

Comment on Manure Impact on Drinking Water Quality

Friends,

Although our southeastern Wisconsin area has experienced few of these disgusting and deadly manure spills, we happen to "own" a Senator who plays a big role in the decision-making of runoff rules: Senator Neal Kedzie. Please call him as soon as possible to register your concerns about the lack of protection for Wisconsin's drinking water, recreation waters, and fishing waters.

I've heard the Trembl's testimony and the story of how their entire family became ill last winter with e-coli poisoning (including their 9-month old baby). It is a true horror story, and all the more so because it would have been completely prevented had the set of rules known as NR 243 been in place and enforced. Unlike some of our state senators, who couldn't be bothered to stay and hear this in person, please know that the story is not made up or exaggerated for the benefit of the "Deciders. "

Some basic information (including Kedzie's phone #) and talking points are below. If you'd like more information, the two press releases from Wis Ass'n of Lakes and the Wis Wildlife Federation attached provide slightly different perspectives. You can also check out Bill Christofferson's blog which includes an article from the Madison Capitol Times: <http://www.madison.com/tct/news/index.php?ntid=93561&ntpid=4> or at the Xoff Files blogsite.

Thanks for taking this important action.

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PRIVATE PROFITS TRUMP PUBLIC HEALTH

Rural families remain at-risk after legislators ignore citizen testimony

Friday, the Manure Management Rules (NR243), which aim to better manage liquid manure on large factory farms, had a hearing in Madison. The hearing lasted 8 hours, but early on, it was clear that many legislators had already made up their minds.

At the end of the day, the Senate Agriculture Committee voted 5-2 to send the rules back to the DNR, rather than to pass the package hammered out over the last 4 years that would protect public health and drinking water.

Even testimony from Scott and Judy Trembl of Luxemburg, whose children became sick and were hospitalized because manure contaminated their well, and the presence of their now healthy children, was not enough to convince legislators that manure and drinking water don't mix.

The Senate Committee did not take issue with anything specific, rather, they said that NR 243 was "arbitrary and capricious, and imposes an undue hardship." What about the hardship of drilling a new well? Or the hardship when your entire family is so sick that there's no one to take care of anyone else?

Now, the rules go back to the DNR for changes, but it is unlikely that we will see anything happen for the next 6 months. In 6 months, it will be January, and rural families will be at risk again from winter manure

spreading.

The Senators need to be held accountable for their votes against clean water and for ignoring your letters, calls, and concerns.

Please contact Sen. Kapanke and Sen. Kedzie as soon as possible to let them know you are deeply concerned about the lack of protection for drinking water in Wisconsin.

Senator Kapanke, Committee Chair: 800-385-3385

Senator Kedzie: 608-266-2635

Senator Brown: 877-763-6636

Senator Olsen: 608-266-0751

Senator Erpenbach: 888-549-0027

Suggested talking points:

I am calling to voice my concern about the Senator's vote to send NR 243 back to the DNR.

I am upset that the rules were called 'arbitrary and capricious' when, in fact, they have undergone a 4-year process.

I am upset that he voted to waste more time and tax dollars debating whether or not we should have manure in our drinking water.

* If you are a constituent of Senator Kedzie's, please tell the staff member that or leave it in the message. (If you call in the evening or on the weekend, you can simply leave a message.)

**If you are not a constituent, the staff may ask why you are calling. A good response is, "I want to share my concerns with the Senator because he is on a committee that makes decisions that impact my drinking water."

Wisconsin Association of Lakes

Press Statement Issued August 7, 2006

Are large corporation profits more valuable than clean drinking water?

Your legislature seems to think so.

Last Thursday there was a joint meeting of the State Senate and Assembly Agriculture committees to hear public testimony on Manure Management Discharge Rules (NR 243).

The Senate Agriculture Committee voted to return proposed rule (NR 243) to the DNR for unspecified modifications. Many members of the Assembly Committee didn't even show up for the hearing, and the Senate Committee members missed five out of eight hours of public testimony before they voted. Unfortunately it appears the wants of Wisconsin's 150 large factory farms outweigh the basic human needs of our state's citizens.

Many Wisconsin citizens had taken the day off work and had traveled considerable distances to testify on how manure runoff had contaminated their wells and drinking water, degraded the water quality of lakes, killed fish, and undermined the dollars invested to restore and keep our water resources safe and healthy. Unfortunately they got a rude awakening as to whose concerns rank most important under our Capitol dome.

The Manure Management Discharge rules (NR 243) apply only to Wisconsin's 150 Concentrated Animal Feeding Operations (CAFOs), those farms that have so many manure producing animals they require a discharge permit under the federal Clean Water Act. CAFOs make up less than 1% of Wisconsin's farms, but produce more than 10% of the manure.

Farmers choose to become a CAFO. And, because they are large, they need to take responsibility for their actions and operate their businesses in a manner that does no harm their neighbors.

But Agribusiness lobby groups—many of which negotiated compromises on the proposed NR 243 as members of the DNR advisory team that drafted the rule—convinced the Agricultural committees that these few large farmers should be treated differently from other polluters. They advocated that the few bad actors that are causing people to become sick and degrading our shared resources because of poor manure management should not be “burdened” by having to take responsibility for their actions or follow rules.

We don't believe that most farmers willfully want to make their neighbors sick, lower water quality, and hurt our fish and our lakes. But it's happening, all over the state. People are getting sick. Fish are suffocating. Plants are choking to death in a watery haze of manure.

The many, many Wisconsin farmers who operate responsibly and are good stewards of our land should be embarrassed by and ashamed of their lobby groups and the few farmers that don't follow good manure management practices.

Let us be clear.

When people are getting sick from their own tapwater, that is not ok.

When manure runoff makes our lakes unswimmable because of e coli and fecal coliform bacteria, that is not ok.

When manure runoff makes our nationally renowned trout streams and lakes are unfishable because all the fish are dead, that is not ok.

When manure runoff changes clear lakes into algae basins, that is not ok.

When manure runoff creates nutrient rich waters invasives like Eurasian water milfoil prefer, that is not ok.

When our elected representatives take the paid lobbyist positions more seriously than the public health of their constituents, that is not ok.

We needed these rules before another spring pockmarked by manure runoff events, sick kids, and dead fish. The legislature has let all of us down.

Wisconsin Association of Lakes

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Wisconsin Wildlife Federation

Press Statement

August 7, 2006

Contact: George Meyer, Executive Director---608-516-5545

Agricultural Committees Intentionally Decide Not to Protect Children's Health

Poynette: The testimony of the young father before the Senate and Assembly Agriculture Committees was dramatic and heart-wrenching. Two years ago he got up from his dinner table and went to the kitchen faucet to pour a glass of water. Out of the tap came manure laced water. Panic set in as he thought about the fact that the meal that had just been eaten by his wife and their three young daughters had been prepared with water from that faucet.

Four days later Scott Trembl picked his six and one-half month daughter

Samantha out of her crib, seriously ill and covered in feces and vomit and rushed her to the emergency room. He and his wife Judy were told that there was a good chance that their daughter could die or suffer severe brain damage. Thankfully she recovered. The next day, daughters Kaitlyn (8) and Emily (6) become seriously ill, another day later his wife and three days later he becomes seriously ill. The whole family eventually recovered.

The neighboring large animal operation had spread manure on frozen ground across the road three days before the manure came out of their water faucet. It was only a month before that the Treml's well had been tested and passed with flying colors. Eventually the Tremls successfully sued the large farm operation and recovered their costs including the amount necessary to dig a new well. But nothing can really compensate for the terror of possibly losing one of their children.

The Tremls simply do not want this tragedy to happen to another young family. They have testified before the Natural Resources Board in support of proposed DNR rules which would have required the 150 largest animal operations in the state to not spread liquid manure on frozen ground in the months of February and March which have resulted in many of the 52 runoff events in the last two years that have contaminated wells and wiped out fisheries in several Wisconsin streams.

Last Wednesday the Tremls took off of work again to share their experience before the Assembly and Senate Agriculture Committees. Most Wisconsin citizens hearing this compelling story would assume that the committees would strongly support the proposed regulations to protect other rural families and their children.

But it wasn't so. The large farm industry turned out in mass against the rule led by Richard Gorder, (Mineral Point), Vice-President of the Wisconsin Farm Bureau and Laurie Fisher, (Oneida), Executive Director of the Dairy Business Association. The farmers argued that they should not have to bear increased cost even if necessary to protect children's health, ignoring the facts that most of the operations have the ability to comply with the rule now and in many cases federal financial help is available.

Several legislators such as Rep. Debbi Towns, (Edgerton), Rep. Scott Suder, (Abbotsford), Rep. John Ainsworth, (Shawano), Rep. Mary Williams, (Medford) and

Rep. Barbara Gronemus, (Whitehall) led the effort in the Assembly Committee to prevent adoption of the rule. The Senate Committee, chaired by Senator Kapanke, (La Crosse) listened to the first three hours of testimony, left the hearing as a group and missed the next five hours of public testimony including the compelling Treml family testimony and then the Senate Committee came back and voted against the public health regulation.

Common remarks after the hearing from the tens of citizens from throughout Wisconsin that supported the rule was: "Why should we even bother taking off of work to testify to the Agricultural Committees when the only people that they ever listen to are the farm groups."

The DNR rule, developed over four years in close consultation with the very same agricultural groups and with conservation and environmental groups, now goes back to the DNR where it may languish another year or two.

When will the Senate and the Assembly Agriculture Committees live up to their responsibility to protect the lives and health of Wisconsin citizens? The answer is only when Wisconsin citizens get outraged enough to demand that the rule be passed. Will it take the death of a child to cause the outrage?

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The Wisconsin Wildlife Federation, headquartered in Poynette, Wisconsin is the state's largest conservation group, comprised of 144 hunting, fishing and trapping groups. The Federation is dedicated to conservation education and the adoption of sound conservation policies. Contact George Meyer, Executive Director, 608-516-5545.

