



**Waukesha County Environmental Action League**  
**Protecting Waukesha County's Natural Resources since 1978**  
**E-Newsletter October 2021**

**“Our planet’s alarm is going off, and it is time to wake up and take action.”**  
 Leonardo DiCaprio

**WEAL asks the US EPA, Wisconsin DNR to form community advisory group**  
 Charlene Lemoine

WEAL has asked the US EPA (Region 5) and the Wisconsin DNR to establish a Community Advisory Group (CAG) for the Boundary Road Landfill Superfund site (BRL) in Menomonee Falls. According to the EPA website, ([Superfund Community Advisory Groups | US EPA](#)), a CAG can be formed if there is a high level of interest and concern regarding a Superfund site.

The proposed plan to excavate 1.3 million cubic yards of contaminated, and potentially hazardous waste buried within the BRL, is expected to take more than six years. During the projected multi-year project, a CAG can offer residents numerous opportunities to ask questions and submit concerns directly to the DNR and EPA on any issues associated with the BRL.

Residents were not aware a Superfund site existed within the 730-acre Waste Management landfill complex. A CAG will have up-to-date information and can keep the community informed on all activities associated with the Superfund site.

Region 5 USPA informed WEAL that our request for a CAG was forwarded to the regional supervisor for Community Involvement Coordinators and to the national CAG coordinator for review. However, the lead agency managing the BRL Superfund site is the Wisconsin DNR. WEAL anticipates a decision on forming a CAG from the DNR soon and the decision on establishing a CAG will be posted on the WEAL website.



**WEAL exhibits at Sustainability Fair**  
 Rose Reinders

On August 28<sup>th</sup>, a 90 + degree summer day, WEAL participated in the Sustainability Fair, at Retzer Nature Center.

WEAL's display included the ZERO WASTE interactional exhibit listing actions that can be taken before waste is landfilled. Attendees were encouraged to sign “Take the Pledge” signage board, committing to reduce or eliminate single-use plastics made primarily from fossil fuel-based chemicals and are meant to be disposed of right after use--- often in mere minutes. Plastic straws are high on the list of single

use. WEAL offered “Skip the Straw” cards to pledge signers. The cards are to be handed out in restaurants and other venues as a reminder to provide straws **only** upon request. Many people now carry their own reusable straws, or do not use a straw at all.

WEAL also offered a variety of perennials including three species of milkweed plants which attract butterflies, especially Monarchs, as well as other beneficial pollinators and insects.

Because WEAL has been involved in protection of rare mussels, especially in waterways where there are construction projects, there was a display of existing and endangered mussels found in our local streams. *(Read detailed article in this newsletter.)*

A broad range of vendors/exhibitors set up along pathways in the woods: Citizens Climate Lobby, Plowshare Fair Trade, Native Roots, Compost Crusaders, Habitat for Humanity, Sustain Jefferson, US Green Building Alliance, Sitka Salmon Shares, Midwest Conservation Dogs, and more. The fair offered a great opportunity for exposure to local/county environmental groups and businesses to better understand and appreciate the environment.



## Legislation to address climate change finally on the horizon.

Nancy Gloe

As we go to press, the U.S. Congress is (finally) considering legislation that would reduce the country's greenhouse gas emissions in a comprehensive way.

Last month, a story in the New York Times reported that Senator Ron Wyden (D-OR), "confirmed that the Senator majority leader had asked him to craft legislation that would put a price on carbon emissions ... with some kind of rebate or "carbon dividend."

The budget/infrastructure bills have become entangled and very complicated with different Congressional factions wrangling for different outcomes. The carbon tax and rebate approach, however, seems to have the most traction. This is how it could work.

According to the non-partisan research organization, Resources for the Future, a tax on carbon dioxide pollution that, for example, started at \$15 per ton and escalated to \$50 per ton by 2030 would cut domestic carbon emission by about 44 percent from 2005 levels.



It also found that such a program could actually lead to lower, not higher, electricity bills.

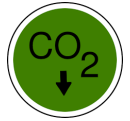
The money raised (from fossil fuel companies) would then be given as a dividend, or "carbon cash back" payment to every American to spend without restrictions. This protects low-and middle-income Americans who might not be able to afford higher energy bills. This is, not coincidentally, exactly the approach that the non-partisan, climate-

advocacy group, Citizen's Climate Lobby (CCL) has lobbied for years.

It is envisioned that the carbon tax and rebate bill would move through the Senate under a fast-track budget policy process known as reconciliation.

So...we wait and hope that our government finally takes the steps needed to mitigate the ever-worsening effects of the climate crisis. The outcome of the process may already be known by the time you read this article.

In any event, if you've responded to any of the CCL action alerts that WEAL has forwarded--thank you! We are SO close to finally seeing real action!



## Waukesha's pipeline project barrels down the road

Mary Hiebl  
Source JSONLINE

The Journal Sentinel, September 19, 2021, updated the status of the Waukesha water diversion. The headline, 'Waukesha's pipeline stays on pace', overviewed the progress of the future 36-mile-long Lake Michigan water supply and return flow system stretching from Waukesha to Milwaukee. As of early September, about 13 miles of the 36 were completed. Burying water supply pipelines from Milwaukee to Waukesha and return flow pipelines from Waukesha to Root River in Franklin is actually, from a linear standpoint, equivalent to the distance from



Milwaukee to Kenosha along interstate highways.

Waukesha Water utility officials note that the project employs three widely variant methods of burying the pipelines: open-cut trenches, horizontal directional drilling, and jack-and-bore drilling.

The lion's share of the work involves open cut, using a backhoe to dig a long trench, creating a suitable bed, and installing ductile-iron pipes, then filling the trench. Horizontal directional drilling (HDD) is used to position the pipelines as deep as 400 feet to avoid existing utilities of other natural obstacles. HDD is used for about 7% of the pipeline installation. Jack-and-bore allows the pipelines to cross major intersections without

disturbing the road surface or traffic. It involves auguring the hole and pushing through an extra thick casing pipe at the same time. It accounts for about 2% of the work.

Waukesha is scrambling to meet the lingering September 1, 2023 deadline established by state and federal officials. Noncompliance by that date could result in fines up to \$5,000 per well per day and for as long as the radium says above the federal limit.

With the 2023 deadline in mind, drivers can look forward to years of road restrictions, traffic snarls, full or partial road closures, 4-lanes reduced to two, directional signs prohibiting turns at

intersections or into businesses, badly patched roads or no patches at all, obstructed views because of construction equipment, miles of above-ground pipeline running parallel to roadways, traffic jams, confusion, hesitancy, continued hazards when driving through construction zones, and orange barrels galore!

The \$286 million water pipeline project has been in our face this past summer----and for more summers to come.



### **WEAL mussel surveys result in DNR/DOT action, additional surveys conducted**

Nancy Gloe

As you may recall (*April 2021 newsletter*), WEAL hired a biologist to survey upcoming Department of Transportation (DOT) bridge rehabilitation /reconstruction sites for rare mussel species in the summer of 2020, to make sure that any rare species that were found would receive adequate protection. Live mussels were found at all of the sites. Rare species, or at least rare species' shells, were also found at all of the sites (note: finding a shell means the species was there at one time and MAY still be present in the area). Here are the rare species totals for the four sites:



- One site contained live state-threatened species (one species, numerous individuals)
- One site contained live state-threatened species (one species, numerous individuals) plus the shells of a state endangered and a different state-threatened species
- One site contained the shells of two state-threatened species and
- One site contained the shells of one state-threatened species

Based on the results of our data, the DNR moved mussels out of the proposed construction area at two sites. The mussels were moved to

suitable habitat in an upstream location. We have the follow-up report for one of the sites and hope to have the other one soon. During the process we learned that one of the sites is a “stronghold” for a state-threatened species.

Further, our efforts caused these construction

sites to get an additional level of scrutiny of their construction methods and especially of their erosion control techniques. We're assuming DOT staff and contractors care about water quality and rare species, but costs and deadlines loom large. We used our knowledge of how the process between the two state agencies is

supposed to work, so that it works for our county's rare species of mussels. Of course, you can't save rare species if you don't know where they are!

Based on the success of the 2020 program, the WEAL board decided to continue the project and have four additional surveys done (at three different locations) in the summer of 2021. At the time of this writing, the surveys are complete, and we expect to submit the results to DNR by the end of the year.

This is one of the ways that your WEAL membership helps sustain critters that are “on the edge” right here in our county. Thanks for your support!



## WEAL's mission encompasses environmental justice

Mary Hiebl

Part of WEAL's engagement in the community extends to environmental justice as well as the usual environmental issues we tackle. In the spring of 2021, WEAL reached out to Waukesha County HHS Social workers and learned of the Youth Garden Project (YGP) which has been in existence since 2016.

YGP, a program offered within the Adolescent & Family Division for children and youth, ages 12-17, gives youth an opportunity to experience gardening from the first planted seed in spring to the last gourd harvested in fall. The youth needed long-overdue supplies: a picnic table, umbrella + umbrella stand, and watering cans all of which the WEAL Board donated.

The youth garden, not shaded and some distance from shelter, greatly needed the supplies.

Waukesha County UW-Extension Horticulture and Nutrition Educators provide hands-on education at each garden. Social workers were also on hand to help. Over the years, the youth have donated 2,791 pounds of produce to the food pantry. There was no program in 2020 and the numbers are still out for 2021.

Waukesha County Dept of HHS Social Workers have seen positive outcomes by the youth: improved teamwork principles, self-confidence, interest in physical activity while giving back to the community, increased levels of achievement, positive social skills, healthy nutrition choices, improvement in mental and physical health and school attendance.





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WEAL invites you to attend its  
**Annual Meeting**  
Via ZOOM\*  
Thursday November 11, 2021 7PM

Featured speaker: John Filcher, author of Red Herrings

**Red Herrings: A Cautionary Journey for Citizen Opposition Groups**

This is a true story about an untrue story. It takes you through the experiences of an ordinary group of citizens and neighbors who banded together to fight against a proposed trash incinerator that would have threatened their neighborhoods. It is an accounting of a scandal that was based on fairy tales of impossible science and sprinkled liberally with deception and corruption. The true events that unfolded gave meaning to the wry observation that oftentimes, truth really is stranger than fiction. It was finally stopped when a small group decided that enough was enough. They stood up and got the truth out. By telling the truth, they slowly turned the tables against the developer. Written from the point of view of one of those citizens who got involved in the effort to stop the proposed project, this book takes you inside the real-life campaign from the initial discovery of the development all the way through its final demise.



Filcher assures you that reading Red Herrings does not take as long as living it did.

**Filcher's personal history:**

- An undergraduate and law school alumnus of the University of South Dakota
- For most of the past 29 years, he has practiced as an attorney in a corporate setting which involves matters as diverse as insurance regulation, ecommerce, open records laws, fraud, risk management, and bad faith litigation management for a Fortune 10 company
- Resident of Ashwaubenon during trash incinerator debacle
- Currently resides in suburbs of Twin Cities, MN
- Former Chair of Forward Ashwaubenon
- Former Advisory Board Chair of Ashwaubenon Performing Arts Center
- Board member IFBC
- Father of three children
- Coached youth softball and football
- Third degree belt in TaeKwonDo

John's presentation will be about 45 minutes followed by Q/A

**\*Your link to the Zoom meeting:**

<https://us02web.zoom.us/j/83622164314?pwd=UWpacFICWnpFbTdBbW9Fa2ZrbERIUT09>