Federation.

Laura Hewitt, who recently completed work as project director of the Kickapoo Watershed Home Rivers Initiative, has been appointed Upper Midwest Regional Conservation Director. She shares an office with Sarah Johnson in Madison. They can be contacted by phone at (608) 250-3534. Congratulations Laura, and welcome.

Steve Born reported that the TU National convention will be held in Syracuse, NY, August 9-13. TU National will continue to emphasize organizational development and leadership. The national conservation agenda will emphasize dams, natives, salmon, acid rain, forest roads, and fisheries budgets. TU National is decentralizing to better connect with chapters and state councils.

Larry Claggett of the WDNR reported on the consensus of the early season task force of which he was co-facilitator with Mike Reiter, Conservation Congress Trout Committee Chair. The task force recommended a two-zone statewide early season.

The DNR Board did not like the idea of the two zones, however, they put forth a plan that accomplishes the same thing but will require the listing of open and closed waters by counties. They are forming a question for inclusion at the April Conservation Congress meetings. If this compromise does not pass the statewide hearings, the early season will revert to the rules as outlined for the current early season.

Claggett further reported that the WDNR plans to update the Bluebook of WI trout stream classifications in the next year. This project has been on hold, pending the settling of early season issues. Stream reclassifications or upgrades must be documented and go through procedures. Chapters may want to check with their local fish managers, to see the status of their local streams and any planned changes. Trout stamp receipts and expenditures have been reviewed

From the Chairman

## Perrier battle showed TU at its best

By John Welter  
Wisconsin TU Chairman

Over the past 10 weeks many Wisconsin TU members have been busily involved with the controversy over Perrier's proposal to pump Mecan Springs water into truckload after truckload of their bottled "product." Our members were rightly concerned and have fought fiercely to protect a river many regard as one of our state's finest trout watersheds.

My own first trout on a dry fly was caught just downstream from the site where Perrier has located a test well in Wedde Creek, one of the tributaries. Although I have not fished the watershed for almost a decade, many magical evenings there are as fresh in my mind as if they took place last night.

We have seen Perrier come into the state with sweet-sounding words, spoken only after their representatives and land agents tried to muscle Coloma area residents into selling their land, "because the plant is a done deal and if you don't take this offer you won't get another."

We have taken a close look at the monitoring they have done with their plants in other states and concluded that they have faced little scrutiny about groundwater impacts in those states. People affected by their actions in Florida and Texas have told us about moves to dramatically increase pumping capacity after they get their feet through the door and the plant built.

The final straw for many concerned folks was the February 14 "public meeting" at the Coloma Elementary School, where Perrier's agents told the Waushara County Sheriff's Office not to let people with signs inside, and where there was no room for public questions to be asked.

Instead, people were shunted into the second-grade classrooms where the company's shills sipped the company product and gave pabulum answers to the hard questions asked by the public.

The anger that meeting spawned was unavoidable. Here was a company based on marketing more than anything else which was unable to answer the public's questions. "We will only communicate with you when we wish, in a way that we dictate," was the message they sent.

At least the message from the public finally got through to them.

Out of the Perrier controversy have come some truly remarkable developments for Trout Unlimited and the state.

First, the ill-advised scheme to drill a well into the Mecan Springs Natural Area was abandoned. Not only did this scheme threaten the natural area, but if the DNR granted permission it would have set a dismal precedent for other natural areas around the state.

Second, TU members from the Central Wisconsin Chapter sounded the initial alarm, led the way in gathering important information about

Perrier's plans, and helped organize diverse groups in the area in response to Perrier. The TU message was consistent: If a full environmental impact statement and hydrogeological study shows any impact on this watershed, No Way, Perrier. The chapter learned how powerful it can be, and several members showed outstanding leadership throughout this dispute.

Third, Central Wisconsin Chapter leaders contributed immensely to the formation of the first Mecan River Watershed group, the Friends of the Mecan. This group is expected to continue to address problems and threats in the watershed, bringing together a wide range of people and groups.

Fourth, the controversy has pointed up a significant weakness in the DNR's ability to deny an application for a high-capacity well permit, and led to legislative efforts by Sen. Kevin Shibilski and Rep. Spencer Black, among others, to strengthen the DNR's hand by allowing it to consider impacts on trout and other water resources in considering such permits. The legislation has a good chance of passage by the end of March.

Fifth, through the efforts of TU's lawyer, former public intervenor Waltraud Arts, we built a legal case urging the DNR to require an environmental impact statement be conducted before Perrier's permit could be granted. This, coupled with groundwater studies to be conducted by the U.S. Geological Survey's nationally recognized Wisconsin water team, would have given us valuable information about the aquifer under the Mecan, and the likely effects on the watershed and its flora and fauna from pumping operations.

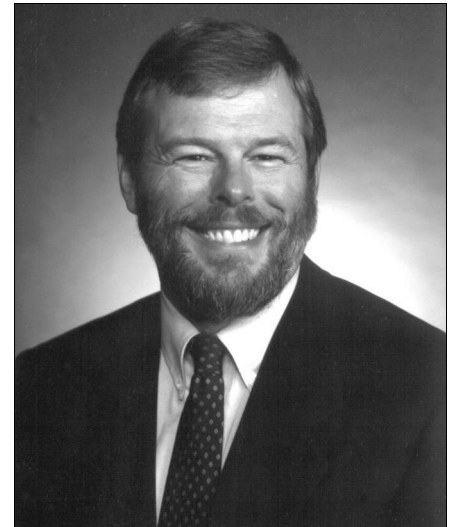
Sixth, we successfully coordinated the efforts of chapter, regional, state, and national TU to get the word out about Perrier's plans, and to send the message that we will fiercely defend our state's coldwater resources against those whose activities would threaten or exploit those resources. We saw how valuable it can be for all these levels to work together, and I hope the lesson can be noticed by other TU groups around the state and nation.

And finally, my law partners have tolerated my almost total absence from our office for much of the past two months, and my wife, Kathy, has tolerated, among other things, my being 135 miles from home on Valentine's Day for the Coloma meeting. Neither have changed the locks, for which I am deeply grateful.

Throughout the debate we have received great support from National TU leaders and staff and from other conservation groups, notably including the River Alliance of Wisconsin. Many of the state's major newspapers recognized the threats to the resources and cautioned against allowing economic development to outweigh protection of our valuable water resources.

Perrier may yet find a place to

build its plant in Wisconsin, and sources for sufficient quantities of high-quality water to supply its operation. We have never said we are



John Welter

against that. However, Perrier, the public and the state know that we will be diligent in scrutinizing their plans, and will work zealously to protect coldwater resources from damage from such operations.

§

And now, a word from our sponsors: Donations to the State Council will be gratefully accepted to cover the costs engendered by this discussion, including, but not limited to, legal fees and newspaper ads.

§

The first week of March, a contingent of Wisconsin conservationists spent several days in Washington, D.C. to meet with our congressional delegation on H.R. 701, which would set aside \$3 billion a year in offshore oil leasing revenues to be used for conservation projects in the states.

Wisconsin would receive over \$28 million a year to be used for land and water conservation, outdoor education, easement acquisition, and other important tasks.

This is the offspring of the "Teaming with Wildlife" proposal, which failed to pass but would have imposed an excise tax on non-hunting and fishing outdoor equipment.

We have received good support from the delegation, with sponsorships from Reps. Petri, Green, Kind, Barrett, Baldwin, and Kleczka. It would be helpful for chapters in their areas to voice appreciation for their support in public forums and the media.

We hope the bill will pass the House by mid-April and move on to the Senate, where we hope our senators will support it as well.

§

The spring state council meeting will be held on Saturday, April 29, at 10 a.m. at the Silver Springs Trout Ponds near Sheboygan, sponsored by the Lakeshore Chapter.

We will tour the chapter's nearby Onion River project, and may partake of steelhead and trout fishing in the area.

Agenda items will be welcomed by me or Council Secretary John Bethke through April 10.

and a report will be out soon.

There was a motion by Todd Hanson seconded by Hlaban to encourage the WDNR to allow ads (partnership statements) in the trout regulation booklet. This passed by a voice vote.

A slide presentation was given by Jana Grote from United Wisconsin Anglers. Stu Grimstad and Grote gave a presentation outlining the scope and purpose of United Wisconsin Anglers, whose five common

interests are habitat, angler participation, angler access, laws and regulations, and education. Stu will be working as TU's rep. with this group. For further info, contact Jana Grote at (608) 265-3257, or email jsgrote@facstaff.wisc.edu. Visit their website <http://clean-water.uwex.edu/fish>.

Education Committee Chair Dale Lang requests that chapters send info about chapter educational activities to him. He says the

Cortland Co. is offering beginners' flyfishing outfits for educational use for \$505 per dozen. Contact Phil Genova at the Cortland Co.

Membership Committee Chair Jim Hlaban noted that the Wisconsin TU currently has 3,363 members. This is an increase over last year. There was a discussion on how to build chapter membership. Jim also presented samples of "Trout

*Continued on p. 7*

# Council honors six for outstanding contributions

The Wisconsin Council of Trout Unlimited gave out six awards for outstanding contributions to the state's coldwater resources at the state council banquet in Oshkosh February 5.

The following text is adapted from Awards Chairman Larry Meicher's comments at the awards ceremony.

## Joan & Lee Wulff Award — Martin Hanson

Martin Hanson is a longtime conservationist from Mellon. He is an avid photographer, angler, and hunter who holds several bow-and-arrow Boone and Crockett records for sheep and grizzly bear.

Hanson was one of many key people who worked with Gaylord Nelson on the establishment of the Apostle Islands National Lakeshore. For many years, he has pushed for strong enforcement of the state's environmental laws. His documentation of lax enforcement of those laws led to the mid-1970s shake-up of the DNR.

His most prominent activities in recent years have been playing a key role in promoting the reintroduction of elk into northern Wisconsin.

Hanson has also served as chair of the Public Intervenor's Advisory Council and as a member of the governor's Forest Productivity Committee. In the early 1970s—long before the Wisconsin Stewardship Network—Hanson linked environmental groups together under the banner of the Wisconsin Resource Conservation Council to give them some political clout.

From a TU perspective, Hanson's major contributions have been related to support for reintroducing the native coaster brook trout and for leading the establishment of the Whittlesey Creek Wildlife Refuge on Lake Superior this past year. He produced a video on coasters and spoke to many local governmental and civic organizations to build support for coasters and the refuge. He worked with congressman Dave Obey and federal officials to take action to fund and acquire the needed lands, and helped with the land acquisition personally. He was the architect of the coaster brookie collectible print fund-raising initiative.

Hanson has been a major player in the background, but one of the great forces for conservation in Wisconsin over past 40 years.

## Gold Trout Award — Tony Trembl

Tony Trembl of Neenah is a member of the Fox Valley Chapter. He has been the chapter's stream improvement coordinator for over three years. Under his leadership member participation and attendance at the chapter's projects has increased fivefold, and stream projects now draw participants from four other chapters in addition to the Fox Valley Chapter.

Trembl has developed a reputation with his motto of "We'll be there unless there's a downpour of cats and dogs all day long, so help us build that honey hole." He helped develop an improvement plan for a native brook trout restoration project on the Whitcomb Creek in Waupaca County that the Fox Valley Chapter will be working on for a number of years.

He also took the lead role for the Central Region in the difficult job of getting easements from landowners along the Waupaca River in Portage County that allowed the Central Region's work to proceed.

Many know Trembl in another light. In 1996 he was a cast member in the State Council's "Consider Proper Release" video, where he played the worm fisherman who

couldn't keep a trout because it was too small, but who knew better than to pull the hook out of the deeply hooked fish.

## Silver Trout Award — Harry & Laura Nohr Chapter

The silver trout award for chapter merit is being presented to the Harry & Laura Nohr chapter of the Dodgeville area. Formed in the early 70s as the Southwestern Wisconsin Chapter, it was renamed the Harry Nohr chapter in 1976, and in 1996 Laura's name was added.

The chapter has been active in many theaters, including a school grant program, a student intern program, and youth classes.

But foremost in their accomplishments was the purchase and then resale of land along the headwaters of the Big Green River. While buying and selling property may not generally be considered a TU activity, it proved to be an important event for the chapter.

On August 24, 1999, they concluded the sale of the Collins property on the Big Green River, a property that they purchased only five months earlier. The DNR had been unsuccessful in purchasing an easement on the property. The property was for sale, but the DNR was restricted from buying it because it had improvements. The chapter took ownership on May 3, 1999.

The next step was to negotiate a fish management and conservation easement with the DNR. It was the desire of the chapter and Gene Van Dyck that the easement should be broad and comprehensive in coverage—a contract that would protect the land for perpetuity. The end result was a contract that allows present and future generations to fish, hike, and cross-country ski in the stream corridor. The DNR will be permitted to do stream restoration work, build a parking lot, and protect this important resource.

Through these financial transactions the Nohr Chapter has made a profit to be used for future projects.

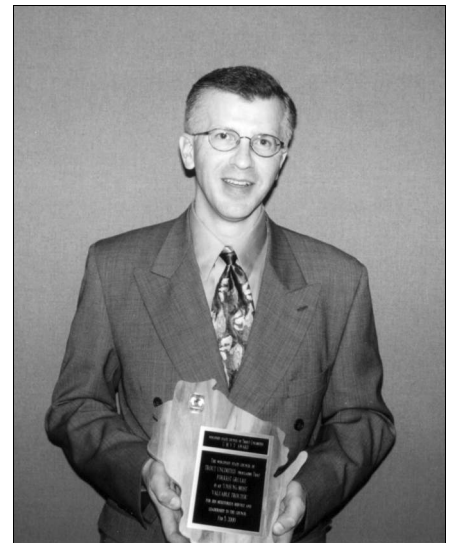
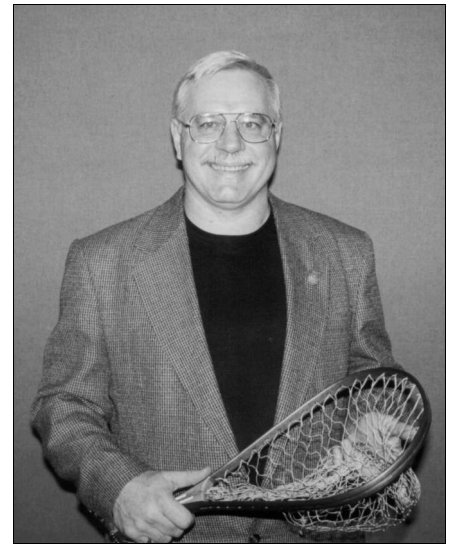
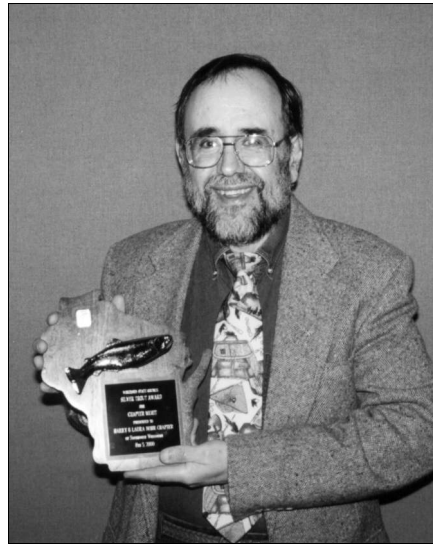
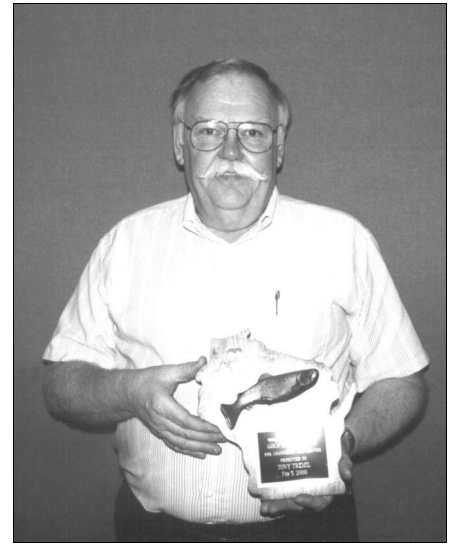
Aldo Leopold said in *A Sand County Almanac*, "What was big was not the trout, but the chance. What was full was not my creel, but my memory." The Harry & Laura Nohr Chapter has helped preserve the "chance" and the "memory" for others that follow.

## Gold Net Award — Larry Doebert

Larry Doebert has been a longtime member of the Lakeshore Chapter of TU. Within the last five years, he has served as Lakeshore Chapter's vice president, membership chairman, and has served on the chapter's board of directors. He also serves as the chapter's delegate to the Sheboygan County Conservation Association.

Doebert's most impressive work has been as the chapter's stream project coordinator. The first project Larry supervised was on Sheboygan County's Mullet River. He worked with land owners and the DNR to obtain permits and to secure access to the river in order to perform on-stream improvements. He produced a video to help sell the project. He then organized and supervised the actual work.

He is also the chairman of the chapter's Onion River project, which is in its fourth year and has the mission of returning the river to a naturally reproducing trout stream. Over the last three years, Doebert has organized and supervised many work days totaling over 1,300 man-hours. He also developed a slide show which has been given to various conservation associations and has resulted in over \$40,000 in



## 2000 STATE COUNCIL AWARDEES

Pictured are Martin Hanson and Tony Trembl (top), Chuck Steudel, representing the entire Harry and Laura Nohr Chapter, and Larry Doebert (middle), and Roger Kerr and Forrest Grulke (bottom).

pledges for project purposes.

Finally, and perhaps most importantly, Doebert was a key player in discussions with a private benefactor which resulted in the purchase of the Onion River's headwaters to ensure the future health of the river.

## Fisheries Manager of the Year — Roger Kerr

Roger Kerr has been one of the strongest voices in southwestern Wisconsin on behalf of wild trout habitat. Kerr spent 20 years re-establishing trout fisheries and countless stream rehabilitation projects as an assistant fish manager.

Kerr now works with riparian landowners to purchase conservation easements in the most critical watersheds of the state. His work has resulted in 100 trout stream easements on 59 miles of stream, 25 smallmouth bass easements on 35 miles of stream, and 72 public hunting and fishing land purchases encompassing over 6,000 acres. In a nutshell, Kerr has purchased more land than all the rest of the land agents in the WDNR combined!

He's been very helpful to the Harry and Laura Nohr Chapter as they designed a conservation easement on property they purchased adjacent to the Big Green River. Roger guided them in establishing a

new philosophy of healing the landscape within this critical watershed.

He's been very active to push the DNR to get involved in manure handling policies. He was behind the scene, but instrumental in the removal of the Mt. Hope pond on the Little Green. He's been active in establishing a policy to use wild trout for stocking activities.

Kerr has been a consistent voice against polluters who threaten our streams, and he's not afraid to speak out against the policies of his own agency when he sees poorly researched decisions work against the health of the coldwater habitat.

## Special Award — Forrest Grulke

Forrest Grulke was given a special UMVT award, the Unsung Most Valuable Trout.

Grulke has been state council treasurer and secretary. He has also been the main organizer of many of the state council's banquets. That this year's event was a success is just one more tribute and reflection of Forrest's unselfish efforts.

Forrest is always the guy who sees a need and then just quietly goes ahead to take care of it. Chairman Welter, as well as past chair Bill Sherer, can recount numerous scenarios where Forrest has quietly kept the council in order.

# Removing

# Small Dams

Part three in a *Wisconsin Trout* series on river restoration through dam removal

## Many tools available to pursue removal

By Stephanie Lindloff

Part three of this series introduces a variety of tools that can be used in restoring a river through dam removal. Factors unique to your community may present you with additional tools you can tailor to help with a local dam's removal.

### Economic issues

The cost of repairing or upgrading a dam is commonly viewed as a one-time expenditure. But keeping a dam is an ongoing expense. Communities need to be made aware of the recurring expenses associated with keeping a dam, including:

**1. Repair costs.** These costs range greatly, depending on the size, type, condition, and location of the dam. It is increasingly common for engineering firms to estimate both dam repair and removal costs. If public tax dollars will be used to repair a dam, residents have a right to know early in the process if this is a fiscally responsible decision.

Make public the dam's estimated removal costs compared to the repair costs. Provide removal and repair estimates and actual costs at similar removal sites.

This is especially important if the engineering firm estimating the costs in your community is not experienced in dam removal.

**2. Operation and maintenance costs.** Maintaining and operating a dam includes the ongoing costs of labor, materials, and equipment. These costs vary widely depending on the dam. In Wisconsin, these costs range from \$5,000-60,000 per year. Include these yearly costs in the decision-making process.

The maintenance dam impoundments can also create financial burdens and need to be considered in the total cost of keeping a dam. Dredging costs are site-specific and range from \$1.00-12.00 per cubic yard.

Costs can rise into the hundreds of thousands of dollars, something dam owners or other property owners' groups should know.

**3. Liability costs.** Dam owners are legally required to do everything necessary to avoid injuring people (even trespassers) and affecting property upstream or downstream of the dam. This includes keeping the dam in good repair, posting signs and warnings, and installing security fencing in some situations.

Dam owners often choose to purchase umbrella liability insurance with very large deductibles. Sometimes dam owners are only fully covered after the first \$1 million deductible.

**4. Abandoned or ownerless dams.** It is not uncommon for a dam to be without an identifiable owner. Dams typically change ownership several times during their lifetime. The WDNR tries to find the dam owner, but when this cannot be done, the option of dam removal becomes especially attractive. From 1992 to 1996, 12 dams were removed from Wisconsin waters with state funds appropriated specifically for removing abandoned dams.

### Public safety laws

If public safety laws have triggered the need to repair or upgrade a local dam, they can be used to encourage the consideration of dam removal. Many dam owners do not face the decision to repair or remove their dam until they are required by a regulatory agency to bring the dam up to safety standards.

The threat of dam failure becomes an increasing concern as dams deteriorate and communities downstream grow. This can be a particularly valuable tool when a dam is no longer economically viable and is in need of repair.

### The Public Trust Doctrine

The Public Trust Doctrine (PTD) grants states the right to hold the beds of navigable waters in custody for all of its citizens. It is through this doctrine that states are obligated to protect public rights in navigable waters, with the upper boundary being the ordinary high water mark.

Wisconsin's PTD is one of the most far-reaching in the country, with the legislature delegating much of the state's authority and responsibilities under the PTD to the WDNR. Chapter 31 of the Wis. State Statutes addresses the regulation of dams.

It is currently unclear whether and how the PTD can be used in dam removal and repair decisions. In some cases the state has the right to physically remove a nuisance from public waters, a circumstance that might pertain to some dams.

Aggressive use of the PTD in a dam removal or repair case, if legally upheld, could significantly expand the dam removal or repair decision-making process beyond the primary concern of public safety and create additional legal tools to pursue future river restoration efforts.

### Environmental quality issues

**1. Fish Passage.** If a dam is repaired and effective fish passage is installed, the resource will benefit. However, the requirement to build a fish passage structure may be viewed as cost prohibitive, making the generally less-expensive option of dam removal an attractive option.

**2. Endangered, Threatened, and Rare Species.** The Endangered Species Act (ESA) prohibits any federal actions that could jeopardize the continued existence of a listed endangered species or actions that could adversely affect their critical habitat. This does not necessarily translate into "the dam cannot be built" (in the case of a new dam) or "the dam must be removed" (in the case of an existing dam).

The requirement does mean that the activity must be determined to be justifiable and that any negative impacts to the environment need to be mitigated. Use of the ESA for a dam's removal is bolstered if the dam of concern is not economically viable.

**4. Impaired Waters — 303(d) list.** Under the Clean Water Act, each state is required to list "impaired waters" that are too degrad-

ed to support their designated and existing uses. If the stretch of river is listed on your state's 303(d) list because the dam is adversely impacting water quality or fisheries, the added time, money, and effort needed to improve water quality by changing the dam's operations may encourage the dam's removal.

**5. Sediment concerns.** Evidence of negative impacts to a river due to sediment issues may be valuable information in certain circumstances. If issues involving sediment can be shown to negatively impact a species of special interest, the information could be used to either:

- change the dam's operation to lessen its impact, or
- consider the dam's removal because of its impact to a certain species or group of species.

Please contact the River Alliance of Wisconsin for more information. Phone (608) 257-2424 or send email to [wisrivers@wisconsinrivers.org](mailto:wisrivers@wisconsinrivers.org).

(Stephanie Lindloff is the Small Dams Program Manager for the River Alliance of Wisconsin. The Small Dams Program is a collaborative effort of the River Alliance and the National Office of Trout Unlimited. Its goal is to help improve decisions regarding dams through public information and education and by encouraging citizen involvement in these important decisions. -ed.)

### PART FOUR: Plan a Strategy

The "Removing Small Dams" series continues in the next issue of *Wisconsin Trout* with a 10-point strategy for increasing discussion and consideration of a local dam's removal.

This strategy is based on numerous experiences and extensive knowledge of working with communities facing the decision of dam removal or repair.

## State Council starts early season Trout Watch program

By Jim Hlaban

Have you ever felt there should be more wardens out there enforcing fishing regulations during the early season? If so, now there is a way TU members to help.

Wisconsin Trout Unlimited has initiated a "Trout Watch" program. Participants can sport Trout Watch hats or bumper stickers, both of which have the TU logo and warn potential violators that they may be turned in if they are seen violating a trout fishing regulation.

The program is an incentive for people not to violate. If someone sees the Trout Watch hat or bumper sticker often, they may get the message and understand that it is not just WDNR wardens who are concerned about violations, but their peers as well.

The Trout Watch program has been endorsed by the Wisconsin Department of Natural Resources.

"There never has been, nor will there ever be, enough wardens to adequately protect the natural resources of this great state," said WDNR Chief Conservation Warden Tom Harelson.

"The job needs to get done by citizens taking responsibility for not only their own actions, but also of those who refuse to care. I am very pleased to see such a great organization as Trout Unlimited will-

ing to help with a service that cannot be bought — people who care about the resource."

If you are interested in purchasing hats or bumper stickers, talk to your chapter president. He or she has samples for you to see, and it will be less expensive if you order supplies for your whole chapter at once.

Hats can be ordered from Heartgraphics, 616 Main St. W., Ashland, WI 54806. Phone (715) 682-5307 or email them at ww-heart@win.bright.net. Hats cost \$9.50 each plus shipping of about \$6/dozen.

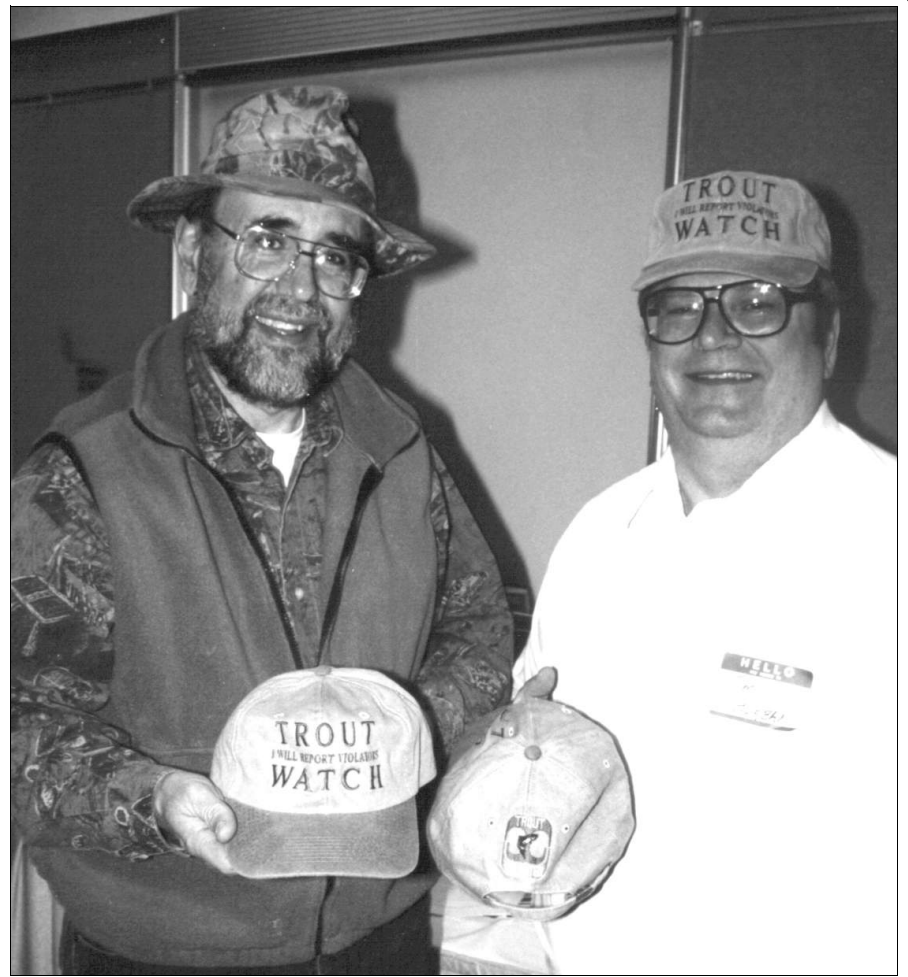
Bumper stickers can be ordered in quantities of 100 for \$21 plus shipping from TCSP Screenprint at (608) 782-6701 or email them at Boydgrant@prodigy.net.

If you want fewer than 100 bumper stickers, write Jim Hlaban at 1429 Silverwood Ln., Neenah, WI 54956. Or call (920) 722-4335 or email to Jhlaban@kcc.com.

Small orders of bumper stickers through Hlaban cost 21 cents each plus shipping.

Hlaban will also be bringing samples to the next state council meeting to be held April 29 at the Silver Springs Trout Ponds near Sheboygan.

TU members interested in the Trout Watch program should note



### TROUT WATCH PROGRAM UNDERWAY

Newly elected State Council Vice Chairman Chuck Steudel (left) and Central Region Vice-Chair Jim Hlaban show off sample "Trout Watch" hats at the February State Council meeting in Oshkosh.

the program guidelines below for guidance in how to deter violators

without risking one's own safety in the field.

## Trout Watch guidelines for cooperators

1. Trout Watch cooperators have **NO LAW ENFORCEMENT AUTHORITY** and can not make arrests or detain suspects. Trout Watch cooperators should not approach violators in any way, but should only observe and report violations.
2. **DO NOT** confront violators and place yourself at risk.
3. Cooperators should be familiar with and follow current fishing regulations.
4. Trout Watch cooperators should wear the Trout Watch hat while fishing and have a Trout Watch bumper sticker on their vehicle to indicate to other fishers that illegal activities will be reported.
5. If you find violations, take the following steps:
  - Call DNR Hotline: 1-800-TIP-WDNR (1-800-847-9367).
  - Record detailed information regarding violations, times, locations, suspect descriptions, vehicles, etc.
  - When leaving information with the DNR, please identify yourself as a Trout Watch cooperator. If you leave your phone number, a warden will call you with the violation's disposition.
6. Trout Watch cooperators are not agents or employees of the WDNR and are not eligible for worker's compensation or any other benefits.

## COUNCIL: Trout Unlimited holds annual meeting in Oshkosh

Continued from p. 4

Watch" hats for delegates to show to their chapters and take orders. The hats say Trout Watch in bold letters, and the words "I will report violators" in smaller print. They cost \$6 each and can be embroidered with the TU logo on the back for an additional \$3.50. Each chapter can take orders and contact Jim to place orders.

Water Resources Chair Mike Swoboda gave an update on the Bloomer Dam repair-or-removal question which is still ongoing. Non-point pollution regulations are being redesigned by a mixed input task force. The NRB has approved the rules and drafts are available for public comment. All are encouraged to attend and make comments.

There was a lengthy discussion about the Perrier Company's interest in a water bottling plant in Mecan Springs area. This, of course, could be detrimental to instream flows in the Mecan and its feeders. Motion by Welter, second by Hlaban, to have the executive committee formulate a statement requesting a full Environmental Impact Statement (EIS) and suggesting other more benign water sources, etc. Passed by voice vote.

Friends of Wisconsin TU Chair John Cantwell reports that revenues are continuing to increase moderately each year. Also says that expenses are running at about 10% of income, which is good. John also re-

ported that John Shillinglaw has donated 20 framed trout stamp collections to Friends of WITU to be auctioned off to raise funds. (See the story in this issue for details.)

Help was also requested for selecting friends proposals for funding. Council President Welter appointed the four state regional vice presidents to this task.

Publications Chair Todd Hanson reported that things are going well with Wisconsin Trout. However, he would like to see more ads sold, and needs contributions on chapter events, issues, and other stories. We all applauded Todd for his excellent efforts.

Legislative Committee Chair Jeff Smith reports that a number of items are being tracked by the legislative committee, including budget levels of stewardship funding, Senate Bill 336 repealing the exemption of cranberry growers from laws regulating and protecting public waters, and the defeat of a provision that would have allowed fish farming operators to divert stream water.

### New business

Bill Shearer suggested that banquets could be held in various regional locations. The idea would be to generate more interest and better attendance. No action was taken. Bill will look into it further.

Jim Hlaban moved to ask Bob Meyer to do a financial audit of the state council. Motion seconded and

passed on a voice vote.

Chuck Steudel moved to request the DNR update the blue book of WI trout streams within six months, and that this book be regularly updated. Motion seconded by Hlaban and passed by voice vote.

Jim Bereza of the Marinette Co. Chapter moved to transfer lands held in trust by their chapter to the DNR. After some discussion, the motion was dropped. It was suggested that the property could be sold with stipulations that it not be developed. A public access lease or other alternatives could be explored. It was suggested that such alternatives be explored and this be reintroduced at the next council meeting.

Stu Grimstad reported on a conservation initiative by the National Audubon Society concerning habitat protection for migratory birds. After discussion a motion passed to support the initiative in concept since the specifics of the initiative have not yet been worked out. (See story on facing page.)

Gene Van Dyke suggested that the early season issue has dragged on too long. He asked that we get it behind us.

Duke Andrews suggested that the TU mission to restore, protect, and conserve our coldwater resources should be amended to include the word "enhance." This was just food for thought. No action was taken.

Duke Welter mentioned that procedures at WI county Conserva-

tion Congress hearings have been changed. Local resolutions, and the elections of congress delegates, will now be done at the beginning of the hearings. This is being done because often many people had left the hearings by the time this business was conducted at the end of the evening.

The next state council meeting will be Saturday, April 29, at Silver Springs Trout ponds Sheboygan at 10 a.m. This meeting is being hosted by the Lakeshore Chapter. They will show us the work they have done on the Onion River. They will also advise on steelhead fishing or trout fishing on the Onion.

Please submit any agenda items to Duke Welter by Friday, April 5.



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## Council endorses Audubon's WI Bird Conservation Initiative

Wisconsin TU chapters voted to endorse the North American Bird Conservation Initiative at the February state council meeting in Oshkosh.

The initiative was brought to the council's attention by Stu Grimstad via the Madison Audubon Society.

Early in 1998, the U.S. Fish and Wildlife Service and the International Association of Fish and Wildlife Agencies, working with non-governmental organizations and state and provincial agencies, began to develop what today is known as the North American Bird Conservation Initiative (NABCI).

This initiative attempts to unite under one umbrella both game and nongame bird management in North America.

A main objective of NABCI is to link bird conservation efforts in the U.S. with similar efforts in Canada and Mexico through existing initiatives, such as the North American Waterfowl Plan, Partners-in-Flight, the U.S. Shorebird Conservation Plan, and the North American Colonial Waterbird Conservation Plan.

On September 7, 1999, a draft plan for NABCI (available at [www.partnersinflight.org](http://www.partnersinflight.org)) was completed.

The goal of the draft national initiative is "to deliver the full spectrum of bird conservation through regionally based, biologically driven, landscape-oriented partnerships."

The plan is still in the draft stage, but it conveys a state of urgency to

birds, through ecological landscape assessment and management, using the best available science.

- Keep common birds and their habitats common, so that they don't become endangered,

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*The goal of the draft national initiative is "to deliver the full spectrum of bird conservation through regionally based, biologically driven, landscape-oriented partnerships."*

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achieve significant bird conservation measures.

Quoting from the draft plan, "Between 1600 and 1900, 75 species of birds and mammals became extinct; 75 more, approximately one/year, disappeared from the planet between 1900 and 1980."

### Plan objectives

The following are the goals of the Wisconsin Bird Conservation Initiative:

- Provide the full spectrum of bird conservation in Wisconsin, including both game and nongame

threatened, or rare.

- Conserve, protect, and restore endangered, threatened, and rare bird species and their habitats so their populations are again secure.
- Manage all birds and their habitats using ecological landscapes as the management unit and considering the impacts of this management on all flora and fauna species occupying that habitat as well as on the social and economic impacts on people.
- Conduct statewide assessments using regional data to identify

management opportunities and needs for bird species and habitats in Wisconsin and to prioritize bird management.

- Develop ecological landscape opportunities that identify how to conserve birds within Wisconsin using the best available science.
- Coordinate and integrate ongoing bird initiatives into these assessments to help implement other state, regional and national bird conservation initiatives.
- Develop and implement an information and education strategy designed to promote the conservation of breeding, migration, and wintering bird habitats outside of Wisconsin for migratory birds.
- Develop broad-based, cooperative partnerships to plan and help implement management opportunities into existing and future land management plans.
- Encourage urban/suburban bird research, management, and educational opportunities.
- Identify research and management priorities and pool resources to accomplish priority work.

## Coalition urges repeal of 1867 cranberry law

A broad coalition of conservation and sportsmen's groups and tribal governments has organized to urge the Wisconsin legislature to repeal the 1867 law exempting the cranberry industry from state public water regulations.

Coalition spokesman Jim Burgess, president of the Wisconsin Association of Lakes, said the proposed bill would do nothing more than to put the cranberry industry on equal footing with every other industry in the state.

"Most cranberry operators conduct their business in a way that safeguards our public waters," said Burgess, former publisher of the *Wisconsin State Journal* in Madison. "But there are some who don't. The proposed legislation would ensure that we have the same review and regulations for cranberry operators as we do of every other industry in the state, from farms to factories."

"Trout streams and other waters around Wisconsin suffer from siltation, thermal impacts, and chemical runoff from cranberry bogs which are exempt from regulation under the 1867 cranberry law," according to Trout Unlimited Chair John Welter of Eau Claire. "Wisconsin's fish and wildlife will benefit if cranberry growers are required to follow the rules that protect our waters," said Welter."

### Cranberry industry growing

Wisconsin is America's leading cranberry producer with a 1998 harvest of nearly 2.5 million barrels of fruit. The cranberry industry has been expanding rapidly in Wisconsin in recent years, adding an estimated 700 acres of cranberry beds in 1998.

Under the 1867 law, cranberry operators are permitted to manipulate water levels through the construction of dams and drainageways, and to divert water from public lakes and streams without any state review or approval.

All of these activities involve public waters and require permits from the Department of Natural Resources, except if they are undertaken by cranberry growers.

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# April 10 spring fish and wildlife hearings feature new trout plan

Citizens across the state will have the opportunity to discuss and vote on a wide variety of proposed hunting and fishing rule changes during the 2000 Department of Natural Resources Spring Fish and Wildlife Rules Hearings that will be held in every county of the state April 10.

Prominent in this spring's hearings are proposals for a mourning dove hunt in Wisconsin and a permanent early catch and release trout season.

The hearings will also have a question asking whether the Mekan watershed should be opened for water bottling.

The proposed Mekan question reads: "Should the Natural Resources Board allow the use of the wild lands of the Mekan River Fisheries Area (Waushara County), purchased with public money for the specific purpose of their preservation and use by the public, to be opened to allow their exploitation by withdrawal of its ground water for a commercial bottling facility?"

Results of the hearing votes and written comments will be considered by the state Natural Resources Board in making its decisions on the issues presented.

The annual hearings are held simultaneously in each of the state's 72 counties in conjunction with the Wisconsin Conservation Congress county meetings.

All hearings will be held Mon-

day, April 10, beginning at 7 p.m. and are open to the public.

"The spring rules hearings are unique to Wisconsin," said DNR Secretary George Meyer. "No other state that I am aware of attempts to hold simultaneous public hearings in every county on this many issues at one time."

Citizens may also introduce resolutions at local hearings. Anyone

In recent years, issues such as mining, the status of the public intervenor, and authority to appoint the secretary of natural resources have appeared on the agenda.

wishing to do so is required to present the resolution to the hearing examiner or the presiding member of the Conservation Congress present.

Resolutions will be read, discussed and voted on following voting on state and local DNR rules and advisories and before Conservation Congress advisory questions.

The meetings are organized by the Wisconsin Conservation Congress and the Department of Natural Resources. The Conservation Congress was created by the state legislature in 1933 to advise the state on conservation matters.

In the over six decades the congress has existed the rules hearings have grown to include more than changes to or proposals for fish and game laws.

In recent years, issues such as

mining, the status of the public intervenor, and authority to appoint the secretary of natural resources have appeared on the agenda.

Email comments will not be considered as written comment or toward hearing vote totals.

Other wildlife proposals include: establishing a snowshoe hare hunting season; allowing unfilled gun deer licenses to be used during the muzzleloader season; reduce the size of the area closed to coyote hunting during the gun deer season; modify the opening and closing of hunting hours for bear, deer and small game; and a three-

year trial period allowing hunters to leave portable deer stands in place on public lands throughout the gun deer and muzzleloader deer seasons.

Fishing proposals include: designating additional stream reaches where Great Lakes Trout and Salmon stamps would be required; establishing consistent regulations for walleye and northern pike on southern Lake Michigan; closure of the yellow perch hook and line season from April 1 to May 22 on Lake Superior and establishing a panfish daily bag limit of 25 on Wisconsin-Iowa boundary waters.

The full text of the hearing agenda, proposals, and advisory questions and locations for local hearings can be viewed on the DNR website: <http://www.dnr.state.wi.us/org/nrboard/springhearings>.

## Early season plan identifies open Northeast WI waters

Trout enthusiasts will have the chance to vote April 10 on a proposed statewide permanent early catch and release trout season recommended by a task force created by the state Natural Resources Board.

The proposed season will be one of the questions featured during the Department of Natural Resources Spring Fish and Wildlife Rules Hearings, which will be held April 10 in all 72 counties in conjunction with the Wisconsin Conservation Congress' county meetings.

### Proposal specifics

Under the proposal, the early catch and release season would open March 1 on specific streams in northeast counties and on all trout streams — with the exception of a few sensitive streams — in the rest of the state.

Local DNR fisheries biologists in northeast Wisconsin recommended streams in their area that would be reasonably fishable using spin-casting and fly-fishing equipment and easily enforced. They also had the option of closing sensitive streams to protect spawning areas or concentrated trout populations.

Anglers would be required to use artificial lures and flies, and to use and possess only barbless hooks. The season would close five days before the regular season opener to give fish a rest and allow stocked fish to acclimate to the streams.

The proposed permanent season structure was developed by the Early Trout Season Task Force, which was appointed by the Natural Resources Board in 1999 to come up with a compromise to the current early season in effect since 1997.

"The task force worked hard to develop a proposal that everyone could live with," said Larry Claggett,

task force co-chair and a DNR trout expert. "Now anglers, particularly people who like to fish in the northeast part of the state, will want to look at the list to see if they agree with it and make their wishes known at the spring hearings."

The DNR supports making an early catch and release season a permanent part of Wisconsin's outdoors calendar because many people enjoy having the additional fishing opportunity and trout reproduction isn't affected, Claggett said.

### Northeast WI open water

Specific northeast Wisconsin waters proposed to be open during this early catch and release season are:

**Bayfield County** — All trout streams except the White River and its tributaries upstream from Pike River Road bridge;

**Brown County** — None;

**Calumet County** — None;

**Door County** — None;

**Florence County** — Pine River;

**Forest County** — Peshtigo River downstream from U.S. Highway 8, Pine River downstream from STH 55, and Rat River downstream from Scattered Rice lake;

**Kewaunee County** — None;

**Langlade County** — Wolf River;

**Lincoln County** — All trout streams west of STH 51 and Prairie River downstream from CTH J;

**Manitowoc County** — None;

**Marathon County** — Black Creek, Black Creek (T30N,R3E), Grass Creek, McGinnes Creek, Fourmile Creek, Noisy Creek, and Plover River from STH 29 downstream to STH 153;

**Marinette County** — North Branch Peme Bon Won River downstream from STH 141, Peshtigo River upstream from CTH C, Pike River between CTH V and CTH K, and Rat River;

**Marquette County** — Chaffee Creek downstream from CTH B, Klawitter Creek, Lawrence Creek, Lunch Creek, Mekan River upstream from STH 22, Neenah Creek, O'Keefe Creek, Wedde Creek and Westfield Creek;

**Menominee County** — None;

**Oconto County** — North Branch Oconto River downstream from STH 64 and South Branch Oconto River downstream from CTH AA;

**Oneida County** — All trout streams west of STH 51 and Bearskin Creek;

**Portage County** — Ditches 1 through 6 downstream from Townline Road and Tomorrow River from Amherst downstream to Durant Road;

**Shawano County** — Middle Branch Embarrass River from Homme Dam to STH 29, North Branch Embarrass River from Tilleda Dam downstream to Leopold Dam and Red River downstream from Lower Red Lake Dam;

**Vilas County** — Mishonagon Creek;

**Waupaca County** — North Branch Little Wolf River from CTH P to CTH J, South branch Little Wolf River and Waupaca River from Frost Valley Road to STH 54;

**Waushara County** — Carter Creek, Leola Ditch, Mekan River downstream from 12th Avenue, Pine River downstream from CTH K to Poy Sippi Pond, Roche-a-Cri Creek, Willow Creek from Blackhawk Drive to 29th Lane, and White River from STH 22 to White River Millpond (lower); and

**All other counties** — All trout streams in all other counties not listed above would be included in this early season EXCEPT portions of tributaries to Lake Michigan and Lake Superior that are already open to harvest during this time period.

### Hearing Locations

Adams; Adams Co. Courthouse, County Board Room, 402 Main St., Friendship  
Ashland; Ashland High School, 1900 Beaser Ave., Ashland  
Barron; Barron County Courthouse Auditorium, 303 E. LaSalle, Barron  
Bayfield; Bayfield Co. Courthouse Board Room, 117 E. 5th, Washburn  
Brown; Franklin Middle School Auditorium, 1234 W. Mason St., Green Bay  
Buffalo; Alma Area High School Auditorium, S1618 STH '35, Alma  
Burnett; Burnett County Government Center, 7410 Co. Rd. K, Siren  
Calumet; Calumet County Courthouse, Room 025, 206 Court St., Chilton  
Chippewa; Chippewa Falls Middle School, Auditorium A, 750 Tropicana Blvd., Chippewa Falls  
Clark; Greenwood Elementary School Cafeteria, 708 E. Division, Greenwood  
Columbia; Columbia County Admin. Building, Basement, 400 De Witte St., Portage  
Crawford; Crawford County Courthouse, Circuit Courtroom, Prairie du Chien  
Dane; Dane County Expo Center, Madison  
Dodge; Horicon Senior High School, 841 Gray St., Horicon  
Door; Door County Courthouse, Room A150, 421 Nebraska, Sturgeon Bay  
Douglas; Superior High School, 2600 Catlin Ave., Superior  
Dunn; Dunn County Fish/Game Club, 1900 Pine Ave., Menomonie  
Eau Claire; Eau Claire Co. Exposition Center, 5530 Fairview Dr., Eau Claire  
Florence; DNR Natural Resources Center, Lower Large Conf. Room, Hwys. 2 & 101, Florence  
Fond du Lac; Theisen Jr. High School Auditorium, 525 E. Pioneer Rd., Fond du Lac  
Forest; Crandon Elementary School, 9750 U.S. Hwy. 8, Crandon  
Grant; Lancaster High School, Hillary Auditorium, 806 E. Elm St., Lancaster  
Green; Pleasant View Annex, Auditorium, N3150 Hwy. 81, Monroe  
Green Lake; Green Lake High School, Multi Purpose Room, 612 Mill St., Green Lake  
Iowa; Dodgeville Elementary School Gymnasium, 404 N. Johnson, Dodgeville  
Iron; Iron County Courthouse, Hurley Jackson; Jackson County Courthouse, County Board Room, 307 Main, Black River Falls  
Jefferson; Jefferson Public Library, 321 S. Main St., Jefferson  
Juneau; Juneau County Courthouse, Courtroom, 220 E. State St., Mauston  
Kenosha; Kenosha County Center Hearing Room, 19600 75th St., Bristol  
Kewaunee; Kewaunee County Courthouse, 613 Dodge St., Circuit Court Room 212, Kewaunee  
La Crosse; Onalaska High School Auditorium, 700 Hilltop Pl., Onalaska  
Lafayette; Darlington Community High School Cafeteria, 11838 Center Hill Rd., Darlington  
Langlade; Langlade County Courthouse, Courtroom, 800 Clermont, Antigo  
Lincoln; Merrill High School, 1201 North Sals St., Merrill  
Manitowoc; UW Center-Manitowoc, Room E125, 705 Viebahn St., Manitowoc  
Marathon; Marathon High School Auditorium, 204 East St., Marathon  
Marinette; Wausaukee High School Cafeteria, N11941 Hwy. 141, Wausaukee  
Marquette; Marquette County Courthouse, 77 W. Park, Montello  
Menominee; Menominee County Courthouse, Basement Meeting Room, Keshena  
Milwaukee; Nathan Hale High School Auditorium, 11601 W. Lincoln Ave., West Allis  
Monroe; Sparta High School Auditorium, 506 N. Black River St., Sparta  
Oconto; Suring High School Cafeteria, 411 E. Algoma, Suring  
Oneida; James William Junior High, 915 Acacia Lane, Rhinelander  
Outagamie; Jefferson High School, 1000 S. Mason St., Appleton  
Ozaukee; American Legion Hall, 435 N. Lake St., Port Washington  
Pepin; Pepin County Government Center, County Board Room, 740 7th Ave. W., Durand  
Pierce; Ellsworth Senior High School Auditorium, 323 Hillcrest, Ellsworth  
Polk; Polk Co. Government Center, 100 Court Plaza, Balsam Lake  
Portage; Ben Franklin Junior High School Auditorium, 2000 Polk St., Stevens Point  
Price; Price County Courthouse, County Board Room, Phillips  
Racine; Union Grove High School, 3433 S. Colony Ave., Union Grove  
Richland; Richland County Courthouse, Circuit Court Room, Richland Center  
Rock; Rock County Health Care Center Auditorium, 3530 N. Hwy. F, Janesville  
Rusk; Ladysmith High School Auditorium, Ladysmith  
St. Croix; WI Indianhead Technical College, Cashman Auditorium, 1019 S Knowles Ave., New Richmond  
Sauk; UW - Baraboo Campus, A4 Lecture Hall, 1006 Connie Rd., Baraboo  
Sawyer; Winter High School Auditorium, Winter  
Shawano; Shawano Middle School, 1050 S. Union St., Room LGI, Shawano  
Sheboygan; Sheboygan Falls High School Cafeteria, 220 Amherst Ave., Sheboygan Falls  
Taylor; Taylor County Fairgrounds, Multipurpose Bldg., Medford  
Trempealeau; Whitehall City Center Community Room, 36245 Park St., Whitehall  
Vernon; Viroqua Middle School, Large Lecture Room, Blackhawk Drive, Viroqua  
Vilas; Plum Lake Community Building, Golf Course Rd., Sayner  
Walworth; National Guard Armory, 401 E. Fair St., Elkhorn  
Washburn; Agriculture Research Station, Hwy. 70E, Spooner  
Washington; UW-Washington County Campus Theater, 400 University Dr., West Bend  
Waukesha; Waukesha County Expo Center, 4848 Northview Rd., Waukesha  
Waupaca; Baymont Inn and Suites, 110 Grand Seasons Dr., Waupaca  
Waushara; Waushara County Courthouse, 209 S. St. Marie, Wautoma  
Winnebago; Oshkosh North High School Auditorium, 1100 W. Smith, Oshkosh  
Wood; Pittsville High School Auditorium, 5407 1st Ave., Pittsville

## Dozens of groups working on many fronts

# Wisconsin Stewardship Network tackling metallic mining

By Tom Wilson

Since its inception four years ago, the Wisconsin Stewardship Network (WSN) has focused on strengthening the rules regulating metallic mining in Wisconsin and demanding fair and complete enforcement of existing mining law.

The WSN has worked with and helped coordinate the efforts of many groups, including:

- The Mining Impact Coalition,
- Ecologically Concerned Citizens of the Lakeland Area (ECCOLA),
- John Muir Chapter of the Sierra Club,
- Wisconsin's Environmental Decade,
- The Menominee Nation,
- Northern Thunder,
- Wisconsin Resources Protection Council,
- Rusk County Community Action Group,
- Clean Water Action Council,
- Protect Our Wolf River,
- Town of Nashville Legal Defense Fund,
- Mining Moratorium Coalition,
- Midwest Treaty Network,
- Wolf Watershed Education Project,
- Wisconsin Trout Unlimited,
- Four Rivers Headwaters,
- River Alliance of Wisconsin,
- Great Lakes Indian Fish and

Wildlife Commission,  
• Wisconsin Citizen Action.

In listing the following accomplishments and initiatives, WSN is not claiming all the credit or implying that this work was the sole, or even primary effort of our particular group.

Rather, we wish to demonstrate the vast array of mechanisms and strategies applied by our associate organizations in this vital area. It is our belief, however, that the WSN's efforts at coordinating and publicizing the works of all member groups has been a major factor in the variety of successes we have seen and a model we hope to continue.

1. Throughout 1997 and the first part of 1998, the key statewide effort was to build mass support for the Churchill Mining Moratorium Law. Despite opposition from Governor Thompson, industry groups and mining company influence on many legislators, a strong bill was passed and signed into law in April of 1998.
2. Despite that clear early victory, our allied groups were forced to petition the DNR to formulate rules implementing the Moratorium Law. Faced with constant opposition and stonewalling by the DNR administration, the issue of rules was finally brought before the Natural Resources

Board. The Board essentially ignored all appeals to reason and democratic processes and rubber-stamped the closed-door *de facto* rules promoted by the mining company and the Department heads.

3. Nonetheless, groups are also continuing to investigate and expose the limitations of the three example mines offered by the mining company to meet the requirements of the Churchill Mining Moratorium Law. Very telling details have been discovered, indicating noncompliance with the standards set by this law—even as defined by the DNR—and it is felt there can be a strong case presented at the final administrative hearing where this issue will be decided.
4. Associate groups have had limited input to the Governor's Science Advisory Board, raising general issues that it should be considering. Since this group has little or no legal decision-making status it has been felt that it could be counterproductive to expend too much energy raising details with them.
5. Communities all along the Wisconsin river expressed opposition to the plan to pipe wastewater from the proposed mine into that body of water. This opposition, along with complaints from neighboring Great Lakes States and Provinces, resulted in the mining company withdrawing this as the primary wastewater deposition location. Since projections of actual pumping rates are still in dispute and may well exceed absorption capabilities of the company's seepage plan, we continue to be vigilant to the fact that the Wisconsin River pipeline as an alternative wastewater disposal system is still included in the company's plan.
6. Numerous supporting groups regularly testified at legislative committee hearings to assure adequate funding of the Mine Disaster Emergency Fund (the so-called Irrevocable Trust) with a realistic minimal per-ton fee for above-grade and subsurface tailings storage facilities. Despite adamant opposition from the industry and the DNR, consistent testimony from member groups led the legislative rules committee to insist on a minimal fee in this trust. Joint committee action was anticipated, but due to a technical oversight, the DNR declared the issue dead and are promulgating rules contrary to the expressed legislative intent. Nonetheless important language was included, requiring consideration of "worst-case" "reasonably possible" scenarios be considered. It is not clear, however, at what point in the permitting process the DNR will be forced to reveal their recommended funding levels for this project.
7. Groups challenged the DNR's attempt to circumvent prohibitions against injecting toxic wastes and grouting materials into mine sites under well-protection provisions through "housekeeping" modifications to these rules, but once again, the Natural Resources Board rubber stamped the Department's recommendations.
8. At WSN's request, several upstate hearings were held on rules extending the loopholes in the state's groundwater law exempt-

ing mining wastes from federal hazardous waste laws and allowing 1,200 feet of groundwater to be polluted before enforcement action is warranted. The acceptance of fairly lax rules by the department despite significant testimony to the contrary simply demonstrates the inadequacy of the DNR's commitment to adequate groundwater protection.

9. In the present legislative session Network groups are throwing support behind three Assembly bills relating to mining:
  - AB 457 prohibits the DNR from granting rules exemptions for prospecting, mining and storage of mine wastes;
  - AB 458 prohibits mining on State DNR lands; and
  - AB 459 strengthens "bad actor" provisions in the mining code.
10. We have supported the rights of tribes to establish air and groundwater quality standards on reservation lands. The State of Wisconsin actually sued the EPA on this issue, but a recent Federal Court rejected the lawsuit against the Mole Lake Chippewa Band's Treatment As State (TAS) status.
11. We encourage the repeal or modification of the local agreement law, restoring local control of land use decisions. Unfortunately, the Decker Budget amendment addressing this issue was defeated in closed committee in June of this year.
12. A legal challenge to the validity of a local agreement contract signed by the former Town of Nashville Board has shown that this agreement was signed in gross violation of Wisconsin's open meetings laws. Despite significant *pro-bono* legal work provided by the firm of Garvey & Stoddard, further legal action will require significant moral and financial support from almost all interested groups across the state. This and other legal court challenges will undoubtedly be central to much of our statewide effort in the coming year.
13. We have encouraged and assisted numerous county and local governments to institute their own land use regulations, thus discouraging even initial exploration activities by companies realizing they must meet criteria set by local authorities unobedient to their corporate will. Various sample county and local zoning ordinances and related documents are available in electronic format for interested parties.
14. WSN staff and associate organizations and individuals successfully challenged Kennecott Mineral's attempt to change the Flambeau Mine Reclamation Plan regarding revegetation, prairie restoration, fence removal, wastewater treatment facilities and long-term deposition of structures. April-August 1998.
15. In October of 1998, we published the fourth in our series of *DNR Watch* monographs exposing the flagrant and ongoing bias of WDNR in support of the metallic mining industry. This document outlined the wide range of transgressions by the DNR to date and documented the trail of campaign contributions and other influence that led to this sad state of affairs.

*Continued on next page*

## Cyanide for extracting mine's mysterious gold a danger

By Dean Simon

If you've ever watched any old spy movies, you know about the cyanide capsule sewn into the lining of the jacket. If a spy was caught and was about to be tortured for valuable information, he or she was to bite the capsule, thereby committing suicide.

Cyanide has also been in world news with the recent disaster on the border between Romania and Hungary. The Tisza River, which empties into the Danube is now essentially dead. The cause was a cyanide spill at a gold mine where gold was being concentrated by a flotation process.

Both the Tisza and the Danube are the kind of rivers people write songs and poetry about. They are the equivalent of the Missouri and the Mississippi in our country.

What's frightening about all this is that a disaster like the one in Europe could happen at the headwaters of the Wolf River.

According to Steve Kircher, representative for Nicolet Minerals Company, the Crandon ore body contains about .05 ounces of gold per ton. That doesn't sound like much, unless you are aware that the company plans to mine over 55 million tons of ore!

At current gold prices, that equates to over \$875,000,000 in gold alone! Other involved sources say this figure may be an underestimate since the company is not required by law to have their core samples examined.

The fact that the Nicolet Minerals has not scrapped the Crandon project in spite of a depressed zinc market is proof enough for many that there are facts the public is not being made aware of, including the actual amount of gold.

Some of these facts are scary. By company estimates, 15-18 tons of cyanide will be used in the flotation process that concentrates

the gold. Where will this waste go? How will the cyanide be shipped into the Crandon area? What steps have been taken to prevent a leak similar to the one in Romania?

These are questions that have not been addressed by the company or the state. Moreover, while the company assures the public that they will do everything they can to protect the environment, their lobbyists continue to push the state for relaxations of environmental standards.

What's more, the state may not even reap a tax benefit from this gold. Since the ore will be shipped to Canada for final processing and sale, the state will have only company records to indicate how much profit the company will reap. Since the state has no information about the actual gold content and no audit procedure exists, the ore goes to Canada and the state of Wisconsin gets what the company tells them it gets.

Finally, the Nicolet Mineral Corporation is a subsidiary of Rio Algom. If an environmental problem exists, the Nicolet Minerals Company is liable, not the parent company. Although the company is required to post a bond as their financial security for reclamation of the mine, it may not be enough if a major catastrophe occurs. The losses to the tourism industry would be immeasurable.

The Rio Algom threat remains in Northern Wisconsin, and environmental groups like Trout Unlimited must maintain a vigil. Cyanide is not a chemical that can be taken lightly, and 15-18 tons per month flowing into the Crandon area is a disaster waiting to happen.

Write your local assembly person and let them know how you feel about cyanide in Northern Wisconsin.

# WADING: law change allows greater streamside access

Continued from p. 1

Anglers may walk on "exposed shore areas" if they are below the ordinary high water mark, under the new law.

"Exposed shore areas" need not be covered with water, but are the ground between the water's edge and the ordinary high water mark (OHWM). The OHWM is described by Lutz as "the point on the bank or shore where the water is present often enough to leave a distinct mark."

"Erosion, destruction of or change in vegetation, or other characteristics may indicate the mark,"

Lutz said in an informational sheet published by the DNR.

"Determining the OHWM is often difficult without special training, and users should respect landowners' rights and avoid trespass charges by staying in or as close to the water as possible," said Lutz.

"On most streams the ordinary high water mark represents how high the spring flood waters climb during a normal year," Lutz said.

If the OHWM was wet in April, the same mark can be used to define the limit of access in July. Courts will have to define what constitutes a "distinct mark" in cases under the new law.

The new law does not change an angler's obligation to obtain permission to cross private land to get to a stream (except at a bridge crossing). Lutz cautioned anglers not to cross private lands without permission and not to park in a way that blocks a farmer from entering his land.

Lutz told *Wisconsin Trout* that obstructions along streams can require anglers to portage around those obstructions, and that where dams or fences cross streams, anglers must be allowed a right of portage.

State law also allows anglers who are harassed by property owners along streams to complain to the lo-

cal district attorney, who will decide whether to charge the harasser with a violation of the state's anti-harassment statute. In some incidents, landowners claiming trespass and anglers claiming harassment have both brought complaints to district attorneys.

Easements are owned by the state or other units of government along many state streams. While the DNR suggests that most easements are signed, experience across the state suggests that signing of easements is a hit-or-miss process.

Check with your local fish manager if a question arises about easement locations.

# MINING: WSN helping coordinate state's environmental efforts

Continued from p. 10

16. WSN personnel exposed the problematic environmental record and the lack of local economic benefit derived from the Flambeau mine project. We took this message all the way to the April 1998 Rio Tinto shareholders' meeting in London. Shortly thereafter, this company, which had essentially stolen a half Billion dollars worth of gold and copper from this economically depressed economy, canceled all of its exploration leases in Western Wisconsin.

17. In June of 1998, we supported the Jackson County Town of Cleveland in their successful appeal to the Mining Impact Fund Board in acquiring reimbursement from the Mining Impact Fund for expenses incurred responding to the threat of mineral exploitation — even though this community declined to go along with the mining company initiatives.

18. In coordination with GLIFWC, Four Rivers Headwaters and Mining Impact Coalition, we helped expose initial non-compliance of monitoring well test data from the reclaimed Flambeau Mine, exposing both the inaccuracy of the companies groundwater modeling capabilities as well as the inadequacy of the DNR's regulatory rules and oversight capability. We will be tracking this project very carefully over the upcoming months and years.

19. Many of these same groups along with representatives of the EPA, Menominee and Potawatomi Tribes and others have been regularly attending meetings and having input into groundwater models being designed on the Crandon mine by both the Wisconsin DNR and the Army Corps of Engineers. Although both of these models are far from complete, it is becoming obvious that Nicolet's projections of required mine shaft dewatering are far short of what is likely to occur. This may well result in a required major modification of the proposed mine plan including possible reversion to the Wisconsin River Pipeline plan.

## Student rally set for April 29

20. Following on the success of the Wolf Watershed Education Project's 1996-97 statewide speaking tour resulting in increased coordination between tribes, sportfishing, and environmental groups, we are supporting their new Mining Speakers Tour for Middle- High-schools and Colleges which will culminate in a giant Student/Youth Rally to Stop the Crandon Mine, Saturday, April 29, 2000, in Madison

(all ages welcome!)

21. Recognizing the essential connection between a proposed power line across Northern Wisconsin bring electricity from the flooded lands of the Cree Nation of Manitoba with the proposed mining operation in Crandon and the Bend exploration deposit, we have called for a halt in that construction and a renewal of least-cost demand side conservation strategies as a viable alternative.

22. We have encouraged tax relief for Wisconsin residents by demanding that mining companies provide quantitative documentation on all minerals extracted in their operations, instituting reasonable resource extraction fees on those minerals and applying standard state corporate income tax to mining companies (now exempted).

23. Through regular coordination with the Mineral Policy Center, our member groups and individuals have encouraged federal legislators to revise the 1872 Mining Law and to defeat or at least moderate various anti-environmental riders attached to various spending legislation. Wisconsin's own Senator Russ Feingold has spearheaded many of these reform initiatives.

24. We have also encouraged Federal legislators to revise EPA's mining standards including the application of federal EPA RCRA Sub.C hazardous waste criteria to mining tailings facilities and most recently are calling for removal of heap leach technology as a legal option and an outright ban on use of Sodium Cyanide in mining operations in Wisconsin.

25. Through links to groups such as Mineral Policy Center, Project Underground, London's Minewatch and People Against Rio Tinto Zinc and other national and international organizations, we have used the internet and print media to expose the general abuse of power and environmental damage by the mining industry all across the globe with special emphasis on companies which also do business in Wisconsin.

26. Through other links, we have supported Senator Feingold's alternative debt reduction legislation, opposition to the so-called NAFTA-for-Africa Bill, and other World Trade Organization-style initiatives which would simply assure continued global domination of indigenous populations by international mining conglomerates exploiting overseas resources. It is our belief that mining is not just a

N.I.M.B.Y. issue, but we must raise the bar for environmental responsibility and social and economic justice related to resource extraction wherever it occurs.

## Upcoming challenges

Clearly, as the above list demonstrates, the task of providing environmental oversight for a global industry which has declared Wisconsin to be "a whole new mining district," is not one with cleanly defined tasks with a beginning and an end. Rather the struggle is, of necessity, ongoing and, most likely, never-ending.

Thus the goals and challenges that have occupied us for the last four years are mostly still with us and will need to be reviewed and intensified as time goes on. Nonetheless, the nature of the challenge does change as various projects or legislative initiatives evolve.

A major focus over the next couple of years will be the permitting process for the proposed Nicolet Crandon mine. To that end, we will continue to track the DNR's evaluation of the Crandon Mine Plan in preparation of their Draft Environmental Impact Statement (DEIS), assuring they consider all relevant issues and resources and not just company-supplied documentation and promises. As the provisions of the D.E.I.S. are revealed we will continue to evaluate limitations in the company's mine plan including, but not limited to:

- compliance with provisions of the Mining Moratorium Law,
- above-ground tailings disposal,
- pyrite removal and subsurface sulfide waste storage,
- groundwater modeling,
- wastewater disposal through seepage pit technology,
- impacts to surface waters and wetlands,
- grouting technology,
- toxic materials use, storage, and transport risks, and
- complicity in the corruption of our public officials.

Our methods will probably continue along the similar lines as in the past, but further refined with the experience and networking capabilities we have developed.

Despite overwhelming grass-

roots political support for our position on metallic mining in Wisconsin, an increasingly politicized and intransigent DNR is making meaningful regulatory intervention and enforcement ever less likely. This means that many of our future victories will likely have to be won in the legislature and in the courts.

As in any environmental defense struggle, it is unlikely that we will ever be able to declare unmitigated victory against these megalithic, international mining interests as they will undoubtedly plague us for years to come.

However we will certainly have forestalled the immediate threat of irresponsible exploitation, avoided the worst disasters associated with sulfide metallic mining, substantially raised the regulatory bar and done much to protect Wisconsin's pristine environment, and, hopefully, by example, improved the standards for mining activities the world over.

(TU member Tom Wilson is the Northern Thunder representative to the Wisconsin Stewardship Network. He serves as the WSN's Western Wisconsin Hub Coordinator and Co-chair of the Metallic Mining Sub Committee. He admits he is probably a better organizer than a fisherman, but he hopes his recent move to the Coulee Region will improve his record. -ed.)

# WDNR revises its mining site

The WDNR has revised its mining website.

Check under the programs section of the Integrated Science Services Division home page at [www.dnr.state.wi.us/org/es/science/mining](http://www.dnr.state.wi.us/org/es/science/mining).

Or use the pull-down menu from the DNR home page and look for "metallic mining."

At the site you can find information on mining regulations, the permitting process, upcoming meetings, and environmental impact statements (EIS).

The Draft and Final EIS for the Crandon Mine will be placed here when it is done.

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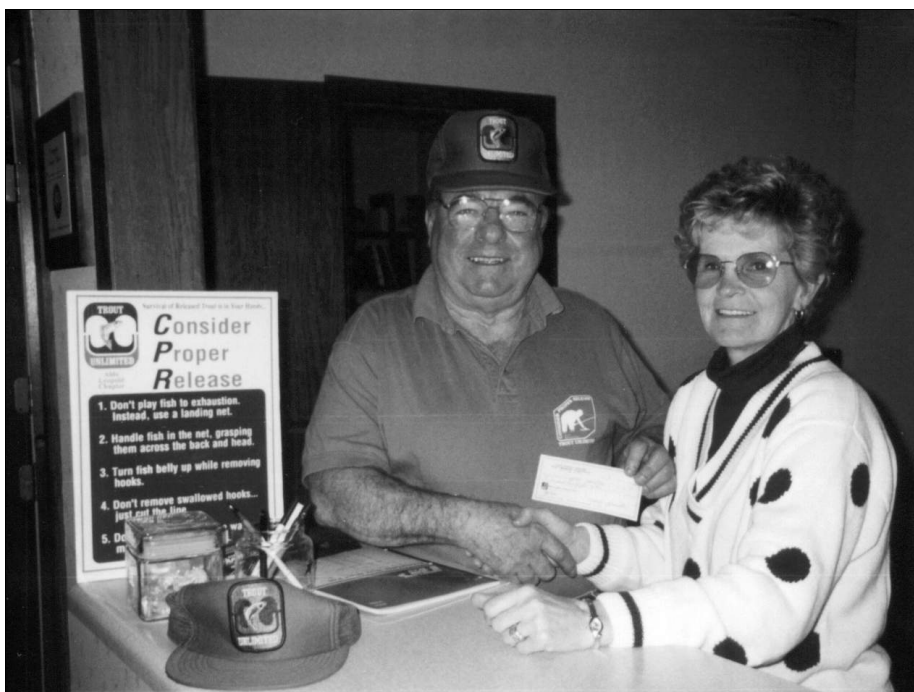
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## Chapter News



### ALDO LEOPOLD MEMBERSHIP JOINS WWF

Clint Byrnes presents a check for the Aldo Leopold Chapter's membership in the Wisconsin Wildlife Federation to Oshkosh office supervisor Jeane Lind.

### Aldo Leopold Chapter

After learning the TU State Council was no longer a **Wisconsin Wildlife Federation** member, the Aldo Leopold Chapter will fill this void.

Twenty years ago, under the leadership of **Mitch Bent**, Wisconsin TU became a state affiliate of the WWF. Back in 1980 TU was made up of 13 chapters, and has now grown to 21 chapters. **Ron Ahner** (Southern Wisconsin) was state chairman, **Jim Kalhofen** (Antigo Chapter) was vice chairman. TU has been affiliated off and on for the past 20 years. WWF now totals 93 clubs and organizations.

Through its affiliation with the National Wildlife Federation, the WWF has direct contact with U.S. senators and congressmen, as well as input to regulatory branches such as Forest Service and the Fish and Wildlife Services.

**Steve Hill**, chapter member from Watertown, put on a TU program for **Watertown Lions Club** on March 6. He showed TU's *The Way of the*

*Trout* and talked about CPR in general terms as it could apply to all species of fish.

Chapter CPR activities included placing CPR signs and brochures to:

- **Herter's**, Beaver Dam.
- **WWF headquarters**, Oshkosh.
- **The Fly Shop**, Milwaukee.
- **Gander Mountain**, Appleton.
- **Krueger's True Value**, Neenah.
- **Dick's Sporting Goods**, Appleton.
- **Stark's Sporting Goods**, Prairie du Chien.

Thanks to **Ross Mueller**, Beaver Dam native and 25-year member of TU for including a very clear picture of our CPR sign on page 22 in his new book, *Fly Fishing Midwestern Spring Creeks*.

The CPR Committee would also like to thank **Steve Born**, **Jeff Mayers**, **Andy Morton**, and **Bill Sognogni**, co-authors of *Exploring Wisconsin Trout Streams*, on their outstanding chapter on catch and release.

### Antigo Chapter

Our annual fund-raising banquet was held Saturday, March 25, at the **Knights of Columbus Hall**.

We have applied for a \$1,700 grant from **Miller's Friends of the Field** program for a habitat project on the **East Branch of the Eau Claire River** for this summer.

We are planning our annual kids fishing day for the first Saturday in

June. Fish tank, prizes, food, raffles — it should be a great day for the kids and mom and dad.

We are funding the fuel oil costs for the DNR's dredge on **Willow Springs**. With help, we are also funding some money for a land purchase by the state on **DeBroux Springs** of approximately 80 acres.

### Blackhawk Chapter

The Blackhawk Chapter has elected new officers for 2000:

**John Miller**, president  
**Joe Putsch**, vice president  
**Don Studdt**, treasurer  
**Bill Karduck**, secretary.

The chapter is also holding its meetings at a new location — the **DNR office in Janesville**. Meetings will still be the third Monday of each month at 7:00.

The January meeting was hosted by **Ross Mueller** of Appleton, WI. Ross presented a slide program on fishing spring creeks in Wisconsin.

**John Beth** of Reedsburg, WI, presented the February program with a slide presentation on fishing in Alaska.

The chapter's eight fly tying demonstrations and classes at the **Hedberg Library** in Janesville were a

success. The classes ran from January through February under the guidance of **Don Studdt**. New members were enrolled and the students enjoyed their time at the vise.

The chapter has given \$7,000 for spawning and habitat work on **Timber Coulee**. This will be a showcase for educational purposes for junior high and high school students, who will learn the dynamics of crib placement and various methods to improve trout habitat.

The **annual conservation fund-raiser banquet** will be held in Janesville at the **Ramada** on April 24, 2000. Contact **Terry Vaughn** for tickets at (608) 362-4295.

### Central Wisconsin Chapter

Central Wisconsin TU has changed its meeting place to **Berlin Bowling Lanes** at 123 N. Pearl St., Berlin (920-361-9959). We will still meet on the 2nd Monday of the month, but note that this month we will meet on April 3.

The board meeting will start at 6:30 p.m. and the program will follow at 7:30. We think that combining the board meeting with the programs will increase interest and reach out to our members.

Our banquet, under the able direction of Chairman **Dan Colligan**, gave all TUs and friends of TU a real thrill and an exciting evening at the **Ramada Inn** in Oshkosh March 25th.

Our work days have suffered because of our commitment to the action on the **Mecan River**. We will be starting our effort again on the **Little Pine River** northeast of **Dakota** on Czech Ct. We will continue to work on stream improvement through brushing and building bank cover structures. Our chapter feels that we've restored a major section of this river and hope that it will

again become the brook trout stream that it once was.

Our **Fly Fishing School** scheduled for the weekend of June 2-4 will give every fly fishing enthusiast an opportunity to learn the ways of the trout and how to catch the wary beast. If you're interested, call **Dan Harmon** at 920-235-1761 or email him at [danh3@execpc.com](mailto:danh3@execpc.com).

The school will be held in a new setting, and we think that this will be more available and better situated for participants. We thank all the chapters and the state council — especially the leadership of **John Welter** — in marshalling our forces to take on the mega corporation **Nestle** that owns **Perrier**.

The battle may be forcing **Perrier** to consider alternatives, but we'll have to keep up the pressure if we are to win the war.

Also the letter to the editor in the **Sunday Northwestern** by **John Gremmer** got interest from four people who wanted petitions and TU membership forms. What a way to gain interest and commitment.

### Fox Valley Chapter

The busiest time of year is happening now in the Fox Valley Chapter. If our upcoming banquet on April 4th at the **Darboy Club** in Darboy and **Awards Night** on April 20th at the **Forester Club** in Appleton were not enough, the **Perrier** company decides to hold a public forum on Valentine's Day!

The **Perrier** meeting was well attended by our members, and our voices were heard.

Last month was our **Fun Night**, arranged by chapter member **Darrel Toliver** and **John Nebel** of the **Wolf River Chapter**. We had good attendance considering the weather.

Our March meeting will feature

**Al Niebur**, fisheries management specialist from the DNR, to recap the progress on our joint stream projects.

Our banquet preparations are going well and the new format has been drawing a great deal of interest. We have moved the banquet to a weeknight so more people are able to attend. It should be a great time.

We have also separated the chapter awards from the banquet/fund-raiser. Our feeling is that more focused recognition is deserved for the people who work hard to make our chapter successful.

### Frank Hornberg Chapter

The Frank Hornberg Chapter had an interesting January. For our regular meeting, we had a presentation by **Sarah Draak** and **Steve Bradley** of the **Tomorrow/Waupaca River Priority Watershed Project** — a good opportunity for both sides to familiarize ourselves with what we do and ways we may be able to help each other.

Also in January, the chapter had a low-key fly tying day, focusing in particular on problem solving and special techniques.

Our February workday was spent on the **Tomorrow River** at **Nelsonville** installing a brush mat intended to increase the effectiveness of structure we completed last fall. It was kind of chilly, but we still managed to have some fun.

The chapter had a very good turnout for **Rich Osthoff's Flyfishing the Rocky Mountain Back Country** slide

presentation for the chapter's general meeting in February. Now how to find time to do some of this?

Also in February, the chapter had several of our members attend the **Perrier** whitewash meeting in **Coloma**. Glad to see some good from it all, even if the fight scene has shifted elsewhere.

The chapter's March general meeting featured DNR fish manager **Al Niebur**, with a fine slide presentation on completed and future DNR projects in the area. Al also presented data on such things as the positive effects of several habitat projects, and the deleterious effects of the **Amherst dam**.

And lastly, by the time you read this, the chapter will probably have had its Saturday workday on the **Tomorrow River** off Welton Road at Nelsonville. You should have been there — bet it will be a good time.

### Harry & Laura Nohr Chapter

Our next Board of Directors meeting is set for Tuesday, April 18th at **Blackhawk Lake Recreation Area** between Highland and Cobb. All interested parties are welcome to attend. We have decided to use the third Tuesday of every month for our meetings with the place floating. One month we have a board of directors meeting and the next a membership meeting.

Our banquet is set for Friday evening, May 5th at the **Dodger**

**Bowl** in Dodgeville — cocktails and tall tales at 6:00. Ticket costs are \$20.00 for adults and \$10.00 for youth. Our banquet is a family affair with lots of gifts and prizes for ladies and every youth goes home with a prize. For ticket info, **Chuck Steudel** at (608) 987-2171 or **Bill Wisler** at (608) 623-2603.

We have announced the awarding of our **school grant awards**. A total of \$3,833 was awarded to schools in Platteville, Dodgeville,

# Chapter News



River Rige, Iowa Grant, Highland, and Boscobel schools. Some of the funds will be used for in-stream monitoring, library books, field trips, Earth Day celebrations, and even for a field trip to the Exxon mine for an environmental group to study the Crandon Mine issue.

Our group has awarded these grants for the last three years to schools to use for specific environmental projects. We feel that we are making a significant impact on a lot of youth with this project. Project leader this year is **John Lund**.

The **Swiss Valley Farms** cheese factory discharge permit into the **Rountree Branch** in Platteville seems to be working out very well. The DNR permit process has been changed in southwest Wisconsin due to the incredible foul-ups in this situation. Swiss Valley seems to be making considerable changes in their discharge and may in the end actually improve the stream. **Dave Canny** has done an excellent job of managing this project.

Our stream monitoring program is looking very good for next sum-

mer and beyond. We will have at least six school classes and teachers involved in monitoring area streams, everyone working with similar tools and getting similar data.

The Kickapoo project has helped a lot. A training session is being set up at the **Collins** property on the **Big Green River** for May 20. This will be an intensive, all-day session on the techniques and equipment we will be using.

It is the intention of the club that all the data we get will be relevant in the upcoming reclassification of area 'warmwater' streams. **Dave Fritz** at (608) 943-8454 is in charge.

The last thing that we are working on is the funding of our **student summer intern** at **UW-Platteville**. Last year **Aaron Wunderlin** did a great job of monitoring three Platteville area streams and with the Swiss Valley problem. His research turned out to be very important. This year we are considering two interns to study streams that the club and DNR feel are important in that they face development and agricultural pressures.

## Kiap-TU-Wish Chapter

The '100 Anglers for \$100' fundraising campaign was successfully completed this past month. Thank you to all contributors, and especially the **Twin Cities Chapter of Trout Unlimited**, who made it possible to topple the goal. The extra dollars raised will be spent on improving the habitat or facilities at the **Swinging Gate** property.

This successful completion makes Kiap-TU-Wish and even stronger partner with the **Kinni River Land Trust** for permanent protection of sensitive lands in the Kinni Watershed.

The DNR offices in West Central Wisconsin have recently resolved the zoning and permitting stalemate with **St. Croix County**. This breakthrough opens the door for Kiap-TU-Wish to resume bushing and

## Lakeshore Chapter

Formal work days have resumed on the **Onion River**, with chapter members spending two Saturday mornings in March on stream improvement activities.

The chapter received an **Embrace-A-Stream Grant** of \$1,250 to study and monitor progress on the Onion River.

The Lakeshore Chapter captured the **Manitowoc County Fish and Game Conservation Award as Organization of the Year** at their March 2nd banquet.

Our annual **Conservation Banquet** will be held on Saturday, April 8th, at the **Club Bil-Mar** in Manito-

## Northwoods Chapter

**Dave Brum** from the WDNR provided a very informative discussion on the work the WDNR is conducting in Forest County on **Brule Creek** and the **Elvoy** at our January meeting.

The **Bearskin River Stream Improvement Committee** has obtained enough discarded Christmas trees to keep a work crew busy for at least a day or two on the Bearskin this next

## Oconto River Chapter

WDNR Secretary **George Meyer** will be the feature speaker at the meeting of the **Oconto County Sportsmens Alliance** April 13. Our

stream habitat work on the **Kinnickinnic River**.

Kiap-TU-Wish is eagerly awaiting an aggressive work project schedule on the upper Kinni to make up for two years of lost time to evasive box elder growth.

The **Army Corps of Engineers** is planning modifications to **Eau Galle** impoundment which could improve temperature regimes in the Eau Galle River. New data collected this summer will hopefully lead to habitat improvement projects the following construction season.

Recent program speakers for the chapter were **Dr. Clarke Garry** on aquatic sampling of the Kinnickinnic River, and author **Jim Humphrey** on *Trout Steams I've Known and Loved*.

woc. Doors open at 5:00 p.m.; dinner served at 7:00. Tickets are \$20.00 each. Contact **Jeff Preiss** for information at (920) 208-1135.

Recent chapter programs featured **Eric Fehlhaber** of the **Sheboygan County Land Conservation Department** who gave a presentation on Sheboygan County's buffer strip program, and the chapter secretary **Jack Gehr**, who gave a slide show on his Western fly fishing adventures.

Chapter members also participated in the **Flyfish Wisconsin** event held in Green Bay on February 12th.

summer. The chapter's fund-raising banquet was March 28 at the **Rhine-lander Café & Pub**.

The chapter will host our annual **kids fishing day** on the 1st Saturday after the 4th of July.

We have a busy schedule this coming summer with three work days scheduled on the Bearskin, the annual kids fishing day, and at least two upcoming fly tying workshops.

chapter is hosting this meeting at 7:30 at the **Lone Oak Gun Club** located one mile north of Gillett on Hwy 32 just past Hwy. H.



## HARRY & LAURA NOHR MEMBERS

These members of the Nohr Chapter were present at the State Council banquet in Oshkosh Feb. 5 to receive the Silver Trout Award for their chapter's efforts. Pictured (l to r) are Gene Van Dyck, Dave and Kay Fritz, Chuck and Sue Steudel, Jeff and Cleo Ware, and David Canny.

On Feb. 19th six member braved the cold and trimmed a number of trees on the **Oconto River** between Suring and Hintz. Participating were

**Mike Soper, Ron Rank, Don Wagner, Dave Brunner, Jim Trochta, and Dale Halla.**

## Southern Wisconsin Chapter

The chapter's monthly January general meeting was a night of fly tying demonstrations by chapter members. Flies tied during the demonstration were then raffled off.

The chapter also held its annual **Trout Massacre** dinner and **Icebreaker** events. The dinner featured the two Icebreaker speakers — **Dave Hughes** and **Stanley Szczytho**. A fine artwork door prize was given away at the dinner. The next day began with chapter members sharing a breakfast before they began to help at the Icebreaker.

The icebreaker itself was very successful. Fly tying demonstrations attracted much interest, the speakers were well received, numerous door prizes were given away, and numerous items were raffled off. Items included a bamboo rod, six graphite rods, reels, a Leopold bench, a handmade fly tying desk, assorted fly fishing and fly tying gear, and guided fishing trips.

In February, the chapter's monthly general meeting featured a presentation by **Bob Blumenreich** on spey rod techniques and general fishing strategies for Great Lakes steelhead and salmon. After the meeting a lucky member won a \$100 gift certificate to a local sporting goods store.

## Wolf River Chapter

Since the advent of a new millennium, our chapter officers have been very busy attending weekend meetings. We are involved in the newly formed **Langlade Co. Waterways Assn.**, which should give due regard to protection to prevent degradation and the high cost of attempted enhancement.

Members **Herb Buettner** and **George Rock** spoke at the Jan. 27 meeting of the **Twin Cities Rod & Gun Club** giving an update on the status of the **Crandon mine** permitting process.

We also attended the Oct. 1-2, 1999, workshop at **Devil's Head Center** at Baraboo on "Building and Maintaining a Sustainable Organization for River and Watershed Protection" sponsored by TU and the **River Alliance of Wisconsin**.

We represented our chapter at the **Wisconsin Stewardship Network** annual conference Jan. 28-29

The chapter set up a booth at the annual **Madison Fishing Exposition**. Chapter members manned the booth, distributed brochures, demonstrated fly tying, and assisted in selling tickets to the event. Proceeds from this event are given to charitable, mostly fishing related, causes.

During this time period the chapter contributed \$500 in matching funds for members' contributions toward conservation efforts for **Fish Lake**.

The March general meeting featured the chapter's annual auction.

SWTU general meetings are held the second Tuesday of each month at the **Maple Tree** restaurant in McFarland.

Upcoming events for the chapter include:

- April 15 will be the chapter's annual **casting clinic** (the rain date is April 22),
- April 22 has been set aside for clearing up wind damaged trees and brush from dikes around the springs so access is improved, and
- April 29 is Spring cleanup day on **Black Earth Creek**.

Those interested in helping in project work should contact **John Serunian** at (608) 277-9295 or send an email to [jserunian@aol.com](mailto:jserunian@aol.com).

at Stevens Point and at the State Council meeting Feb. 5 in Oshkosh.

Also attended were the **Wolf River Watershed Educational Project** meetings, **Crandon mine hearings**, and presentations to students at **Crandon** and **White Lake** high schools.

Our chapter is continuing to evaluate its **rainbow trout reintroduction program** in the **Wolf River**, and to do another in-bed habitat improvement project with emphasis on creating deep sheltered spring-fed pool to increase the river's trout carryover ability.

We will continue our beaver removal subsidy on the river and its feeder streams and hope to concentrate on membership recruitment and program development to create a more sustainable TU chapter.

We are planning a fall fund-raising banquet.

# SURVEY: DNR employees critical of agency's direction

Continued from p. 1

## Governor's influence felt

By far, the most consistent answer — constituting more than one-third of all employee essays — was political interference and the role of the governor.

As one employee wrote, "Big business now runs the Wisconsin DNR. Our governor has done tremendous damage to Wisconsin's reputation as an environmental leader."

On agency structure, employee sentiment was even more definitive:

- In excess of nine out of 10 think that the WDNR secretary should not be appointed by the governor, with more than eight in 10 favoring the return of this appointment power to the Natural Resources Board; and
- More than two-thirds of respondents want the Public Intervenor's Office restored, while less than one in 10 disagree.

"DNR employees themselves are doubtful about their effectiveness in preserving Wisconsin's natural heritage," stated PEER national Field Director Eric Wingerter.

"Many employees are angry and frustrated from what they perceive to be political interests obstructing sound science and environmental stewardship."

The survey asked employees to assess conditions within the agency:

- Nearly two-thirds believe that DNR lacks "sufficient resources to adequately perform its environmental mission";
- Nearly three-fourths say that employee morale is poor; and
- More than one in six fear retaliation or know of instances of reprisal against employees who advocate stronger environmental protection.

## Meyer seen as 'handicapped'

A majority of survey respondents agreed that Secretary Meyer was doing a "good job," but similar percentages raised doubts about the

performances of other top agency administrators.

"Employees believe that Secretary Meyer is holding up under tremendous pressure," said Wingerter, citing another employee essay which read: "The biggest problem is to 'free George Meyer' by letting the Natural Resources Board appoint the Secretary and restoring the Public Intervenor's Office. This will give George Meyer all his 'teeth' back."

## Survey questions and results

The following are the exact questions asked in the PEER survey, along with their responses.

### RESOURCES

1. The DNR has sufficient resources

to adequately perform its environmental mission. 4% strongly agree; 23% agree; 8% no opinion; 46% disagree; 19% strongly disagree

2. DNR efficiently uses the resources available to it. 9% strongly agree; 43% agree; 11% no opinion; 28% disagree; 10% strongly disagree.

3. Wisconsin's environment is better protected now by DNR than it was five years ago. 8% strongly agree; 26% agree; 17% no opinion; 33% disagree; 15% strongly disagree.

### DECISION-MAKING

4. DNR administration does not allow the needs of individuals and businesses seeking permits to take precedence over serving the general public and the resource. 6% strongly agree; 31% agree; 27% no opinion; 27% disagree; 9% strongly disagree.

5. In my experience, scientific evaluations are influenced by political considerations at DNR. 13% strongly agree; 35% agree; 22% no opinion; 23% disagree; 7% strongly disagree.

6. The regulated community has undue influence on DNR decision-making. 10% strongly agree; 32% agree; 27% no opinion; 26% disagree; 5% strongly disagree.

### STRUCTURE

7. The DNR Secretary should continue to be appointed by the governor. 1% strongly agree; 3% agree; 4% no opinion; 21% dis-

agree; 70% strongly disagree.

8. The DNR Secretary should be appointed by the Natural Resources Board. 51% strongly agree; 33% agree; 8% no opinion; 6% disagree; 3% strongly disagree.

9. The Public Intervenor's Office should be re-established. 41% strongly agree; 28% agree; 24% no opinion; 4% disagree; 3% strongly disagree.

### ENFORCEMENT

10. DNR administration is committed to enforcement of environmental laws. 15% strongly agree; 54% agree; 16% no opinion; 12% disagree; 3% strongly disagree.

11. I think that DNR law enforcement tends to focus disproportionately on small violators, rather than large violators. 6% strongly agree; 15% agree; 34% no opinion; 34% disagree; 11%

strongly disagree.

12. I have been directed by a superior to overlook environmental violations. 3% strongly agree; 6% agree; 22% no opinion; 28% disagree; 42% strongly disagree

### LEADERSHIP

13. I trust DNR's top administrators to stand up against political pressure in protecting the environment. 8% strongly agree; 26% agree; 12% no opinion; 34% disagree; 20% strongly disagree.

14. George Meyer has done a good job as DNR Secretary. 12% strongly agree; 38% agree; 18% no opinion; 23% disagree; 9% strongly disagree.

15. At DNR, administrators are selected on who they know rather than what they know. 15% strongly agree; 30% agree; 32% no opinion; 19% disagree; 4% strongly disagree.

### MORALE

16. Employee morale at DNR is good. 1% strongly agree; 17% agree; 7% no opinion; 43% disagree; 32% strongly disagree.

17. I know of a situation in which a DNR superior has retaliated against a staffer for doing his or her job "too well" on a controversial project. 6% strongly agree; 12% agree; 35% no opinion; 27% disagree; 20% strongly disagree.

18. I fear job-related retaliation for openly advocating enforcement of environmental regulations. 4% strongly agree; 11% agree; 25% no opinion; 34% disagree; 25% strongly disagree.

Public Employees for Environmental Responsibility (PEER) is a national alliance of local state and federal resource professionals.

PEER's environmental work is solely directed by the needs of its members.

QUESTION: "In my experience, scientific evaluations are influenced by political considerations at DNR."

RESPONSE: 13% strongly agree; 35% agree.

## Selected written comments from PEER survey

The following are some responses to the PEER survey's open-ended question, which read: "In my opinion, the biggest problem facing the DNR is. . ."

### POLITICAL INFLUENCE

#### From Governor Thompson. . .

"Governor 'Toxic Tommy' Thompson. Gov. Thompson has a long resume of opposing efforts to clean up and protect the environment except when there is political benefit to him personally."

"I grew up in Michigan and chose to work for the Wisconsin DNR 25 years ago because it was and has been one of the best environmental agencies in the US. That is changing now, negatively. Governor Thompson is very shrewd and makes far-reaching decisions out of the public eye and with his extreme budget veto power, often completely reversing legislative intent."

"Undue influence of the Governor's office to benefit his friends — state budget and services in this state are for sale if you have the money, i.e., the Ashley Furniture deal!"

#### From the Wisconsin State Legislature. . .

"The state legislature is more frequently influencing, or reversing, science-based decisions and/or policies for their own political gain."

"Increasing micro-management of the DNR by the legislature. The legislature has eliminated positions

or reduced funding of programs at the DNR they disagree with. The elimination of the Lower Wisconsin Riverway coordinator is the best example of this. Eliminating that position was a clear act of retribution by a member of the state Senate."

#### From Big Business. . .

"I have seen project after project thwarted, denied, ignored because of monied 'interests.' Citizens never get the attention that the paper industry and road-builders do. In some cases we are required to get businesses involved in decisions where the public is ignored. Permitting decisions/rules are based on industrial management practices, not the public's or the environment's health."

"Political considerations and job relocation threats by polluters often outweigh environmental concerns. The secretary says he has never vetoed a referral to DOJ for enforcement. He is correct. The next level of management below the secretary has that job."

#### "Politics" in general. . .

"Political influence and bowing to the changing winds of the day. Good scientific studies with adequate professional peer review are lacking. To sum up my frustration, I will quote you a statement made by my superior: 'We don't do science at the DNR.'"

"Many of us Old Timers (20-30

years of staff) probably wouldn't hire on with today's DNR because when we hired on our mission was to serve the general public and the resources, not the politically influential. Simple math proves the inefficiency of serving the public one at a time vs. collectively."

### AGENCY REORGANIZATION

"Our new organizational structure has virtually eliminated program checks and balances, program direction, accountability and leadership at the field level. Instead of 'program-based' support at the field level, we now have only non-program-based supervisors and generic 'team' support. Resource Management is floundering and the public and resource base are the victims. Over most my 30 yr. career, WI DNR has been a leader in Resource Mgt. and research — in just a few short years that's been reversed!"

"Reorganization has done exactly what our Governor wanted — cripple the DNR, hire spineless mgmt., and let the staff/field workers take the fall. Northeast and Southeast region have the worst mgmt. — especially in the water & waste programs. We are even told, as field staff, that businesses are our customers and we need to please them and keep them happy."

### STAFFING/FUNDING

"Woefully insufficient # of staff positions committed to civil and

criminal environmental enforcement programs. At present, there are (approx.) 15 FTE environmental enforcement positions statewide dedicated to issuing Notices of Violation, Admin. Orders, or referring cases to Dept. of Justice for litigation/prosecution. There are 7 FTE environmental warden positions statewide to conduct complex civil/criminal investigations."

"It is not uncommon to have positions vacant for a year."

### POOR LEADERSHIP

"Although the political pressure is, indeed, great, DNR management itself is shooting staff down whether or not there is political pressure. Retaliation is a major, major concern. Staff who do nothing are considered good employees."

"Thus, after suffering the slings and arrows of management, and since staff is cannon fodder, I am now the perfect employee because I now do nothing — no decisions, write few memos or letters, and I haven't conducted an inspection in two years. DNR is morally bankrupt."

### LACK OF SUPPORT FROM THE PUBLIC

"In the public's mind DNR is blamed for many, many things not within its control or responsibility. The legislature controls budgets and writes all the rules. It's easy for local legislators to 'Blame it on the DNR.'"

## PERRIER: 'Mecan is out'

Continued from p. 1

Local landowners sold their land around the springs to the DNR so it could be kept in its wild state rather than being developed.

### Mecan feeders considered

After the initial concerns became public, Perrier decided not to pursue the Mecan Springs Natural Area site, but focused on other sites in Wedde and Schudlach Creeks, important tributaries of the Mecan.

This change failed to quell the opposition. Columnists and editorials in a number of the state's major newspapers criticized Perrier's approach, although they recognized value to the state in the jobs the project might bring.

DNR officials voiced concern about the Mecan Springs Natural Area, with DNR Secretary George Meyer saying it was a special place and promising that if river flows were reduced even a small amount by Perrier, no permits would be granted.

The DNR said it would require a hydrogeological study by an outside agency like the well-respected U.S. Geological Survey before permits would be granted. However, not one high-level DNR official or DNR board member publicly opposed the plan as a threat to open state natural areas to industrial use.

TU leaders, including National Board of Trustees Chair Steve Born and State Council Chair John Welter, publicly and repeatedly suggested that other water sources in the state could undoubtedly provide sufficient quantities of high-quality water for Perrier's uses, without threatening fragile trout resources.

## Bloomer Dam repair vote set

By Mike Swoboda

"Are you in favor of the City of Bloomer repairing and upgrading the existing municipal dam on Duncan Creek?" That is how the April referendum question before the city of Bloomer will read. No cost figures will be presented in the question.

Ojibseau Chapter of TU continues to monitor and comment on the situation in Bloomer and their decision on whether or not to keep the dam. Here is an update on the latest steps.

### Option cost estimates

The city hired a local engineering firm to come up with estimates of dam upgrade. Those estimates are for three different ways to make the dam meet flow capacities. The range of costs for dam repair is from about \$2-2.4 million.

On the flip side, Bloomer also had the firm estimate the cost of dam removal, which is around \$400,000-500,000. To put that figure in perspective, it cost less than \$500,000 with stream restoration for the Willow Mounds dam, and less than \$350,000 for Colfax's dam removal, including a water main relocation.

Another cost that Bloomer faces is the repair of a retaining wall supporting a road on the south side of the dam. This cost is approximately \$500,000, and it needs to occur regardless of the dam's continued existence.

The figures above do not include this cost, but those used by Bloomer's mayor often do.

A cost that is directly tied to whether or not Bloomer wants a "lake" is the cost of dredging. No real estimate based on how much material would have to be removed has been done to our knowledge, but the unit cost is running around \$3.50/cubic yard according to the

Within the Mecan, opponents of the Perrier plan formed a citizens group, the "Friends of the Mecan," which quickly drew members from around the state and Midwest.

State, local, and regional media showed intense interest in the controversy, which pointed up citizen resistance to the threat to one of Wisconsin's revered trout waters.

### Public meeting in Coloma

Perrier's public relations effort included a February 14 meeting in Coloma at which they tried to convey a carefully crafted message to close to 1,000 attendees.

But the effort backfired when no public questioning or statements — or even signs — were allowed inside the Coloma Elementary School.

Key presentations were made in small classrooms in what disgruntled attendees called a "divide-and-conquer strategy."

### Perrier active in other states

Perrier operates in several other states, including Maine, Pennsylvania, Ohio, Florida, and Texas.

Although the company claims it conducts extensive monitoring of water sources in those areas, hydrogeologists who have reviewed that monitoring say it is mainly focused on maintaining sufficient water to continue bottling operations.

Sources say Perrier focuses very little on ensuring that no adverse impact is created for fish, wetlands, or other flora or fauna.

In many states, Perrier has followed a pattern of obtaining permits to pump an initially small amount of water. They then build plants and move to dramatically expand their pumping operations.

### Bloomer Dam Committee.

That figure has been achieved on other dredging projects such as Altoona, but they had public land adjacent to their lake to dewater the spoils. Bloomer has to find a place to put the saturated soils so the water will drain out and it can be handled by conventional means.

A quick estimate of costs yields a figure of \$500,000 for every foot of average dredging that is done across the entire impoundment. Some parts of the lake have only a foot or so of water. The Bloomer city council has used the figure of \$1 million dollars for dredging. On top of this would be the costs for constructing sediment traps.

If the dam is repaired, the next generation will likely face the same issues. The dam will deteriorate over time and there will again be a need to repair it. Costs will rise and the new repair bill will likely be several times higher than what Bloomer now faces.

Bloomer faces a difficult decision. Many residents feel that Bloomer is defined by that impoundment. They feel that it must be saved whatever the cost. But the cost is heavy both financially and environmentally.

The damage that dams do to ecosystems is well documented. Duncan below Bloomer shows great potential as a natural trout stream, but it goes unrealized due to the effects of the dam.

A public hearing was held on January 24. Ojibseau Chapter TU members attended. Members of Kiap-TU-Wish were there and made comments about their experience on the Willow River dam removal.

Another hearing is scheduled for March 29. If anyone is interested in attending the meeting, they can contact Mike Swoboda at (715) 720-0388, or mswob@execpc.com.

## Robert Hunt elected to National Fisheries Hall of Excellence

Robert Hunt has been elected into the National Fisheries Hall of Excellence by the American Fisheries Society (AFS).

Hunt becomes one of just 15 individuals to receive this highest honor from the AFS.

Hunt spent his career researching the ecology, habitat relations, and management of wild trout.

He began studying and publishing on various aspects of wild trout at a time when state agencies were largely focused on stocked trout as the mainstay of their trout management programs. His pioneering works on trout production, stream habitat management, and regulations were consistently ahead of his contemporaries.

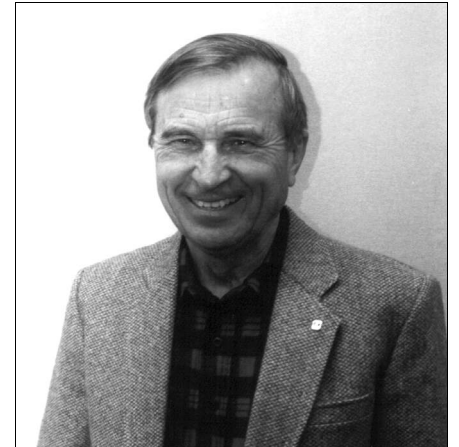
In total, Hunt has published 46 papers and one book on stream management.

His two most widely known publications are his bulletins entitled *Production and Angler Harvest of Wild Brook Trout in Lawrence Creek, Wisconsin* and *Responses of Brook Trout to Habitat Development*.

His recent book, *Trout Stream Therapy*, is a well-illustrated overview of stream habitat practices.

In making its award, the AFS said, "Hunt has distinguished himself by applying sound research principles and techniques to assess-

ments of various management approaches. His primary audience, however, was the fishery manager, with whom he provided the tools to



**ROBERT HUNT**

Bob Hunt at the State Council Banquet in Oshkosh in February.

do their job well. Robert Hunt is indeed a fishery manager's scientist of the first order."

Hunt was employed for 33 years with the Wisconsin Department of Natural Resources as the leader of the Coldwater Research Group.

He has been a member of the American Fisheries Society since 1959 and became a Certified Fisheries Scientist in 1968.

## WI legislator scorecard released

The League of Conservation Voters' 1999 National Environmental Scorecard for Wisconsin's representatives is out:

### SENATORS

Herb Kohl (D) 67%

Russell Feingold (D) 100%

### REPRESENTATIVES

Paul Ryan (D-1st) 31%

Tammy Baldwin (D-2nd) 75%

Ron Kind (D-3rd) 81%

Gerald Kleczka (D-4th) 100%

Thomas Barrett (D-5th) 100%


Thomas Petri (R-6th) 19%

David Obey (D-7th) 94%

Mark Green (D-8th) 13%

James Sensenbrenner (R-9th) 19%

Complete rating and vote details may be found at the League's web site at: [www.lcv.org](http://www.lcv.org).



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# WDNR panel discusses stream restoration goals

By Mike Swoboda

## Water Resources Committee

The Wisconsin DNR Bureau of Fisheries held their annual Fisheries Management and Habitat Protection statewide training conference February 29 through March 2 in Madison.

I was invited by conference organizer Larry Claggett to participate in the session called "Defining Our Goal for Trout Stream Management: Restoration or Enhancement?"

Those of you who read my letter to the editor in the Fall issue of *Wisconsin Trout* and the response from Dave Vetrano in the following issue are aware of the budding debate on the nature of stream restoration and fish habitat work.

This session I attended focused on the controversy of restoration versus improvement, including such questions as:

- What are the definitions-buzz words versus reality?
- When is each appropriate?
- Who are we managing the resource for?
- Who should pay?
- How do we accomplish restoration?
- Are streams different around the state?
- What species are we managing for?
- Can highly perturbed systems be restored?
- What is the baseline condition we are trying to restore?

## Panel members

Speakers included myself, Dave Vetrano, fisheries biologist, Bob Hay, Bureau of Endangered Resources, Bob Hunt, retired fisheries biologist and researcher, and John Lyons, Integrated Science Services.

Each speaker presented their views on the issue for about 15 minutes. After the presentations the speakers sat down at a table and took questions.

In my presentation, I tried to reiterate what I had stated in my letter. My philosophy is that streams are "ribbons of naturalness that run through our humscape." We should do everything we can to restore the natural features of streams.

I quoted passages from Ray White and Oscar Brynildson's *Guidelines for Management of Trout Stream Habitat in Wisconsin*, Trout Unlimited's *Saving a Stream*, Chris Hunter's *Better Trout Habitat* and Jock Conyngham, TU National's Director of Habitat Assessment and Geomorphic Restoration. These quotes support the concept of natural appearance and natural function in streams.

I pointed out that regardless of how well habitat structures function, they are man-made and will need to be replaced. Once we have taken over the maintenance of a stream we have made an eternal commitment to maintain the stream.

I also stated that when we choose to manipulate a stream for a specific species, such as trout, we no longer have any better footing than other interests groups that wish to manipulate the resource to meet their goals.

I spoke of how these are complex systems that deserve the services of scientists from a variety of fields to develop restoration plans. I asked for the use of vegetative techniques to be used instead of riprap and related the concerns of Dr. Freckman from UW-Stevens Point on the loss of native plants during trout stream work. I noted that the State Council was going to have this issue on the April agenda and that others would

like to see this discussion carried forward.

## Vetrano — be all they can be

Dave Vetrano noted that he was paid by hunting and fishing fees to restore and enhance streams. He reiterated the position that we should help streams be all they can be. Warmwater fisheries should be helped to be warmwater fisheries and coldwater fisheries to be coldwater fisheries.

Vetrano presented slides of the work done in the Coulee region and noted that different geography dictates different methods. It is not a matter of engineering so much as it is biology and common sense to restore following nature's lead.

## Hay — ecosystem approach

Bob Hay noted that there are not that many endangered species associated with coldwater ecosystems. Hay felt that stream work isn't just about responding to the needs of anglers. We should be managing ecosystems. Stream restoration planning should include a Biodiversity Report. We need to separate restoration from enhancement. There needs to be a better definition of issues of concern such as managing for natives or managing for wild versus hatchery fish.

There are concerns that need to be addressed when habitat work disturbs native plant communities, making them more vulnerable to invasion and domination by non-native species like reed canary grass. He promoted the idea of monitoring and maintaining restoration sites for five years following work to control non-native invasions. He also noted that riprap hurts amphibians which already are in decline.

Hay felt more science needed to go into the process and we should be do more to restore the ecosystem than to enhance the fishery. He called for groups like TU to push the legislature for more funds for more research on endangered species so that there was more solid information on habitat needs. There needed to be more cooperative planning into research so that wider range of issues could be addressed.

## Hunt — intelligent tinkering

Bob Hunt then noted that there is an artificial distinction between restoration and enhancement. He said that enhancement can occur naturally in dramatic fashion. He recounted how in the mid 1970s a violent wind toppled dozens of trees into the Brule River and how the trout smiled at the windfall of enhanced habitat that occurred.

He would do more of such natural enhancement along the river, with the use of a chain saw. He defined restoration as a "one-to-one" replacement of natural pre-existing conditions. Hunt stated that substantial healing can occur even if we don't have control of the entire watershed and even if we have to do periodic maintenance.

Hunt described how he attended a Keystone Coldwater Conference in Pennsylvania two weeks earlier. There were 355 people in attendance representing sporting organizations, teachers, students, government, and the consulting industry.

He recalled how the crowd was very impressed with the state of Wisconsin's program he described during his plenary lecture. He heard words like "incredible," "wonderful," and even "awesome." Some TU people were angry that their states did not have such programs.

Hunt made several recommendations. There should continue to be experimentation in the science of trout stream management with gradual changes incorporated

through "intelligent tinkering, not drastic overhaul."

People outside of the department aren't as knowledgeable as DNR staff. DNR biologists working directly with the program are probably the best judges of the tinkering adjustments needed.

"If we take care of the trout, we'll also take care of the other species usually present in trout stream ecosystems," said Hunt.

Sometimes there is a tendency to over-increase the natural pool-riffle frequency for the size of the stream. There needs to be increased budgeting for maintenance. The habitat work must be maintained.

He also called for a program to do more restoration on spring ponds, which have silted in from fires. In the next 10-year period he called for three times the money now spent to rehabilitate spring ponds, which he called "true restoration of a unique Wisconsin resource."

## Lyons — original conditions

John Lyons felt he could agree with most of what had been said. In his mind, restoration was a part of what was meant by enhancement, but that the word enhancement itself had a much broader meaning. They were not the same thing.

Restoration was a turn-back-the-clock type of goal. Enhancement would include putting rock in a sandy stream because it would be better for trout even if it was unnatural.

Restoration would only include helping to create a well-vegetated bank using native species. The choice of enhancement or restoration is a value judgment. A conscious decision on which goal to pursue needs to be made, but in the end reality would dictate a mixture of both restoration and enhancement.

Lyons pointed out that in many cases, we don't really know what streams looked like before we began to change the landscape. Vetrano had done an extensive job in researching the original state of the Coulee region streams, but that was rare.

Lyons said there is a need to do more research to document the original state of streams. The tools for this include accounts in journals, the original county surveys, sediment corings, and a geomorphological analysis.

Landscape changes have made it impossible to do pure restoration to conditions present prior to human perturbations, but it should be the goal, a target to strive for even knowing that it cannot be reached. There should be more emphasis on restoration, less stocking, and more emphasis on wild brook trout. There should be special areas for brook trout restoration. There should be less invasive work done on streams and more use of vegetation.

During the panel discussion questions were raised and discussed. Some time was spent on whether brown trout or brook trout were more efficient at decreasing the number of other species that could coexist with them.

Vetrano stated how he was concerned over the loss of dairy farms and resulting lack of cows to control woody vegetation along riparian corridors.

Lyons noted that while we may not like the condition that results from box elder and willow, we really don't know the nature of streams in mature riparian forests. Box elder and willow could be replaced in natural succession by species like silver maple and cottonwood.

One questioner raised the point

that urban development may be the overriding concern in stream quality.

Vetrano noted that if he could have foreseen the degree of success that the Coulee streams now enjoy, he would not have introduced (or perhaps sustained is a better word) brown trout in what were once trophy brook trout water.

He also recalled how one of his best compliments came from an angler who told him that he had no idea that stream restoration had taken place on a stream he was fishing.

All streams up north have been perturbed. Log rafts scoured the banks and widened the rivers throughout the upper half and more of the state.

One person asked if there was more need for evaluation. Vetrano felt enough had been done to know the results of the work he has done. Larry Claggett noted that they can use up to 10% of the trout stamp fund for pre and post-treatment evaluations of trout populations and stream conditions.

At the end of the session, I asked for the DNR to invest more money in education of the public on the consequences of urbanization and dams. County governments need to pass stronger laws and zoning requirements to protect our streams and other resources. The DNR needs to educate people so that they support those measures.

## TU EAS program funding nine Great Lakes projects

By John Hunt

### Region 5 EAS Representative

The Great Lakes region was well represented at TU's annual Embrace-A-Stream grant approval meeting.

A total of 79 applications were submitted requesting a total of about \$550,000. There was \$230,000 available to be awarded this year.

Projects applying for funding in our region included:

- MI Council, Operation Stream Sweep, \$10,000 awarded of \$10,000 requested
- Oak Brook, IL, Jumbo River Brook Trout (U.P.) \$10,000/\$10,000
- Copper Country MI TU, Gratiot River, \$9,774/\$9,774
- Eliot Donnelly Chapter (MI), Warner Creek, \$6,500/\$7,500
- Pine River Chapter (MI), Pine River, \$2,000/\$10,000
- Lakeshore Chapter (WI), Onion Creek, \$1,250/\$10,000
- William Mershon Chapter (MI), Rifle River, \$1,000/\$4,000
- Miller/Van Winkle Chapter (MI), Maple River, \$1,000/\$2,287
- K-Valley Chapter (MI), Augusta Creek, \$1,000/\$2,000
- Ann Arbor Chapter (MI), Ruby Creek, \$0/\$10,000
- Coulee Region Chapter (WI), Mormon Coulee, \$0/\$7,000
- Kiap-TU-Wish Chapter (WI), Kinnickinnic River, \$0/\$2,515

That's \$42,524 invested in local grassroots projects in our area. Our region's projects were well described and outlined for the committee to consider.

TU will write checks for these projects in late April or early May.

Next year's EAS program grant applications will be moved up a couple of weeks to get away from the pre-Christmas rush. Applications will be mailed to chapters by September 1 and be due back to TU National by December 1.



## Prefers self-maintaining projects to current 'restoration' methods

By Mike Swoboda

I am writing a separate op-ed article to segregate my opinions from the account of the recent DNR conference session on stream restoration (see story on opposite page).

### Member Opinion

First, this was only one step in a discussion that needs to include a wider range of groups and professions.

The Water Resources Committee will be taking this issue up. There is substantial interest from several of the members.

More important than the science is the policy. Science establishes the basis for the policy, but policy enables action to take place and directs the way in which it occurs.

### Restoring a "value judgment"

Restoration versus enhancement is a value judgment. Policy is set by an informed, active public. Let's get the information out there.

The conference speakers noted that we held common ground on more aspects of the issue than on that which we differed. But it is those differences I will highlight.

I think the strongest differences of opinion were between Bob Hunt and myself. For the sake of discussion I will call Bob's position enhancement and mine restoration, but there really are no black-and-white distinctions.

### Maintenance necessary?

Bob Hunt feels that maintenance is required and a necessity. I believe it is only a necessity if you restrict your practices to those that require maintenance. Riprap is not an automatic necessity.

Man-made habitat structures and riprap are more expensive measures according to Jock Conyngham, TU's Director of Geomorphic Restoration. Maintenance makes them even more expensive. It is not unlike those other in-stream structures we call dams. As long as you want them to function, you have a commitment to maintaining them.

Bob Hunt states that substantial healing can occur even if we don't have control of the entire watershed. While we have made great strides in restoring trout populations in the past, the real threats are looming just over the horizon. Increases in large livestock operations and rural residential and commercial development will eclipse the present pressures on our streams.

I have heard the present direction of stream restoration described as follows. The patient (the stream) is bleeding to death. The treatment is to cauterize the bleeding blood vessel and save the life.

I heard a different analogy as well. Parents of two youngsters found them furiously mopping up water leaking from the bathroom pipes. One parent reached over and turned off the isolation valve and asked, "Why didn't you turn off the valve?" The reply was, "We were too busy mopping up the water."

Bob Hunt favors a slow change in present habitat restoration practices or an "intelligent tinkering" with the program. My own interpretation of Aldo Leopold's "intelligent tinkering" quote is that we get out of the stream as much as possible as quickly as possible.

### Need less invasive methods

Before we tinker any further with the introduction of man-made structures, we should approach the problem with less invasive methods. How many times has mankind assumed that they "had it all figured out," at least enough to go ahead with some grand project for flood control, navigation, safe mining practices, nuclear power...the list goes on and on.

Habitat structures correctly placed do not wreak havoc on the physical characteristics of a stream. But what do they do the total riparian ecosystem? What impact do they have on sediment management? Before there was too much, is there too little now? How do enhancement practices affect other species, plant and animal? Have we *proven* the idea that if we take care of trout, we take care of other species?

### Involve more than DNR

Bob Hunt feels that DNR fish biologists are in the best position to do trout stream habitat work. But I feel that many individuals both inside and outside government have something to offer.

A stream cannot be reduced to some single abstract concept. A whole new discipline called "fluvial geomorphology" has emerged as a result. As Dave noted during the panel discussion, this is still a very young science.

Bob Hunt's ground-breaking work in habitat is much younger than the median age of the typical TU member. Very little geomorphological research predates the 50s. The arguable father of the science, Luna Leopold, is still active.

The leaders in the science of stream restoration are trained in fluvial geomorphology. The literature in stream restoration calls for intensive pre-project inventories of habitat and fluvial processes, limiting factor studies, monitoring of water and sediment flows, and a determination to see what is causing any problems.

Our present process discards many of those practices because the



### EARLY START ON BRUSH BUNDLING

Working on a section of the Tomorrow River near Nelsonville in Portage County are Frank Hornberg Chapter members Sean Ebert, Dave Stakston, Stu Grimstad, Bud Nehring, and Don Ebberts.

goal is not to see if we can treat the problem — or even learn if there is one — but to simply improve trout populations.

We need a broader vision of what we want to accomplish than the one provided by the trout habitat program. This program should be a subcomponent of ecosystem management and restoration. Trout population increases for greater angler creel counts should not be what drives the work done in our streams.

Bob Hunt described the trees falling into the Brule River as a result of a storm 'natural enhancement.' I would call that neither restoration nor enhancement. I reserve those words for human intervention. In my opinion, restoration is what would describe humans dropping trees into the stream.

Humans are re-establishing what once was. But if we clean the trees out of the river as impediments to flow velocity, fill in the channel with riprap to eliminate sediment, and then construct bank covers to replace missing overhead cover, we have done enhancement.

### Enhancement vs. restoration

There is an important distinction between the goals of enhancement and restoration. Once you decide that it is acceptable to manipulate a natural resource to favor one outcome over other possibilities, you have defined yourselves as a special interest group. You have decided that mankind has the right, with respect to an entity that is held in trust for all of the people of the state, to manipulate it to the desires and goals of a special group.

In doing so, you have undermined your position to oppose *other*

interest groups with *other* goals — like dam proponents. Cranberries, mines, agriculture — what are we in TU to say when these industries advocate the manipulation of a public resource when we are doing the same thing in order to catch more trout?

If we advocate for restoration to a natural state and let nature take its course, we resolve that issue. We are no longer managing for special interests, but restoring what nature made after eons of trial and error.

### Toward the goal of self-maintaining streams

I propose that we use what we have learned to date with bio-engineering to help nudge our streams back to health.

By using self-maintaining measures we will save money and restore naturalness to our streams. By spending money on practices that require an ongoing investment just for maintenance, we redirect money that could be used for investments with more long-term returns.

If we educate ourselves about what the threats to our streams are, and if we purchase development easements, remove dams, draw up rules for a meaningful nonpoint pollution program, and invest in buffers and stormwater management, we assure the necessary ingredients for healthy coldwater streams to exist.

If we don't, we'll have troutless runs of riprap and bank covers surrounded by manure-laden crop fields and trophy houses.

I propose a different view. I propose that if we restore a natural stream ecosystem, we will also restore the trout.

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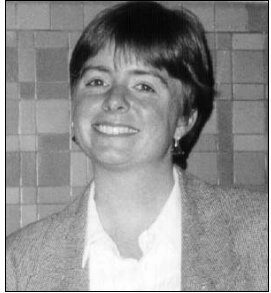
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# Hewitt moves from Kickapoo to regional TU position

By Jeff Mayers

(Jeff Mayers, a member of TU's Southern Wisconsin chapter and co-author of Exploring Wisconsin Trout Streams, sat down recently with Laura Hewitt recently to discuss lessons learned and challenges ahead as she moves on to a new regional position with Trout Unlimited. -ed.)

Laura Hewitt fondly remembers she and her grandfather dunking worms in her native North Carolina, angling for warm-water catfish. Now she's a trout angler — "advanced beginner," she says modestly — who's helping to nurture coldwater fisheries in the Upper Midwest.



**Laura Hewitt**  
TU Upper Midwest  
Conservation Director

Hewitt, 32, since January has been the Upper Midwest Conservation Director for Trout Unlimited. The new position — involving issues in five states including Wisconsin — comes after a successful three-year stint as director of the TU "Home Rivers" project on the Kickapoo River and its tributaries.

The Kickapoo project was no easy task, given the long history of mistrust in the valley stemming from a federal dam project that never came to be. Before that, Hewitt studied at UW-Madison, where she earned a master's degree in conservation biology and sustainable development — a field of study that fit well with her prior service in the Peace Corps (assignments in Liberia and the Dominican Republic).

She received her undergraduate degree from the University of North Carolina in Chapel Hill.

She's finishing up leftover work on the Kickapoo project as she turns over the reins to a new group, the Valley Stewardship Network. To contact the network, call Barb Schieffer of Hillsboro at 608-528-4432. Hewitt can be reached at 608-250-3534 or lhewitt@tu.org.

**Q. What do you feel have been the major accomplishments of the Kickapoo project?**

That's a tough one. I just wrote up the final report and it's a pretty long list. But I would say there are three major accomplishments. First, are the actual improvements to the fishery. With the help of the TU chapters, sports clubs, the Department of Natural Resources, NRCS, and Land Conservation departments we completed 25 different projects on 14 tributaries, improving over 4.5 miles of stream habitat.

With TU's cooperation, the DNR also completed baseline stream surveys on over 30 streams.

As a result many of DNR's classifications have been upgraded and stocking changed to emphasize wild trout.

Second, we have increased citizen awareness and involvement in monitoring and support for protecting the watershed. There now is a committed group of citizen monitors who will continue to monitor stream conditions, and a larger group of people who know more about why the Kickapoo is so special and want to work to keep it that way.

Finally, even though TU's intensive involvement is over the coordinated watershed, activities will continue. TU and the partner groups developed a strong network, TU wrote a plan to help guide future efforts, and partner groups are committed to its implementation. Building on the groundwork we helped lay, a local grassroots watershed organization is forming to promote pro-active stewardship efforts in the watershed.

**Q. What did you expect going into that assignment, your first for Trout Unlimited?**

I knew it was going to be an enormous challenge. The history of the La Farge Dam project in the Kickapoo really soured many of the local communities on any projects coming in from the outside. The "I'm from Trout Unlimited, I'm here to help you" approach just wouldn't fly there. So I figured I would have to spend a lot of time listening and gaining people's trust. That turned out to be true. Otherwise, I didn't have too many expectations.

**Q. In hindsight, would you have done anything differently?**

I would have called the project something different. For some reason now mysterious to me, I officially titled it the "Kickapoo Valley Watershed Conservation Project." It's descriptive, but it sure doesn't roll off the tongue, and it was tough fitting it on a business card.

I also would have gotten more input from local partners during the proposal-writing phase. Grant deadlines are often quick and make a "perfect planning process" impossible. But not having that initial buy-in meant I had to work extra hard to gain people's trust and get them to be involved. There was a lot of "baptism by fire," but I sure learned a ton about things I never thought I'd know about — heavy equipment operation, interpretive sign design, and the ways of the Amish, to name just a few.

**Q. Have the changes made fishing better? How?**

I certainly hope so. As I mentioned above, we completed projects on 14 different streams improving more than 4.5 miles of habitat. That's a lot of work. Eroding stream banks and lack of overhead cover are the principle limiting factors for that fishery, so we have cer-

tainly increased the amount of available habitat and decreased sediment inputs.

And partially as a result of the stream surveys the DNR conducted, the stocking regime is moving toward a completely wild fish program. Many stream have been removed from the stocking quotas. I think that from Trout Unlimited's point of view those are all good things.

I think some anglers were concerned that the high profile of this project would speed up the discovery of the Kickapoo as a prime destination and that a huge influx of new anglers would overcrowd and ruin the fishing experience. I think that is a valid concern. The West Fork, by far the most popular fishing stream in the Kickapoo, continued to receive habitat restoration attention.

But we also initiated work on a bunch of streams that otherwise wouldn't have had as much or any work done on them. We spent a lot of time on Billings Creek, which has excellent public access in the Kickapoo Reserve and Wildcat Mountain State Park. And other great streams like Tainter Creek, Reads Creek, Seas Branch had restoration work done.

Hopefully by spreading out the habitat work it will also help disperse the angling pressure. Dave Vetrano (DNR area fisheries biologist) is fond of pointing out that there are hundreds of miles of stream to get lost in out here.

**Q. Tell us more about the brook trout restoration. That's a very interesting development in the valley and one that I've found spurs interest among non-anglers, too.**

My background is in conservation biology, so native species restoration also gets me really excited as well. Brook trout are the only trout native to Wisconsin's inland streams. Brown trout were introduced by European settlers a long time ago, and they will likely always be an important part of the trout fishery in southern Wisconsin. But water quality and stream conditions have improved so much in recent years that we now have an excellent opportunity to expand the range of the native brookies.

The DNR had been working on a genetic heritage project for native trout. Because the TU Kickapoo project was getting started the DNR and TU became partners, and one of the two brook trout restoration demonstration sites in the state was located in the Kickapoo — on the upper Seas Branch to be precise.

The Seas Branch has incredible spring flow and great water quality. There is a flood control dam about half way down the stream, which we used to our advantage by making it a barrier to fish passage. DNR crews removed a whole mess of brown trout from the creek, relocated them to the West Fork, and introduced 500 wild brook trout.

The DNR is monitoring the brook trout population over the next few years to determine how brook trout succeed in re-establishment in the absence of competition from brown trout. After the first year crews found over 180 winter survivors and 630 young fingerlings. What they learn on the Seas Branch will be used in other parts of the state.

But the Seas Branch project was just one part of the overall strategy. Those stream surveys that I keep talking about were actually part of the brook trout restoration project. The main point of the surveys was to try and locate and remnant populations of brookies and any habitat

that might be suitable for brook trout re-introduction efforts.

We also made a point of targeting good potential brook trout streams in our stream habitat restoration work. Six of the 14 streams we worked on (about 1.5 miles of the total work) provide habitat for native brookies.

**Q. What has TU learned about the importance of local partnerships in improving the resource?**

I think TU has learned that to make a lasting difference to the health of the resource local partnerships are crucial. Not only does getting cooperation from other agencies and organizations help ensure that the benefits to the resource will last, you also get a heck of a lot more done.

This project came with a large budget and staff, but without the cooperation and assistance of huge cast of characters involved we could have accomplished very little — almost nothing really.

On the practical side, it's important to listen and be flexible. TU has a great idea with the Home Rivers Initiative. But it's important to listen to your partners to find out how accomplishing your goals will also help them accomplish theirs. You have to have the flexibility to adapt plans so you can cooperate, but also maintain enough focus that you don't lose sight of your own goals. It's always the balance between staying true to the vision but realizing there are many ways to get there.

Finally, if you're lucky you end up working with great folks in your partner organizations and having a ton of fun.

**Q. How have the people in the valley, so wary of outsiders because of the abandoned dam project at La Farge, taken to the TU effort?**

As with all outside projects, they were very cautious at first. But I knew that would be a big obstacle to overcome. One of the first thing that I did was to set up a coordinating committee of local people to help set project priorities and assist with planning. They also kept me grounded in "Kickapoo reality" so we didn't do something that would really upset people.

I spent a lot of time in the community — at least two days a week for three years — and got to know people, and really listened to them. The whole first year of the project was about getting to know one another and building trust. It really paid off in the second and third years. We got a lot done.

**Q. How will the work of TU continue?**

Several ways actually. In my new role I have a portion of time dedicated to following through on work in the Kickapoo. I'm very happy about that. I have too much invested personally just to drop off the radar screen. I'll continue to foster TU chapter involvement in the watershed.

For instance, I worked with a group of TU chapters from around Chicago and they submitted an Embrace-A-Stream grant to do work on Warner Creek. They were successful and work will go on this summer. I'll also continue to work with our various partner groups to help ensure that the plan gets implemented.

Finally, TU and Community Conservation, Inc. — one of our key partners — are assisting a group of local residents to establish The Valley Stewardship Network, a new watershed conservation organization. We hope they will become a permanent group and be able to carry on many of the activities we initiated.

*Continued on next page*

**Buettner's**

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## Citizens challenging neighbors' waterfront projects

A growing number of citizens are going to court to challenge their lakefront neighbors' requests for large and permanent docks, fearful that the structures could harm fish habitat, water quality, shoreline beauty, and the public's right to access and enjoy Wisconsin's waters.

Such citizen objections are helping fuel a tenfold increase since 1990 in the number of contested cases involving permits for large and permanent docks, including many of the 32 hearings on docks in Door County alone.

### Green lake case

Citizens are playing a critical role in the outcomes, as they did in one recently decided case in Green Lake, according to WDNR and Department of Justice officials.

On Feb. 2, the District II Court of Appeals reversed a Green County Circuit Court judge's decision allowing a developer to add boat slips on Green Lake.

Testimony from members of the Green Lake Association and other concerned citizens helped support the DNR's contention that the new slips themselves — and more importantly, the cumulative impact of those and other slips already on

the bay — would degrade the unique aquatic community there, and the fish and wildlife that rely on the food and spawning areas it provides.

In addition, WDNR contended the proposed slips were not open to public use, as many other slips approved in the same area have been.

"The Pier 11 case is a good example of participation by interested citizens that made a real difference in the case," said John Greene, the Wisconsin assistant attorney general who handled the appeal on behalf of WDNR.

"Citizens should know that their views are indeed taken seriously by the decision makers and should be encouraged to participate in administrative hearings on matters in which they have significant interest or concern," Green said.

Mary Ellen Vollbrecht, DNR chief of rivers and habitat protection, said the Green Lake Association played a very important role in providing firsthand evidence of the proposed pier's potential harm to the environment and public access, and in providing a unified citizen voice.

"It's a continuation of the great Wisconsin tradition of citizens saying, 'Our waters are public — no one has the right to take away the use of these waters or their natural resources for the rest of us or future generations,'" Vollbrecht said.

### Court bars challenges

Such citizen involvement is increasingly important because a recent Wisconsin Supreme Court ruling and the lack of a public intervenor place on citizens the burden of challenging the constitutionality of laws they believe harm the environment.

On Feb. 10, the Supreme Court essentially barred the attorney general's office from challenging the constitutionality of state laws that may harm the environment, she says.

Wisconsin's courts have recognized that lakeshore owners have certain rights to "reasonable use" of their shorelines, including building a pier out to where the water is 3 feet deep.

But such private rights aren't absolute, the courts say. They can't be exercised where they harm "public rights" to water quality, fish and aquatic life habitat, natural scenic beauty and the ability to

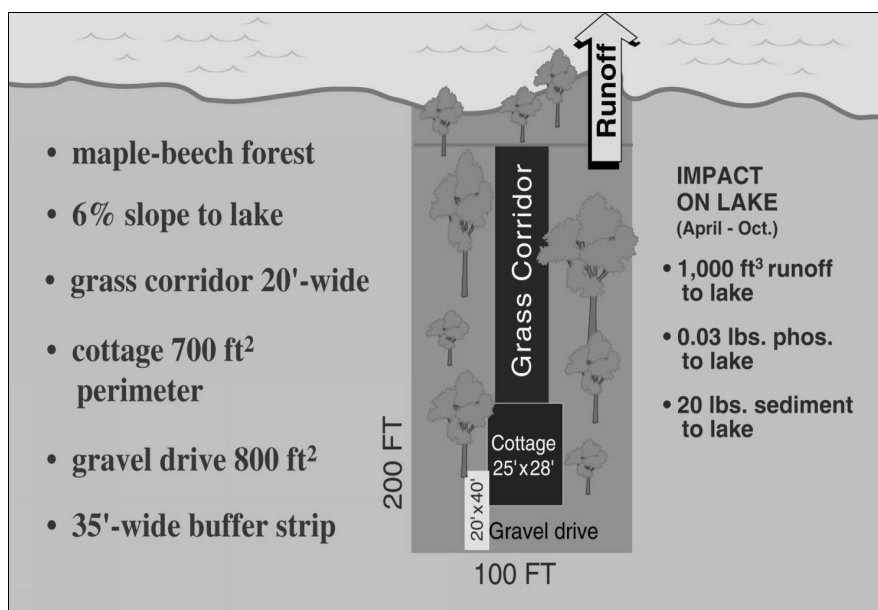
use these waterways for fishing, swimming, and passive recreation.

Green Lake Association President Nancy Hill said association members have been increasingly concerned as people have been tearing down cottages and replacing them with much larger homes, replacing native vegetation with manicured lawns, and bringing bigger, faster boats and personal watercraft with them.

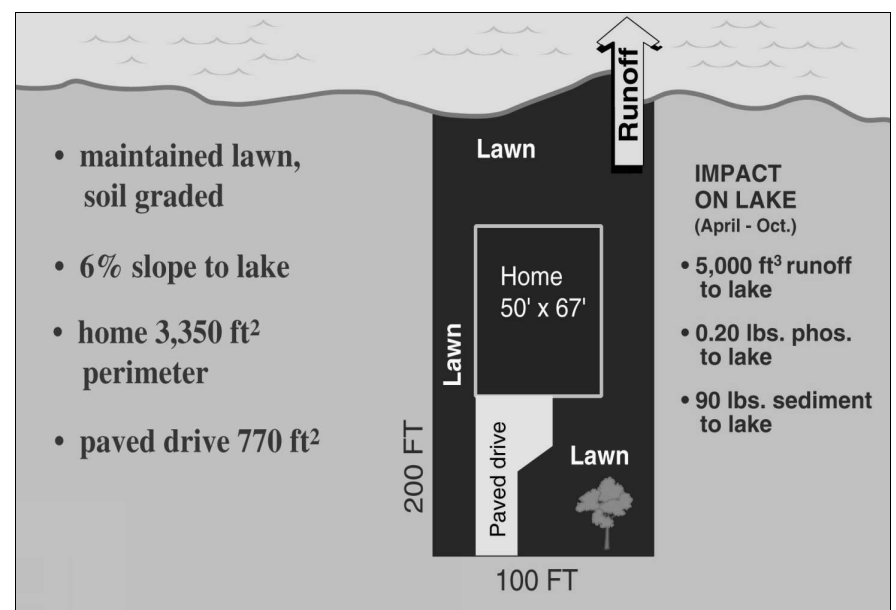
In reaction, association members and other concerned citizens are sitting through days of testimony at contested case hearings and expressing their alarm about the real and potential damage to their lakes. They're becoming better educated about the legal and environmental issues relating to piers, and are supporting groups in proactively responding to actions that could degrade our lakes, she says.

"The public is coming to recognize that their stake in the waters of Wisconsin is threatened today. Concerned riparians, as well as those whose access to lakes is through public areas, are alarmed by the pressures on our lake created by the lack of stewardship that some shoreland owners demonstrate," Hill said.

### 1940s



### 1990s



### TIMES CHANGE...AND RUNOFF HAS INCREASED

These graphics show the remarkable changes in typical Wisconsin lakeside development and shoreland runoff between the 1940s and 1990. Larger homes, bigger lawns, and reduced lakeside buffer strips are taking their toll on Wisconsin lakes. One can assume similar degradation along the state's rivers. These slides are from a 1999 program entitled "Margin of Error?"

Human Influence on Wisconsin Shores." The slide presentation is a production of the Wisconsin Lakes Partnership. For information on the program, contact Robert Korth at the UW-Stevens Point Extension Lakes Program, 1900 Franklin, Stevens Point, WI 54481. Or call (715) 346-2116 or email bkorth@uwsp.edu.

## HEWITT: new TU duties

Continued from p. 18

**Q. In general, what do you see as the biggest obstacles TU and other coldwater advocates face in trying to improve watersheds?**

When you think about improving coldwater resources from the watershed scale I think it always comes back to land use. How we treat the land — good or bad — is reflected quite literally in the streams. And the trout will thrive or they won't.

The history of the Kickapoo landscape tells that story eloquently. Earlier this century practices were so ill suited to the soils and hills that devastating floods occurred again and again. DNR fisheries biologists believed that the area would never support trout again. Today, land use practices are much better, and we're actually working on restoring native brook trout — a very sensitive and picky fish! That's amazing.

But things are always changing with land ownership and land use, and these changes will bring new

challenges for protecting the watershed and the fishery. Planning land use in a way that protects key areas, so we don't get into a position where the environment is severely degraded, is extremely important. Many are really resistant to planning, others are simply not interested or don't see the relevance.

Good planning is not a "sexy" activity, but if done properly it directly addresses the cause of potential problems. That would mean that in the future, we might spend a lot less time addressing the symptoms which stream restoration projects often do, and more time fishing!

**Q. What are the major resource issues you will focus on in your new job?**

To start out I'll be working on small dam removal, coaster brook trout re-introduction, and some urban river issues. I'll also continue to work on Home Rivers Initiative stuff, some organizational development and fundraising work in the region, and regional conservation issues as they arise.

## Southern Wis. TU involved with new watershed association

The Southern Wisconsin Chapter of Trout Unlimited is currently involved in the preliminary stages of becoming an active partner within the new Upper Sugar River Watershed Association of Dane County.

This new organization, under the sponsorship of the Dane County Land Conservation Department, is being formed to address resource concerns in a changing watershed area located approximately 20 miles Southwest of Madison, which includes such important coldwater resources as Mt. Vernon Creek.

The organization is still in the planning stages, with current consideration being given to categorization and prioritization of group

issues and development of a board of directors and group bylaws.

Initial association activities should include streambank restoration and erosion control, as well as being an active force in raising awareness of watershed issues among a larger constituency (other conservation groups, landowners, governmental organizations, etc.).

Southern Wisconsin Chapter members who are actively involved in the association include Tom Ehler, Henry Nehls-Lowe, and Paul Banas.

Additional details concerning Trout Unlimited's involvement in the Upper Sugar River Watershed Association will be reported on in future issues of *Wisconsin Trout*.

Perrier's plans to drill at the Mecan River springs (now abandoned because of public pressure from TU members and others) obviously was the most recent issue to

arise. I'm back down on the low end of the learning curve, but I'm really excited about working on these issues in Wisconsin, Minnesota, Michigan, Iowa, and Illinois.

## Part two in a series on land trusts

## Preserving your land can help you save on taxes, too

By Vicki Elkin

Do you own land that you'd like to see preserved for future generations to enjoy? Would you like to save money on your taxes? Then you may want to consider donating a conservation easement to one of Wisconsin's 40 nonprofit land trusts.

Easements allow you to preserve the land you love while enjoying some significant income tax, estate tax, and property tax savings. You can also continue to live on the land and generally use it as you always have.

Hundreds of Wisconsin landowners have already taken advantage of these tax incentives, helping protect thousands of acres of the state's most beautiful places in the process.

While many people may be unfamiliar with the use of easements to preserve private lands and the tax benefits they offer, the nation's 1,200 local and regional land trusts have already protected millions of acres across the country this way.

**What is an easement?**

Conservation easements are restrictions that landowners voluntarily place on their property to preserve their land's natural features, such as wildlife habitat or wetlands, or to protect valuable open space, farmland, or scenic views.

The landowner grants the easement and the right to enforce it to a land trust, a tax-exempt charitable organization specializing in land conservation.

The easement is attached to the property's deed and stays with the land, meaning that all future landowners must abide by the restrictions outlined in the easement. The land itself remains privately owned and can be lived on, sold, or passed on to heirs.

According to Stephen Small, a Boston attorney specializing in land preservation issues and author of *Preserving Family Lands I and II*, "The gift of a conservation easement to a charitable organization involves giving up some of the rights to your property (such as the right to build condos all over your land) and putting into the hands of the donee organization the power to enforce the restrictions on the use of the property."

**Limitations on rights**

Small emphasizes that "you are only limiting *some* of your rights with respect to your property" when you donate an easement.

Conservation easements generally restrict or limit the type and amount of development that may take place on your property. Easements, however, can be tailored to your needs and the specific features of your land.

For example, an easement may restrict certain farming practices to protect the health of a nearby stream. Or, a landowner may wish

to retain building sites for his or her children while prohibiting development on the remainder of the property.

**Income tax advantages**

When a landowner donates a conservation easement to a land trust, he or she may be entitled to certain income, estate, and property tax benefits.

First, a gift of a conservation easement is considered a charitable donation which can be deducted from a land-

next five years subject to the same annual 30-percent limitation. Donors lose any deduction that is not used up in the six-year period.

Sarah and Bill own a small cabin and 200 wooded acres along one of the best trout streams in the state. Avid fishermen, they want to see their land preserved and are worried about how future development may affect the health of the stream. They decide to donate an easement to their local land trust.

The easement pro-

hibits building on the property and allows others may enjoy the fine trout fishing it offers. The easement also allows the trust and the local chapter of Trout Unlimited to manage the stream banks if necessary.

**Estate tax implications**

While the income tax savings of donating an easement may be significant, many landowners turn to conservation easements because of the estate tax benefits.

As Steve Small says, most people who donate an easement "are primarily motivated by their love of the land and a looming estate tax problem."

When a death occurs, many families find their land is so valuable they are forced to sell it just to cover the estate taxes which now start at 37% for anything over \$650,000.

Placing an easement on your property generally reduces its fair market value since it restricts future development. When you die, this reduced value will result in lower estate taxes.

New federal tax laws passed in 1997 give additional estate tax breaks to people who donate easements on land near metropolitan areas, national parks, wilderness areas, and urban national forests. Easement donors in these areas (about two-thirds of Wisconsin lands qualify) can take up to an additional 40 percent off the value of their land for estate purposes.

One Wisconsin landowner who recently placed a conservation easement on his 200-acre farm says that he was primarily motivated by love for his land.

"I've owned this land for over 30 years," said the landowner. "I've spent countless days and weekends restoring its degraded hillsides, pastures, and woods. I wanted to see it preserved."

"My family and I will save over \$120,000 in estate and income taxes because of the easement. I plan to set aside this money for my children so they can manage the land. This way, the property won't become a financial drain to them."

The landowner also notes that the easement allows each of his three children to build a home on the property if they wish.

**Property taxes**

Since a conservation easement typically reduces a property's value, easement donors may also see a reduction in their property tax bill.

In Wisconsin, state law requires that the tax assessor take into consideration the conservation easement's affect on the value of a parcel of land.

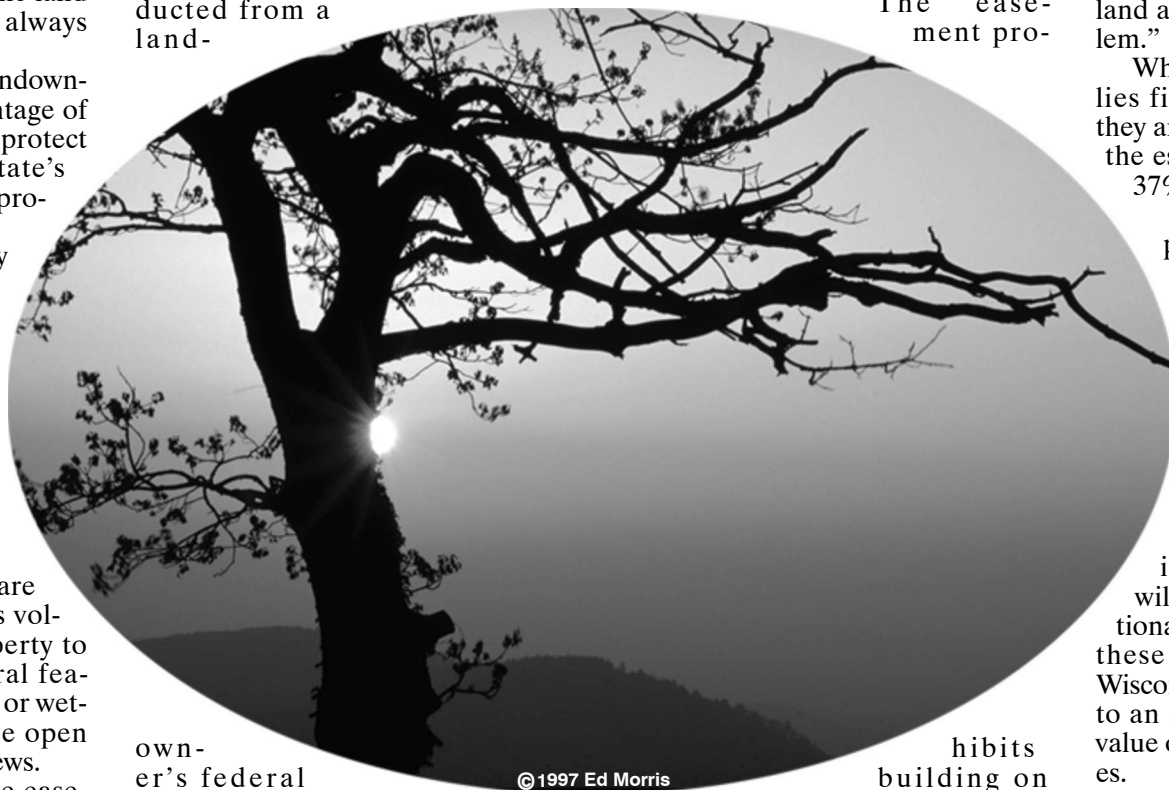
Property tax assessment, however, is ultimately left up to the local assessor who often may need to be educated about conservation easements.

**To learn more**

Landowners interested in learning more about how they can protect their land while saving money on their taxes should contact Gathering Waters, a nonprofit service center for land trusts and land owners in Wisconsin.

Gathering Waters is at 303 S. Paterson Street, Suite 6, Madison, WI 53703 (608) 251-9131, or visit them at [www.gatheringwaters.org](http://www.gatheringwaters.org).

(Vicki Elkin is the Executive Director of Gathering Waters. Vicki set up the Town of Dunn's Purchase of Development Rights program. This program, the first of its kind in the state, allows the town to purchase conservation easements from willing sellers. -ed.)



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owner's federal income taxes if the easement meets certain IRS requirements.

Most states also consider an easement donation to be a charitable contribution which can be deducted from state income taxes as well.

To qualify for an income tax deduction, the easement must be:

- permanent,
- donated to a qualified conservation organization such as a land trust, and
- must serve certain conservation purposes.

These purposes range from the preservation of wildlife habitat, open space, or scenic vistas to the protection of wetlands, water quality, or farmland.

Generally, the easement must result in some benefit to the public. However, an easement does *not* have to cover all of the property, preclude all use or development, or allow public access to meet the IRS requirements.

According to Small, "You will probably *not* qualify for a deduction if there is nothing special or unusual about the land that you are protecting except that it does not currently have more houses on it." Instead, the land in question must contribute to the general environmental well-being of the area, defined rather broadly.

**How the gift is valued**

In order to qualify for the federal deduction, the value of the conservation easement must be determined by a qualified appraisal. In the most basic terms, the value of the easement is the difference between the land's value with the easement and its value without the easement.

If a tract of land is valued at \$100,000 without restrictions and \$25,000 with the easement in place, then the value of the easement is \$75,000.

Note that the deduction is typically limited to 30 percent of adjusted gross income in the year of the gift. Easement donors, however, can carry forward any excess over the

hibits building on the property and allows others may enjoy the fine trout fishing it offers. The easement also allows the trust and the local chapter of Trout Unlimited to manage the stream banks if necessary.

Along with achieving their objectives of protecting the land and ensuring that other fishermen have access to the stream, Sarah and Bill realize significant tax savings by donating an easement to the trust.

**Income Tax Example**

Without the Donation — Yr. 1  
Income: \$200,000  
Tax Due: \$ 52,600\*

With the Donation — Yr. 1  
Income: \$200,000  
Deduction: \$ 60,000\*\*  
(30% of \$200,000)  
Tax Due: \$ 35,000

**\$315,600** Total tax due over six years without the easement donation  
**\$210,000** Total tax due over six years with the easement donation  
**\$105,600** Total income tax saving(over six years)

\* Numbers are rounded for simplicity.  
\*\* Because of limitations in the tax law that reduce itemized deductions for people in Bill and Sarah's income bracket, they may not actually be able to deduct the full 30% of their income. Their deduction would be closer to \$57,500.

The income tax savings alone are impressive. Sarah and Bill have a combined annual income of \$200,000. An appraisal sets the value of the easement at \$500,000. The tables below are for the year in which Sarah and Bill made the donation and assume that they have no other itemized deductions. Remember that they can carry forward any portion of the value of the donation that is not used up in Year 1 over the next five years.

As the example shows, some landowners cannot use up the full income tax deduction. This is espe-

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## Kiap-TU-Wish study providing baseline data Biologist busy cataloging Kinnickinnic insect life

By Skip James

I'd worn my most professorial-looking outfit...cords, a turtleneck, and my heather-check sport coat with the leather elbow patches. Hell, I've earned a Ph.D., too!

When I entered the Science/Ag building at UW-River Falls, and trudged up the four flights to the biology department, briefcase in hand, students eyed me curiously.

When I knocked on Professor Clarke Garry's office door, I was welcomed by an extremely athletic-looking man with a graying crewcut, dressed in Dockers and a long sleeved blue shirt.

His engaging smile quickly put me at ease, and I noticed the grouping of photos on his office bulletin board: canoes, hikers on a snow-capped peak, a tongue-in-cheek advertisement for sea passage to the South Pole: "Not much food, not much heat, little chance of a safe return" supposedly signed by Edward Shackleton, the nineteenth century sea-captain and expedition leader who was trapped with his crew in Antarctica, sailed a small boat two thousand miles to get help, and succeeded in saving the ship's entire complement without loss of life.

Garry, an entomologist happier in the field than trapped in the lab, obviously had 'been around the block a few times,' and I asked about the photos.

"Oh, I collect and study fossil beetles," he said, "and I spent some time in Alaska looking for them."

As he spoke, I was reminded of the Indiana Jones movies, most of which begin with 'our hero' at the head of a class of spectacular-looking young women, lecturing in a desultory fashion on anthropology, while secretly yearning for the next field trip.

If not an exact parallel, it was abundantly clear that beetle-collecting had had a positive effect on Dr. Garry's physique. It was no stretch at all to envision him quarrying bits of fossil-bearing rock while grizzly bears and eagles watched from a safe distance.

This time, it wasn't beetles. Mayflies, caddis, scuds and other denizens of the Kinnickinnic River were the object of scrutiny. Garry is in the second year of a study to identify all the species of aquatic insects in the river.

On a wing-and-a-prayer and almost no budget, he has collected samples of nymphs that now are neatly cataloged in numbered vials racked in orderly rows in wooden trays in his office.

### Kiap-TU-Wish support

Kiap-TU-Wish chapter of Trout Unlimited contributed a little under \$1,000 dollars to allow Garry to hire a biology grad student as a helper during the past summer.

Our local DNR fish manager, Marty Engle, found a few hundred bucks for miscellaneous hardware expenses, and there was some help from a friendly foundation in Madison. I asked what the purpose of the study was.

"Those of us who care for rivers must have some way to measure change in the environment, whether it's temperature change, chemical change, or changes in biodiversity. Like Noah's Ark, we want to know what's there before the flood comes. It's called baseline data, and when my study is complete, someone a hundred years from now can measure the changes in insect population in this river with some degree

of assurance that the factors that influenced changes occurred between the time of his study and mine."

### Qualitative, not quantitative

"This is a qualitative study," he said, "not a quantitative one. I'm trying to identify all the species of bugs that live in the river, but I'm not making any scientific statements about the relative numbers of one insect population to another within a defined area."

"How could you avoid that," I said.

"Well," he admitted, "it's pretty obvious which species are most prevalent, but my methodology isn't designed to get an accurate count of the insects, only their diversity."

He went on to describe in detail how the study was planned. "The river has many different types of aquatic ecosystems: riffles, runs, pools, shallow water, deep water, sand bottom, rock bottom, mud bottom. I was looking for a way to sample areas that would give me a representative cross-section of all of these environments."

### Study targeting 17 sites

"In my discussions with Marty Engle, he mentioned that he had set up 17 locations for his electro-fishing studies of trout population, and it occurred to me that I could use the same sites as the DNR, which had already done the work of finding separate but representative sampling sites."

"Each fish-sampling site is a 300-meter stretch of river, but I decided to use 100-meter stretches within those boundaries for my insect study. First, at each site, we'd 'eyeball' the water to determine the different types of aquatic habitat, then select 10 half-meter-square areas to do kick samples."

"Kick samples," I asked?

"Yes, one of you stands at the downstream edge of the marked-off area and holds a fine-mesh screen in a frame with one edge on the bottom. Then, the other person turns over the bottom sediment, gravel, rocks, and so forth at the upstream edge with a shovel, or disturbs the bottom by kicking, and whatever nymphs were clinging to rocks, or water plants, or simply crawling around on the bottom are carried downstream in the current and caught in the mesh."

"And you do this 10 times at each of 17 locations on the Kinni?"

"Yes", he said.

"Does it matter if you collect from the middle of the stream, or at the edges?"

"Most certainly," Garry said. "We try to sample all the different types of aquatic habitat, and one of the most prolific places to find insects is at the edges of the stream, probably because silt collects there and the current is slower."

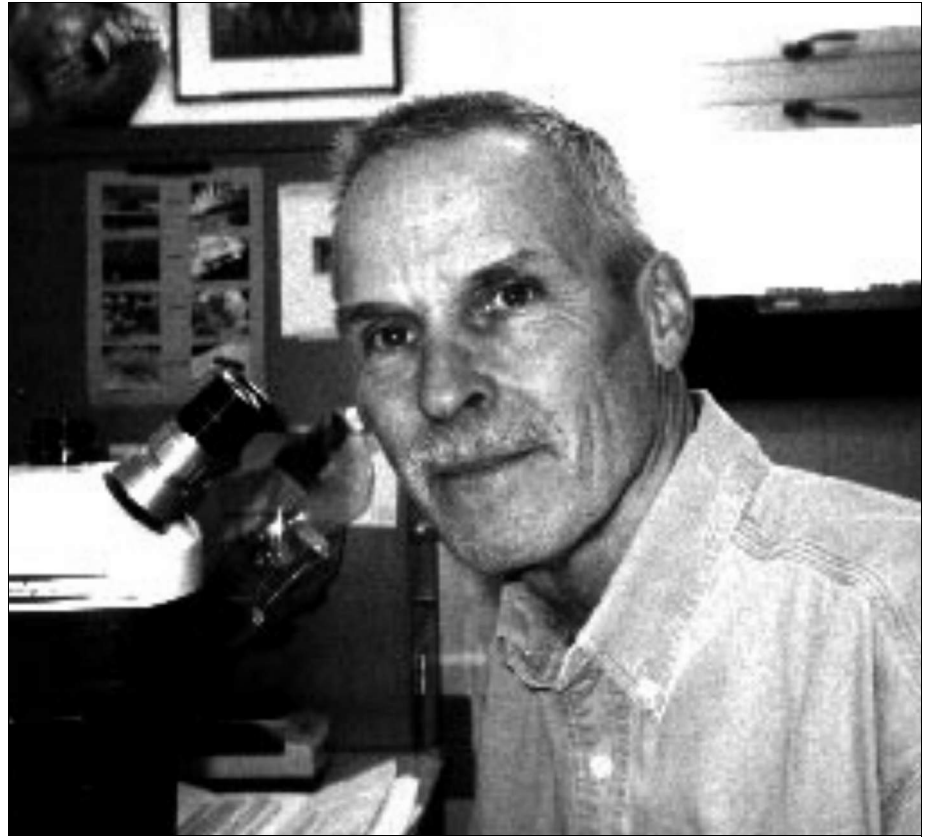
"Now if you collect at a time of year either before or after a certain species of insect has hatched, doesn't that change the results of your study?" I asked.

"Of course," he replied.

He showed me a graph of the past year, divided into weeks. The sampling at the 17 different sites was performed on a certain schedule, so that each site was visited at three or four different times during the year.

"How does it feel to be sampling for insects in the middle of the winter?" I queried with a smirk on my face.

"It can be pretty unpleasant," he said. "On many occasions, Eric and



**PROF. CLARKE GARRY IN HIS LAB**

UW-River Falls biology professor Clarke Garry is working with the Kiap-TU-Wish Chapter to catalog the insect diversity of the Kinnickinnic River so future researchers will know precisely which species the river has supported.

I (Eric Secrist is his assistant) would have rather have been inside and warm rather than wading around in a river in January. Of course, the water never gets colder than thirty-two degrees."

As Garry was talking, I looked over the hundreds of vials of collecting fluid in the rack to my left. Each plastic top was numbered in red to reflect the number of nymphs in each vial. Within each glass cylinder, all the nymphs were identical. The labels neatly typed with the Latin name of the insect, date of collection, and a number for the location.

### Ephemerella inermis a nice surprise

"Are there any surprises in the types of insects you found?" I asked.

"Well, yes, since you mention it," he said. "The most prevalent mayfly outside of the Baetis species is almost unknown in these parts."

"Are we talking about the Kinni Sulphur?" I said, "the greenish/goldish dun that hatches in late May and early June?"

"Well, the study is restricted to nymphs, so I'm not sure what the dun looks like, although I've keyed out the nymph as Ephemerella inermis. I've put some of the nymphs in my aquarium and let them hatch. Positive identification of adults can only be accurately done on male spinners, and they're almost impossible to locate in the wild. Almost all the insects you see flying around the stream are females. I've sent several adult males from the aquarium sample to Madison for confirmation, but it looks like Ephemerella inermis to me."

"You mean, we have Pale Morning Duns in the Kinni?" I said, incredulously.

"What's a Pale Morning Dun?" said Dr. Garry.

"Oh, it's the fishermen's name for the light-colored mayfly that hatches on all the famous western streams during the summer," I replied.

He showed me a map of the northern half of the United States with the distribution of the insect in question delineated in dots. There were lots of dots in Montana, Wyoming, Colorado, and Idaho, and one dot at the border of Wisconsin and Minnesota...the Kinnickinnic River.

Taxonomy is the science of naming animals and plants by identifying their common features. The commonalities naturally group similar species into genus, family, and so on.

"I wish the taxonomists wouldn't keep changing the names of insects on me," I said. "The tiny mayfly that a few years ago was referred to in my fly-tying books as Pseudocloeon became Centroptilum three years ago, and is now known as Plauditis."

"Hard to know what you're talking about if the name changes," he concurred.

### Many species present

Dr. Garry handed me a colorful pie chart showing the distribution of species he'd sampled over the past year in the Kinni. After a quick disclaimer that his was a "qualitative study, not a quantitative one" he pointed out that according to his results, two Baetis species (tricaudatus and brunneicolor) make up about one third of all the insect biomass in the river, that another third was composed of Ephemerella inermis and it's close relative, Ephemerella needhami, and that the remaining third included scuds, three species of caddis (Ceratopsyche slossonae and alhedra, Brachycentrus occidentalis), and two tiny mayflies, (Tricorythodes acellatus and Plauditis punctiventris).

"I think you and I ought to get together and produce a hatch chart for the Kinni when your study is done," I said. "I'll do the fly patterns and the fishing lingo, and you do the scientific stuff and the insect identification."

"I think that's a grand idea," he replied. "Then, we can sell copies and use the proceeds to make sure this jewel of a stream continues to run clean and cold and full of life for years to come."

We stood. I thanked him for his time, shook hands, and left the office. On my way downstairs to the car, I marveled at how lucky we are to have such a person as Clarke Garry become an ally in the fight to preserve trout water, in spite of the fact that he's primarily interested in bugs.

He'll learn the fisherman's names for those insects yet, I mused, particularly if he experiences the river with a fly rod in hand and can't match one of his precious insects with an imitation.

Maybe I'll invite him next spring. Pale Morning Duns in the Kinni! Wait 'til Mike Alwin hears about that!

(Skip James edits the Kiap-TU-Wish Chapter's RipRap newsletter. He is first violinist with the St. Paul Chamber Orchestra and said to be a pretty good "bugologist" himself. -ed.)

# Steelhead Spey easy, effective fly style

By Jeff Preiss

The Steelhead Spey is a fly that is easy and quick to tie. And better yet, the steelhead like it!

I have landed hundreds of Lake Michigan chromers on this fly over the years — spring, summer, and fall.

This fly is not just one pattern, but a *style* of tying that you can tie with any color you think might invoke a trout to eat.

In 30 plus years of fishing lake-run fish, I have learned two things:

- There is no such thing as a magic steelhead fly, and
- These fish like bright colors and buggy-looking flies.

The Steelhead Spey works because it is both buggy *and* bright.

## Tying instructions

One of the reasons this fly is so fast to tie is because the body material is also your tying thread.

Begin by wrapping the hook from the front to the rear and then back to the middle of the hook shank with single-strand floss.

Next tie in the tip of one spey hackle from a pheasant butt feather

and 3-4 strands of peacock herl.

If you'd like, you may substitute

## MATERIALS LIST Steelhead Spey

**Hook:** Mustad 7970 (3x streamer) sizes 4-10.

**Thread/Body:** single-strand floss in pink, orange, red, or fluorescent yellow or green.

**Thorax:** same floss as body used to wrap 3-4 strands of peacock (or peacock ice chenille) and spey hackle consisting of ringneck pheasant butt hackle, blue ear pheasant, or grey heron spey hackles.

**Legs:** hackle sized for the hook in grizzly, black, dun, brown, or red.

**Wing:** Krystal Flash and a clump of ringneck pheasant rooster tail fibers.

**Head:** same floss as body.

peacock ice chenille instead for the peacock herl.

Wrap the peacock up to within a

quarter inch of the eye of the hook in tight winds.

Then palmer the spey hackle toward the eye. As you palmer, stroke the spey hackles so they extend toward the rear of the fly.

You may try heron gray spey hackles or blue ear pheasant feathers instead of the ringneck hackle.

For the wing, first tie in 4-5 strands of Krystal Flash of the same color as the body floss.

Finish the wing by stripping 1/2" of pheasant tail feather barbs and tying them in on top of the fly. These pheasant tail fibers should not extend beyond the bend of the hook.

Complete the fly by forming a head with the floss, whip finishing, and cementing the head.

*(Jeff Preiss is a teacher and member of the Lakeshore Chapter. -ed)*

If you have a favorite fly pattern or a trout tip to share with others, contact *Wisconsin Trout* for information on how to submit your material.



After laying down body floss from back to front, tie in spey hackle and peacock strands at midpoint.



Wrap peacock to the front. Then palmer spey hackle on top of the peacock, pushing hackles fibers back.



Tie in 4-5 strands of Krystal above body.



Cut off 1/2" of barbules from a pheasant tail feather and tie in above body. Do not extend beyond hook bend. Finish head with floss.

# Projects improve 30 miles of trout streams

Trout anglers will benefit from \$1.36 million in projects in the last year to develop habitat on dozens of streams and rivers statewide.

"Usually you don't see the *full* impact for several years but you will see some immediate results," says Al Niebur, a WDNR fisheries biologist who led a project last year near Amherst to develop cover on the lower Tomorrow River.

"Almost overnight, trout will move into areas where previously no cover existed. Overall, you hope for improvements in numbers, size structure, and reproduction," said Niebur.

Niebur and WDNR fisheries crews partnered with four Trout Unlimited chapters in central Wisconsin on that project. TU negotiated voluntary easements with landowners along a 4,000-foot stretch to provide public access, and then worked with the WDNR to improve trout habitat.

The Tomorrow River project is among dozens done last year by DNR crews and partners that improved about 30 miles of trout habitat along Wisconsin's inland waters, according to Larry Claggett, DNR coldwater fisheries ecologist.

The projects were funded almost entirely from the sale of the inland trout stamps, aided by donations of money and time from conservation groups and local governments.

## Federal funds helping

More work got accomplished last year because of six new DNR project positions funded by Federal

Sport Fish Restoration Funds the state receives from federal excise taxes on sales of fishing gear.

"They were at it full time, they were good at it, and they were able to save us a lot of money," says Jim Holzer, team leader for water projects on the Lower Chippewa basin, who benefited from having two of the new positions stationed in Eau Claire.

Those two new staffers — an operations person trained to operate bulldozers and other heavy equipment and a fisheries biologist skilled in operating heavy equipment — worked with DNR crews to complete a project on Duncan Creek in Chippewa County to create cover for larger fish, and to get a good start on restoring habitat on Cady Creek in Pierce County to improve fish reproduction.

Neither stream was producing the size nor number of trout that biologists think the streams are capable of producing, Holzer says.

The crews placed rocks and LUNKER structures in Duncan Creek to narrow the stream that has gotten wider and shallower over time, Holzer says. LUNKERs — Little Underwater Neighborhood Keepers Encompassing Rheotactic Salmonids — are prefabricated bank structures that are placed on the outside bends of streams and covered with rock and soil to look natural.

These structures were developed and named by Dave Vetrano, a DNR fisheries biologist stationed in La Crosse.

The crews performed similar work on Cady Creek, but more of it because the creek had significantly eroded high banks as a result of past ditching and farming, Holzer says. Work on Cady Creek will continue this year.

## TU's role cited

Trout Unlimited members, who had worked with fish managers to help identify possible habitat projects, turned out in good numbers to help work on both projects, and help pay for them, Holzer says.

TU also played an important role in the Tomorrow River project, which sought to increase trout habitat along a stretch of the river that lacked cover, had shallow, ankle-deep water and in the past had had cows pasturing in the area, Niebur says.

He and TU officials drew up the improvement plans, went over them with the landowners and called in a DNR special operations crew which is based out of Wild Rose and operates bulldozers and other heavy machinery.

The crews placed LUNKERs and skyhooks — cantilevered wood structures — in the river, creating an artificial ledge fish can hide under and helping narrow the stream so that water flows faster through the channel and removes soft sediment, revealing the gravel and cobble that provide areas for food and trout reproduction.

The crews also constructed wing deflectors, islands, and placed large boulders in the stream.

"Complexity and diversity of habitat is the key to a successful trout habitat project," Niebur says.

In addition, Trout Unlimited installed 100 half logs in to create more cover and is putting up a fence to keep livestock out of the water. Except for the fence, Niebur hopes the stream habitat improvements are invisible to anglers.

"We try to build them in a way it's hard to tell what we did," he says. "When you go into these areas, they should be as natural and aesthetic as possible."

## 1998-2000 WDNR stream improvement project locations

**Adams**  
Campbell Creek  
Fordham Creek  
**Barron**  
Engle Creek  
Silver Creek  
Yellow River  
**Bayfield**  
Iron River  
Johnson Springs  
Schultz Springs, Namekagon R.  
20 Mile Creek  
**Burnett**  
Dogtown Creek  
**Chippewa**  
Duncan Creek  
Elk Creek  
**Crawford**  
Plumb Creek

Sugar Creek  
**Dane**  
Black Earth Creek  
Deer Creek  
Manley Creek  
Story Creek  
Token Creek  
**Dodge**  
Gill Creek  
Irish Creek  
**Douglas**  
Bois Brule River  
**Dunn**  
18-Mile Creek  
**Forest**  
Elvoy Creek  
**Grant**  
Doc Smith Stream  
Castle Rock Stream

**Jackson**  
Black River  
Buffalo River  
Trempealeau River  
**Juneau**  
On various streams as DNR acquires easements  
**Kewaunee**  
Little Scarboro River  
**La Crosse**  
Mormon Coulee Creek  
Coon Creek  
**Langlade**  
Holgot Springs  
Wolf River  
Eau Claire River (East Branch)  
**Lincoln**  
Prairie River  
**Marathon**

Plover River  
**Marinette**  
Upper Middle Inlet Creek  
**Monroe**  
Coles Valley Creek  
Silvers Creek,  
Tarr Creek  
LaCrosse River  
Leon Creek  
Sand Creek  
**Oconto**  
Oconto River (South Branch)  
**Pierce**  
Cady Creek  
Rush River  
Trimble River  
**Polk**  
Clam River  
**Portage**

Flume Creek  
Waupaca/Tomorrow River  
Tomorrow River  
**Richland**  
Ash Creek  
Willow Creek  
Mill Creek  
**Shawano**  
Embarrass River  
Shiocr River (West Branch)  
**Sheboygan**  
Onion River  
**St. Croix**  
Kinnickinnic River  
**Vernon**  
Halsey Creek  
West Fork Kickapoo River  
N. & S. Forks Bad Axe R.  
Reads Creek

Billings Creek  
Harrison Creek  
**Walworth**  
Bluff Creek  
**Waupaca**  
Little Wolf River  
Wolf River Basin  
Witcomb River  
Waupaca River  
Murray Creek  
**Waushara**  
Little Pine River  
Pine River  
White River  
Cedar Springs  
**Washburn**  
Godfrey Creek  
South Fork of Bean Brook  
Bean Brook

*Member Trout Tip*

**Magic at 40 degrees**

By Jay Thurston

For trout fishing there seems to be something magic about 40 degrees. A rising thermometer provides a window of opportunity for the "early season" angler.

Every time I go trout fishing I record the water temperature. After fishing dozens of times in Southwestern Wisconsin during the early season, I began asking why I was always catching trout when the water temperature rose above the 40 degree mark. And it was also difficult to understand why the trout refused to hit when the water temperature was at or slightly below 40 degrees.

Indeed, more research was required (my best excuse for trout fishing). I discovered that whenever the ice had left the stream and the air temperature was above 40 degrees, the water temperature was also above the magic mark.

To confirm that discovery, one spring day, I was contemplating over a glass of ice water. The air temperature was 68 degrees when I placed my trout fishing thermometer in the glass. Surprise! The thermometer dropped to 40 degrees and stayed there. As soon as all the ice had melted, the temperature started to rise.

Conclusion: even when the air temperature is above 40 degrees, as long as the water is touching ice, the temperature of that water will hover around 40.

In late February and early March I began observing a trout stream I drove by each day. A discovery resulted: as soon as the air temperature was above 40 degrees for three days in a row, the ice melted in the stream. Now I knew precisely when I should begin "early season" trout fishing.

Looking through my trout fishing diary (accounts of every trout fishing experience since 1976) I had solid evidence to support my ice out theory and the 40 degree magic premise.

However, I still wondered, was I missing something? The answer came in an article from the Fixit Column in the *Minneapolis Star Tribune* of 11-12-98. The article referred to the turnover of lakes in autumn. "Lakes turn over in autumn because water density varies with its temperature. Water is densest at 39 degrees. As its temperature increases...from 39 degrees, it expands, becoming increasingly less dense."

It seems logical that water density would cause pressure and result in less activity on the part of fish. An increase in air pressure certainly affects the activity of people.

Trout are cold blooded. With a rising stream temperature above 40 degrees, and less dense water, trout become active. Then, on those special days of March and April, you can enjoy great trout fishing success.

*(Jay Thurston lives near the White River in Bayfield County. He's a member of the Wild Rivers Chapter. -ed.)*

Do you have a "trout tip" to share with your fellow TU members? If so, contact *Wisconsin Trout*.

**March and April prime months for steelhead**

Wisconsin anglers are anxiously awaiting spring rains that will trigger the spawning migration of thousands of steelhead from Lake Michigan up its tributary streams.

March and April are prime months to catch the silvery steelhead on the rivers and streams that flow into the lake, or to watch fisheries staff collect eggs from some of the fish at facilities along rivers near Racine and Kewaunee.

"We had an excellent run last year, and we are expecting fishing to be as good, if not better, this spring," says Matt Coffaro, WDNR regional fisheries biologist for southeastern Wisconsin.

"Spring steelheading is very weather-dependent — the amount of rain or snow melt dictates what the current flows will be like on the tributaries. High water with a strong flow will attract fish but make fishing conditions difficult. The key is to be there when the flow starts decreasing after a high water event."

Spring steelhead average 4 to 8 pounds, but reports of 15 pound or larger fish are not that uncommon, Coffaro says. Fresh spawn is probably the number one bait.

They can also be caught on a wide variety of flies, but any fly that looks like trout eggs are the top producers, especially in orange, pink, or chartreuse.

Major steelhead streams in southeast Wisconsin include the Pigeon and Sheboygan rivers in Sheboygan County, Sauk Creek in Port Washington, the Milwaukee and Menomonee rivers in Milwaukee, Oak Creek in South Milwaukee, the Root River in Racine, and the Pike River in Kenosha.

In northeastern Wisconsin, major steelhead streams include the Manitowoc and Branch rivers, the Kewaunee and Ahnapee rivers, Stoney Creek, Oconto River and some tributaries in Door County.

Every year, fisheries staff stock about 500,000 steelhead in Lake Michigan.

Lake Michigan trout do not successfully reproduce naturally in the freshwater streams, so DNR staff collect eggs from steelhead migrating up the Root and Kewaunee rivers, where the department operates facilities to collect eggs. The eggs are then hatched, raised to small

**Lake Michigan Steelhead Fin Clip Summary**

Year	Location	Fin Clip	Number	Strain
1992	Kewaunee River	ARV	34,525	Ganaraska
1992	Kewaunee River	LM	34,848	Chambers Cr.
1992	Kewaunee River	RM	35,015	Skamania
1992	Pigeon River	RMRP	6,620	Ganaraska
1992	Sheboygan River	ABV	40,000	Chambers Cr.
1992	Sheboygan River	LPRV	11,745	Chambers Cr.
1992	Sheboygan River	RPLV	11,349	Skamania
1992	Root River	ARV	34,629	Ganaraska
1992	Root River	LM	36,600	Chambers Cr.
1992	Root River	RM	39,383	Skamania
1993	Kewaunee River	ALV	31,093	Ganaraska
1993	Kewaunee River	ARM	33,953	Skamania
1993	Kewaunee River	ALM	35,374	Chambers Cr.
1993	Pigeon River	LMLP	6,992	Ganaraska
1993	Sheboygan River	LMLV	10,733	Skamania
1993	Sheboygan River	LMRV	11,550	Chambers Cr.
1993	Root River	ARM	35,276	Skamania
1993	Root River	ALM	27,963	Chambers Cr.
1993	Root River	ALV	37,781	Ganaraska
1994	Kewaunee River	LM	30,694	Chambers Cr.
1994	Kewaunee River	RM	32,705	Skamania
1994	Kewaunee River	LV	35,041	Ganaraska
1994	Pigeon River	BV	6,878	Ganaraska
1994	Sheboygan River	LMRP	10,626	Chambers Cr.
1994	Sheboygan River	RMRP	14,650	Ganaraska
1994	Root River	LV	34,759	Ganaraska
1994	Root River	RM	30,417	Skamania
1994	Root River	LM	35,124	Chambers Cr.
1995	Kewaunee River	ARM	35,071	Skamania
1995	Kewaunee River	ALM	35,500	Chambers Cr.
1995	Kewaunee River	ALV	35,185	Ganaraska
1995	Pigeon River	ARP	6,775	Ganaraska
1995	Sheboygan River	RMLP	12,525	Skamania
1995	Sheboygan River	LMLP	10,056	Chambers Cr.
1995	Root River	ARM	37,347	Skamania
1995	Root River	ALM	37,819	Chambers Cr.
1995	Root River	ALV	34,494	Ganaraska
1996	Kewaunee River	RM	32,787	Skamania
1996	Kewaunee River	LM	32,681	Chambers Cr.
1996	Kewaunee River	ARV	33,306	Ganaraska
1996	Root River	RM	34,254	Skamania
1996	Root River	LM	34,579	Chambers Cr.
1996	Root River	ARV	35,404	Ganaraska
1997	Kewaunee River	RMRV	42,242	Skamania
1997	Kewaunee River	LMLV	37,608	Chambers Cr.
1997	Kewaunee River	BV	36,978	Ganaraska
1997	Root River	RMRV	35,262	Skamania
1997	Root River	LMLV	35,024	Chambers Cr.
1997	Root River	BV	35,201	Ganaraska
1998	Kewaunee River	ARM	44,040	Skamania
1998	Kewaunee River	ALM	35,128	Chambers Cr.
1998	Kewaunee River	ALV	30,844	Ganaraska
1998	Root River	ARM	37,484	Skamania
1998	Root River	ALM	33,187	Chambers Cr.
1998	Root River	ALV	33,548	Ganaraska

NOTE: The numbers above represent only clipped fish. The total number of rainbows stocked are much greater than these figures.

fish, and stocked back in Wisconsin waters.

"If we didn't collect the eggs we wouldn't get the steelhead in Lake Michigan because there's no natural reproduction," says Mike Baumgartner, manager of the C.D. "Buzz" Besadny Anadramous Fisheries Facility on the Kewaunee.

For more information on the Root River Weir and the latest fishing report, call the 24-hour Lake Michigan Fishing Hotline at (414) 382-7920.

The C.D. Buzz Besadny Anadramous Fisheries Facility can be reached at (920) 288-1025 for exact times when the migration is going on and eggs are being collected.

**Northern Adventures Guide Service**

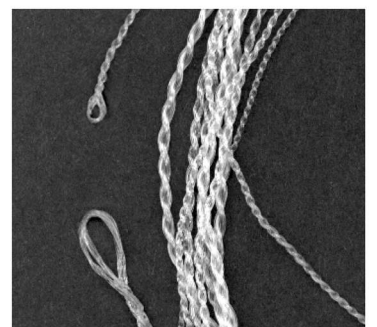
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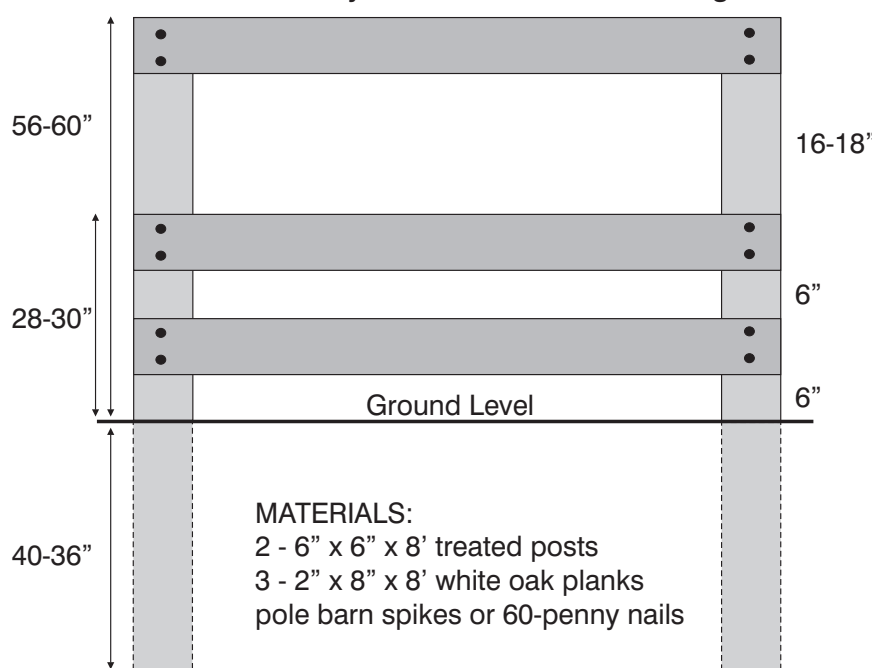
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pole barn spikes or 60-penny nails

**A PERFECT FIT**

Fish manager Gene Van Dyck offers this tried-and-true recipe for your next fencing project. According to Gene, this configuration works for anglers of all shapes and sizes, so don't play around with the dimensions.

# Friends trout stamp offer ending soon

Although the DNR says they will continue printing trout stamps, the advent of the new instant license terminals may spell the end of the trout stamps as we have known them. The cost may be too high.

You can save a piece of history for yourself and help Wisconsin Trout Unlimited at the same time.

We have received a generous gift from longtime Friend of Wisconsin TU John Shillinglaw of Appleton who has gifted Wisconsin TU 20 framed "mint" sets of 11 Wisconsin Inland trout stamps (from 1990 through 2000).

Shillinglaw said this is a celebra-



tion of 10 successful years of Friends of Wisconsin TU and is a way to increase resource and education efforts.

These sets of stamps will be sold to the highest bidders. A minimum bid of \$300 is requested, and the framed stamps will go to the 20 highest bidders. *By placing a bid, the bidder agrees that \$100 will be donated to Friends of Wisconsin Trout Unlimited whether the bidder wins a set of prints or not.*

If all 20 sets are sold, any unsuccessful bidder will have the option of having his/her bid returned less the \$100 membership in Friends of Wisconsin Trout Unlimited. In other words, \$100 of an unsuccessful bid is nonrefundable.

Bids must be postmarked by **May 31, 2000**. Send bids and checks to:  
 John Cantwell  
 Chair, Fundraising  
 3725 Ken Ridge Ln.  
 Green Bay, WI 54313

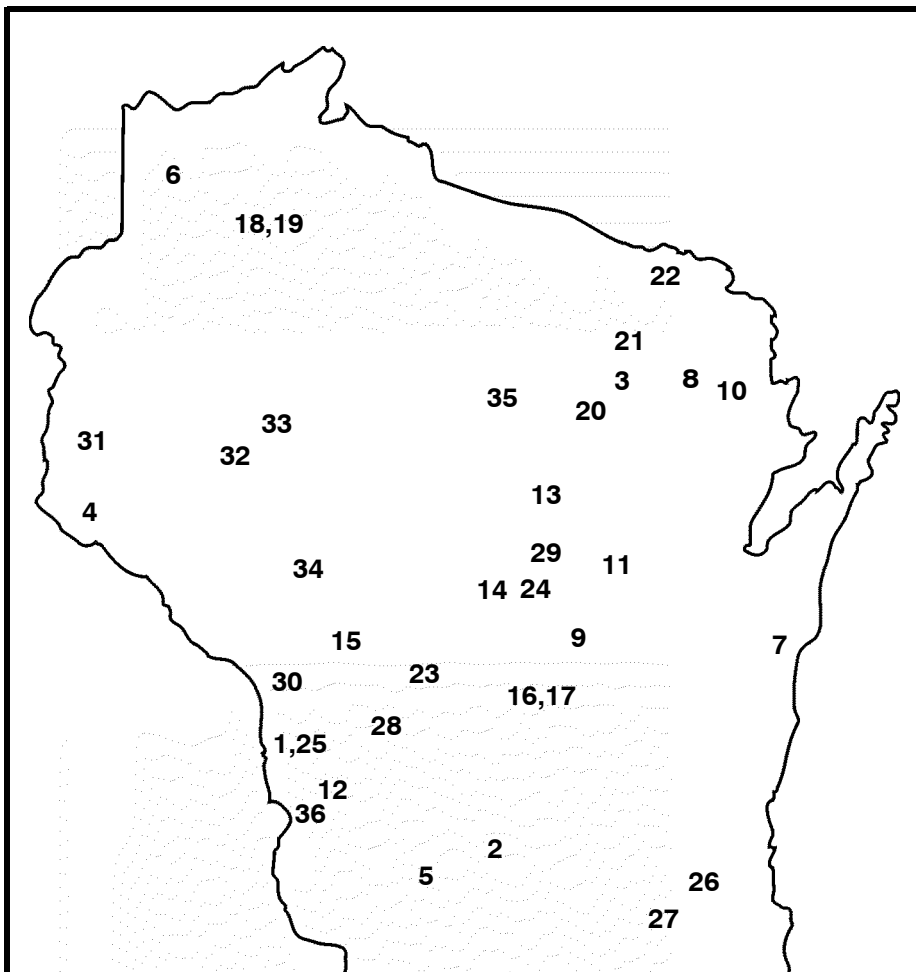
## How to request Friends funding

Chair Mike Swoboda and his Water Resources Committee is the new clearinghouse for requests for Friends of Wisconsin TU funding.

Requests should be sent to Mike at 1322 Ridgewood Dr., Chippewa Falls, WI 54729, or email mswob@execpc.com

When Friends Of Wisconsin TU was created, the following criteria for funding approval were established:

1. Resource projects (materials, supplies, labor)
2. Education (signs, programs, schools, etc.)
3. Land purchases (assist in or outright purchase of significant land)



## "Friends" Project Locations

1. \$4,000 - for rip-rapping and structural improvements on the West Fork Kickapoo River (Vernon Co.)
2. \$1,500 - for placement of LUNKER structures and bank stabilization in Black Earth Creek (Dane Co.)
3. \$1,000 - for hydraulic dredging of Saul Spring Pond (Langlade Co.)
4. \$750 - for purchase of special thermometers to monitor stormwater runoff into the Kinnickinnic River (Pierce Co.)
5. \$2,000 - for rerouting and stabilizing Brewery Creek (Iowa Co.)
6. \$75 - for purchase of catch and release signs for the Bois Brule River Douglas Co.)
7. \$2,500 - for renovation of trout rearing facilities in Lincoln Park (City of Manitowoc)
8. \$500 - for bank, stabilization, and structural improvements on the North Fork Thunder River (Oconto Co.)
9. \$1,000 - for land acquisition along the White River (Waushara Co.)
10. \$750 - to assist with acquisition of 64+ acres of land along Upper Middle Inlet Creek (Marinette Co.)
11. \$7,000 - to purchase a Rotary Screw Fish Trap for DNR Coldwater research
12. \$3,000 - to fund stream improvements and riparian protection in and along streams of Middle Kickapoo River watershed. (Vernon and Crawford counties)
13. \$1,000 - to help fund instream habitat work in the Plover River (Marathon Co.)
14. \$551 - to help purchase recording thermographs to monitor thermal regimes in trout streams in the Buena Vista and Leola marshes (Portage, Wood, Adams counties)
15. \$3,372 - for installing bank cover and closing side channels in Sand Creek (Jackson and Monroe counties)
16. \$3,296 - to continue and extend stream bank brushing along Chaffee Creek (Marquette Co.)
17. \$1,000 - to continue population and movement studies of brown trout in the Mecan River (Marquette County) I-or potential stream reclassification
18. \$1,700 - to conduct follow-up surveys on wild brown trout in the Namekagon River (Sawyer/Bayfield counties)
19. \$2,000 - to conduct studies of fall movements and concentrations of spawning wild brood fish in the Namekagon River (Sawyer/Bay field counties) for capture and use in raising wild trout for the river
20. \$1,000 - to assist with the third year of dredging silt and detritus from Elton Springs (Langlade Co.)
21. \$1,000 - for stream brushing, debris removal and brush bundle installation in Swanson Creek (Forest County), a tributary to the Rat River
22. \$500 - for building a sand/ sediment trap in Wisconsin Creek (Florence County), a tributary to the boundary Brule River, to enhance trout spawning potential.
23. \$2,750 - to purchase materials for fencing projects approved under the Streambank Easement Program (part of the state's Stewardship Program) for the Wisconsin Rapids Area; and for fencing materials for the Little Lemonweir River project (Monroe Co.)
24. \$350 - to conduct trout population studies in the lateral ditches listed as trout waters (Portage, Wood and Adams counties) that are under threat from agricultural/cranberry operation encroachment
25. \$250 - toward habitat work on the West Fork Kickapoo River (Vernon and Crawford counties)
26. \$2,000 - to fund dredging (silt/debris removal) from McClintock Springs in the southern unit of the Kettle Moraine State Forest (Waukesha Co.)
27. \$2,000 - to create overhead bank cover in and remove beaver dams from Whitewater/Bluff Creek (Walworth Co.)
28. \$2,000 - for stream improvements in Billings Creek (Vernon Co.)
29. \$1,500 - for materials for in-stream structures in the Tomorrow River (Portage Co.)
30. \$2,500 - for stream restoration in Mormon Coulee Creek (La Crosse Co.)
31. \$1,500 - to assist in production of an educational video on development impacts along the Kinnickinnic River (St. Croix and Pierce Cos.)
32. \$7,000 - stream improvement on Elk Creek (Chippewa Co.)
33. \$4,000 - rock hauling and restoration work on Duncan Creek (Chippewa Co.)
34. \$1,750 - to purchase materials for stream improvements on the North Fork Buffalo River (Jackson Co.)
35. \$2,000 - to fund backhoe work on intensive habitat improvement in the Prairie River (Lincoln Co.)
36. \$500 - for stream rehabilitation in Tainter Creek (Crawford Co.)

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 John Cantwell (\*\*) (R) Green Bay, WI  
 Central WI Chapter (\*) (R)  
 Andrew E. Cook II (\*\*) (R) Sister Bay, WI  
 Coulee Region Chapter  
 Sheldon Damberg, M.D. (\*) (R) St Paul, MN  
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 Claude D. Davis (\*) (R) Chippewa Falls, WI  
 William N. Davis (R) Northbrook, IL  
 Chris De Deker (N) Appleton, WI  
 Salvatore DiGiosia (R) Oshkosh, WI  
 Dale Druckrey (\*\*) (R) Bonduel, WI  
 John D. Dunagan Verona, WI  
 Dick DuPlessie (\*) (R) Eau Claire, WI  
 Chuck & Mary Egle (R) Custer, WI  
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 Alan Finesilver (\*) (R) De Pere, WI  
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 Dean Hagness (R) Stevens Point, WI  
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 Chris Heikenen (R) Junction City, WI  
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 Watertown Budget Print (R) Watertown, WI  
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 Sidney Johnson, M.D. (N) Marshfield, WI  
 Frank Kearney, III (N) Neenah, WI  
 Thomas Kent (N) Denmark, WI  
 Kiap-TU-Wish Chapter  
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 Lane A. Kistler (\*) (R) Milwaukee, WI  
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 Colleen F. Moore (R) Madison, WI  
 Ross Mueller (R) Appleton, WI  
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