



Waukesha County Environmental Action League Annual Report — 2023

Waukesha County Environmental Action League, Inc., is an all-volunteer nonprofit organization formed in 1978 by a group of citizens concerned about protecting Waukesha County's natural resources. **WEAL** uses grassroots participation and action to address projects and actions that threaten to adversely impact the environmental and natural resources in Waukesha County and surrounding areas where its members live and recreate. **WEAL** has no paid staff, and the Board of Directors is not compensated. The **WEAL** membership is comprised of natural people, **WEAL** does not accept the membership of any corporation.



WEAL Takes Action to Advance the Following Objectives and Purposes

1

Develop and Support County-wide Grass-roots Environmental Networking.

2

Facilitate Environmental Education.

3

Support the Preservation of Water, Wetlands, Farmland, Open Space, Environmental Corridors and Natural Areas.

4

Support Regional Land Use and Transportation Plans When Done in an Environmentally Sensitive Manner.

5

Promote and Support Wisconsin Environmental Issues Beyond Waukesha County, as Approved by the Board.

6

Promote and Advance Zero Waste Actions and Policies as a Means to Reduce the Toxicity of Waste, by Promoting Responsible Production, Packaging, Reuse, and Recovery of Materials and Take Action to not Burn or Bury Waste.

7

Promote and Support Local and Global Actions to Reverse Climate Change.

WEAL Focuses on Zero WASTE



WEAL CONTINUES A COUNTYWIDE CAMPAIGN TO “SKIP THE STRAW” WITH THE FOLLOWING ACTIONS:



- Pledge drive: 100’s of citizens, young and old, have signed WEAL’s pledge to “skip the straw.”



- Encouraging restaurants to only offer straws on request or not at all.

WEAL advanced ZERO WASTE actions and advocacy in Waukesha County in 2023. WEAL’s ZERO WASTE information and educational materials were on display at farmers markets in Menomonee Falls, Brookfield and Waukesha and the Waukesha County Sustainability Fair held at Retzer Nature Center on August 26, 2023.

Zero Waste: The conservation of all resources by means of responsible production, consumption, reuse, and recovery of all products, packaging, and materials without burning them, and without discharges to land, water, or air that threaten the environment or human health.

Zero Waste is a goal that is ethical, economical, efficient and visionary, to guide people in changing their lifestyles and practices to emulate sustainable natural cycles, where all discarded materials are designed to become resources for others to use.

Zero Waste means designing and managing products and processes to systematically avoid and eliminate the volume and toxicity of waste and materials, conserve and recover all resources, and not burn or bury them.



2023 WEAL WASTE ISSUES

Prepared by Charlene Lemoine

WEAL continued networking with Great Waters Group of the Sierra Club, Midwest Environmental Advocates, Milwaukee River Keeper, Wisconsin Conservation Voters, Dennis Grzezinski, League of Women Voters Milwaukee County and Falls React II regarding the Boundary Road Landfill Superfund site exhumation and expansion of the Orchard Ridge Landfill as well as having an opportunity for a Community Advisory Group (CAG) to be formed by nearby residents and other interested parties.

1/13/2023- On behalf of **WEAL**, Charlene Lemoine participated in a virtual meeting with the DNR. The focus of the meeting was the DNR's role in scheduling an informational meeting on forming a Community Advisory Group (CAG) for the BRL Superfund Site. A few other subjects were also discussed regarding flaws within Chapter 289, WI. Statutes, and discarded food causing significant methane emissions from landfills. **WEAL's** primary objective was for the DNR/EPA to hold an information meeting to explain the process for forming a CAG because residents living near a Superfund Site form a CAG.

1/20/2023 – **WEAL** submitted written supplementary comments to the DNR regarding approval for on-site treatment and storage of hazardous waste encountered during the Boundary Road Superfund site exhumation.

3/13/2023 – DNR & EPA Region 5 Joint Information Meeting on forming a CAG from 6:00 PM to 7:00 PM via Zoom. The meeting was well attended.

3/27/2023 – Zoom meeting with BJ LeRoy and Penney Waggoner, a member of the Menomonee Falls community. **WEAL** Board Members Charlene Lemoine, Fay Amerson and Laurie Longtime participated in this meeting. As stated previously, the objective was to have an opportunity to form a CAG. A CAG needs to have members who are impacted by the Superfund site and Falls React II met that condition.

4/27/2023 – BJ LeRoy at the DNR sent out an email to all CAG interested parties stating that Penney Waggoner would be taking the lead in forming a CAG. Generally, a CAG is formed within 6 months of having an information meeting. To date a CAG has not been formed for the BRL Superfund Site but as mentioned previously can be formed at any time.

Waste Management began the first phase of the exhumation in December 2022 and will most likely be starting the next phase in December 2023.

7/17/2023 – DNR public informational hearing on the pending WDNR permit application authorizing the placement of fill in 14.8 acres of wetlands and the realignment of stream at the GFL Emerald Park Landfill in the city of Muskego to accommodate a landfill expansion. **WEAL** Board Members Charlene Lemoine, Fay Amerson and Mary Hiebl attended the public information hearing and offered oral comments associated with the loss of wetlands and the expansion. **WEAL** Board Member Fay Amerson submitted written comments objecting to the WDNR permits approving the filling of 14.8 acres of wetland and the alignment of a stream to accommodate the landfill expansion. Unfortunately, the WDNR wetland and waterway protection permits were approved.

WEAL Takes Action to Protect St. John's Bay Nagawicka Lake An Area of Special Natural Resource Interest

Waukesha County has 80 named lakes, including Nagawicka Lake. Nagawicka Lake is classified as a major lake or a Wisconsin Lake of 50 acres or more. Nagawicka Lake is a high quality lake covering more than 950 acres and is designated as an “aquatic area of statewide importance or greater.” This lake supports endangered, threaten or “special concern” species, as defined by the WDNR. Five *Sensitive Areas* have been identified and mapped on Nagawicka Lake by the WDNR, including the St. John's Bay Sensitive Area, located on the southwestern area of the Lake. These sites are legally defined as “areas of special natural resource interest” and have special importance biologically, historically, geologically, ecologically or even archaeologically. Sensitive areas with aquatic vegetation commonly offer critical or unique fish and wildlife habitat, including life-cycle critical feeding, refuge and life-stage requirements.



The City of Delafield received a WDNR permit for the construction and use of permanent 6-slip transient pier in the St John's Bay sensitive area. **WEAL** formally appealed the WDNR permit decision. authorizing the City of Delafield to construct and use of a transient pier within the St. John's Bay, sensitive area on Nagawicka Lake. The proposed transient pier is intended to lure motorized boat traffic into the Bay's sensitive area to off-load people to eat, drink and shop in the City of Delafield.

WEAL finds the pier location, size, construction materials and use to have a negative impact to the Bay's sensitive aquatic community and the placement and use of the pier without restrictions would be a violation of the WDNR's responsibility to protect the public interests. The use of motorized boats in shallow waterbodies churns up bottom sediment impairing water clarity and the ability of fish to find food and habitat. Motorized boats also sever aquatic plants and have the potential to move invasive plants within a lake and from lake-to-lake.

WEAL joined a group of concerned residents to protect St. John's Bay and prevent the pier construction and use. The residents established the **Defenders of St. John's Bay**, a formal organization to prevent the construction of the pier in St. John's Bay and formally appeal the WDNR permit decision. Check out their website: <https://stjohnsbaydefenders.com>

WEAL's objections include WDNR's failure to consider reasonable permit conditions necessary to protect fish and wildlife habitat, natural scenic beauty and prevent recreational use conflicts in this shallow sensitive bay. The WDNR failed to impose permit conditions to prevent or monitor the introduction of invasive species to the Bay resulting from the increased boat traffic lured to the transient pier in the St. John's Bay sensitive area.

The Defenders of St. John's Bay and WEAL's appeal of the WDNR permit decision will be conducted as a Contested Case Hearing (CCH) by a Wisconsin Administrative Law Judge (ALJ). Following the hearing proceedings, the ALJ will decide to approve the WDNR permit as issued, deny the permit or modify the permit. The CCH will be scheduled this Spring. The ALJ assigned to this CCH will provide the public an opportunity to present testimony at this hearing, when scheduled.

WEAL Highlights

Waukesha County Wetlands



WETLANDS perform important natural functions and provide ecological services which make them valuable resources adding to the overall health and diversity of Waukesha County's landscape.

WETLANDS are scattered throughout the County encompassing approximately 57,500 acres or about 15 percent of the County, No community in Waukesha County is without wetlands.

Although most activities in **WETLANDS** are regulated under federal, state, and local codes that restrict their development or disturbance, small **WETLANDS** and isolated **WETLANDS** continue to be lost, due to WI Supreme Court decisions, state and federal permit exemptions and general permit decisions. It is for this reason, **WEAL** remains vigilant to protect Waukesha County wetlands whatever their size or wherever their location.

In 2023, **WEAL** focused on educating the community on Waukesha County **WETLANDS** and efforts to protect those **WETLANDS** remaining and restore those that have been lost or disturbed. **WEAL** co-sponsored two events in 2023 with the Waukesha County Land Conservancy and the WI Wetland Association in 2023 to highlight County wetlands and share successful wetland restoration efforts.



2023 WEAL ATTENDANCE at WEBINARS, PRESENTATIONS, AND MEETINGS

March 16, 2023 - Fox River Submit, Burlington, WI. WEAL Board Members Nancy Gloe and Laurie Longtine attended event on behalf of WEAL.

March 22, 2023 - Zero Waste School Program, sponsored by the US Green Building Council Center for Green Schools, in collaboration with the Carton Council. WEAL Board Members Fay Amerson and Laurie Longtine tuned-in to this webinar.

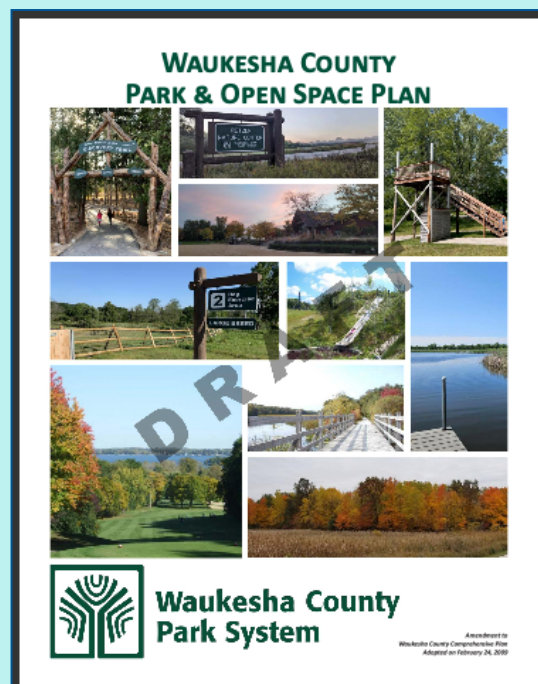
March 2023 – WEAL Board Member, Charlene Lemoine attended International Day of Zero Waste Presentations at the UN (Webinar).

June 2023 – Getting to Zero Waste in the U.S. Leaving False Solutions Behind webinar (two webinars in June) WEAL members tuned-in.

August 15, 2023 — Waukesha County Park and Open Space Plan Update, Public Information Open House. WEAL Board Members, Angela Reifenberg, Russ Evans and Nancy Gloe attended this Open House and submitted comments.

September 14, 2023 - Wisconsin Wetland Study Council Meeting. WEAL Board Member Fay Amerson attended the Council meeting virtually and presented comments on eligibility requirements for general permits, the need to consider a higher level of protection for ADID wetlands, and improvements needed for the public to access permits on the WDNR on-line permit tracking data base.

November 9, 2023. Wisconsin Wetland Study Council Meeting. WEAL Board Member, Fay Amerson attended meeting virtually.



2023 WEAL COLLABORATIVE EFFORTS TO PROTECT THE ENVIRONMENT

January 2023. **WEAL** signed a Declaration Supporting the United Nations adopting an International Day of Zero Waste.

January 2023. **WEAL** prepared and submitted comments to WisDOT and the US EPS on the Supplemental Environmental Impact Statement (EIS) prepared for the proposed expansion of the I-94 corridor. WEAL continues to speak-out against highway expansion and supports the “fix-at-six” plan, rather than the expansion to 8 lanes through this I-94 corridor.

April 2023, **WEAL** Signed a Petition to require incinerators operators report toxic releases.

April 15, 2023. Meeting with the Nagawicka Lake residents regarding the proposed pier on St. John’s Bay. **WEAL** Board Member, Angela Reifenburg attended this meeting which resulted in the incorporation of a formal group named, “Defenders of St. John’s Bay”. <https://stjohnsbaydefenders.com/>

May 2023 – WEAL signed a letter asking for leadership from the Biden Administration to address the plastic crisis.

October 2023- **WEAL** signed-on to comments prepared by multiple organizations on the Draft Wisconsin Administrative Rules, regarding Great Lakes Diversions, Intra-basin Transfers and Water Supply Service Areas.

