



**There is nothing more frightful than ignorance in action**

**--Johann Wolfgang von Goethe**

**Waukesha County Environmental Action League  
E-Newsletter October 2018**

**Reducing dependence  
on single-use  
plastic items**

**Charlene Lemoine**

Over the past several  
decades, consumers have

been  
buying  
more and  
more  
single-use  
plastic  
items.  
Although  
many  
plastic  
products  
can, and

should be recycled, only  
about 9% of  
postconsumer plastic is  
recycled. Most plastic  
products are buried in  
landfills or burned in  
incinerators. The  
remaining non-recycled  
plastic items end up in  
the oceans, rivers, lakes,  
and streams or along the  
roadways as litter.

The Ocean Conservancy  
estimates approximately  
150 metric tons of plastic  
are floating in the oceans  
right now. If nothing is

done to stem the tide of  
plastic waste, there will  
be more plastic than fish  
in the ocean by 2050.

Many coastal  
communities and island  
nations are directly  
impacted by plastic  
pollution and have  
banned plastic straws  
and other single-use  
plastic items. The  
problem is that over time  
plastic photo degrades  
and breaks down into  
micro plastics, which can  
be ingested by fish, birds  
and other wildlife,  
ultimately entering  
the food chain.

Since this process  
can take up to 200  
years, the resulting  
plastic pollution is a  
continual  
environmental  
threat. The unsightly  
plastic floating in the  
ocean or piled on  
beaches is also a  
deterrent for tourism.

Although the problems  
associated with  
discarded plastics are  
considerable, this is an  
area where an individual

can have a significant  
impact. WEAL has been  
an advocate for reducing  
single-use plastic items  
like bags, cutlery, plates  
and bottles for some  
time. WEAL is now  
asking our  
members, and  
all Waukesha  
County residents  
and businesses,  
to *Skip the  
Straw*.

Most beverage-  
serving venues  
place a non-recyclable  
plastic straw in every

drink without  
giving customers  
a choice to simply  
drink from a  
glass. This  
practice is now  
changing because  
of public

awareness. Plastic  
straws are one of the top  
ten items collected in  
coastal cleanups  
according to the Ocean  
Conservancy. Plastic  
straws, and other single-  
use plastic items, also  
litter Lake Michigan  
beaches and as well as

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Wisconsin's scenic roadways and rivers.

WEAL is not suggesting an outright ban on plastic straws in Waukesha County. WEAL is asking everyone who doesn't need a straw to ask not to have one. WEAL is also asking restaurants

and other beverage-serving venues to establish a straw-upon-request policy with a plan to transition to biodegradable or reusable straws as alternatives when straws are requested.

When we *skip the straw* and drink from a glass, we can all play a role in reducing plastic pollution and litter. Not using a plastic straw also raises awareness to avoid other single-use plastic items as well as reminding us to recycle plastic products that can be recycled.

To learn more about avoiding single-use plastics and the *skip the straw* initiative, check out WEAL's website



under *Waste Issues* and *Zero Waste* at [www.weal.org](http://www.weal.org)

### **West Waukesha Bypass update: beautiful, important natural area trashed**

In our last article on the proposed West Waukesha Bypass project, we reported that the process was being held up by the Office of the Railroad Commissioner due to a complaint by the Wisconsin and Southern Railroad (WSOR). WSOR runs a couple trains per day on the track that crosses Hwy TT near the Glacial Drumlin State Trail. The railroad stated that they planned to triple the amount of traffic per day on those tracks and objected to an "at-

grade" four-lane, skewed angle highway crossing by the Wisconsin Dept. of Transportation (WisDOT) due to expected operational problems at the proposed crossing (which would be 300' east of the existing crossing), especially coupling and decoupling

issues. The railroad commissioner initially ruled that WisDOT would have to build a bridge over the tracks, but, in an abrupt change of events last January, WSOR and WisDOT reached an agreement. According to a letter to the commissioner, "The siding in place at the crossing will be relocated to a different location in order to limit obstruction of the intersection and at a size reasonably satisfactory to the WSOR. The parties will split the

**It had been our hope that the additional cost of a bridge would cause WisDOT to do the right thing and improve Hwy TT rather than build a big new highway through an environmentally sensitive area. No such luck!**



cost of this relocation and the new siding with WSOR bearing 5% and

WisDOT bearing 95%."

Translation: WisDOT builds side tracks for WSOR, WSOR withdraws objection.

With the railroad's objection being pulled out from under him, the railroad commissioner had no choice other than to reverse his decision,

despite lingering safety concerns. It had been our hope that the additional cost of a bridge would cause WisDOT to do the right thing and improve Hwy TT rather than build a big new highway through an environmentally sensitive area.

No such luck!

The last hurdle for the project was cleared in June. Over WEAL's objections, and despite the fact that they claim to "make their decision... (based on) comments on water quality and

general environmental effects", the Army Corp of Engineers rolled over like tumbling dice

and issued a permit to fill 11-plus acres of wetland in the environmental corridor adjacent to Pebble Creek. The

"mitigation site", it should be noted, is located in Walworth County, out of the Pebble Creek watershed.

**Suffice it to say, bulldozers are destroying this beautiful area at the time of this writing.**

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area at the time of this writing.

...And oh, by the way, after over 14 months, U.S. District Court Judge Pamela Peppers still has not ruled on our summary judgment motion. We

are in the process of filing a complaint about Judge Pepper's lack of responsiveness and poor job performance in our case.

We still do hope for a favorable ruling, but at this writing do not know if and when a ruling will be made!

The destruction of this beautiful and important place falls squarely at the feet of the local governments and the Waukesha County Board of Supervisors. Clearly they are more concerned about eliminating short traffic delays for commuters than preserving our county's precious and irreplaceable water resources.

To everyone who wrote letters, attended meetings and made



donations to try and stop this terrible road: please accept our deep and sincere appreciation for everything you've done! We knew it would be difficult to fight the DOT, those that do rarely win, however, we felt it had to

**To everyone who wrote letters, attended meetings and made donations to try and stop this terrible road: please accept our deep and sincere appreciation for everything you've done! We knew it would be difficult to fight the DOT, those that do rarely win, however, we felt it had to be done**

be done. Although we got knocked down on this one, we made it known that we are here and we have picked ourselves up and

are ready to take on the next issue.



(Check [www.WEAL.org](http://www.WEAL.org) for updated pictures on ongoing environmental destruction in the area.)



## **Plans to exhume Boundary Road Superfund Site submitted to the DNR**

Charlene Lemoine

Waste Management of Wisconsin has submitted plans to exhume the Boundary Road Superfund Site (also known as the Lauer I Sanitary Landfill) to the DNR. As described in WEAL's article *Orchard Ridge Landfill Agreement Differs from DNR Feasibility Report* appearing in WEAL's April 2018 Newsletter, the 58-acre Boundary Road Superfund Site plan was not submitted to the DNR as part of the Eastern Expansion. The plan to exhume the Superfund Site was submitted to the local siting committee, which consisted of representatives from the Village of Menomonee Falls and Waukesha County. The local siting committee pre-approved the exhumation and inclusion of the Boundary Road Superfund Site in the Orchard Ridge Eastern Expansion negotiated local siting agreement with a stipulation the plan must receive approval from the DNR.

The issue of pre-approving capacity in a local siting agreement is important because local agreements

also often require communities, and local residents living near the landfill, to sign a document stating they will not take any action to interfere with DNR permitting for the landfill or expansion of the

landfill. In return for not participating in the DNR permitting process, various types of compensation are guaranteed by the waste company owning the landfill. (See article referenced above).

WEAL never heard of a local siting agreement including capacity that was not addressed within a corresponding DNR Feasibility Report.

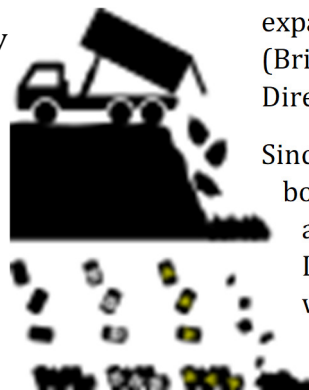
Although the DNR, by statute (Chapter 289) cannot be involved in the local siting process, WEAL questioned the DNR about pre-approving landfill capacity at the local level if the agency had not evaluated the proposal. As expected, the DNR was not able to answer this question. The DNR did state another Feasibility Report with a public comment period would have to be issued for any landfill capacity not

previously evaluated by the DNR.

WEAL also contacted the Wisconsin Waste Facility Siting Board (WFSB) to see if this Board compares Local Siting Agreements to DNR Feasibility Reports.

The WFSB response: "The WFSB is not involved in the local negotiation process unless there is a disagreement or conflict amongst the parties which might require either arbitration or communication from the WFSB. Thus, we would have no information regarding what was or was not included in the expansion agreement." (Brian Hayes, Executive Director, WFSB – 5/23/18)

Since there is no Wisconsin board or agency with authority to compare Local Siting Agreements with the landfill capacity the DNR evaluates in a Feasibility Report, it is impossible to know if pre-approving landfill capacity for the Orchard Ridge East expansion is precedent setting. However, the pre-approval to exhume the Boundary Road Superfund Site appears to be unique. This Superfund Site is close to Waste Management's previous Orchard Ridge Southern Expansion.



Additionally, Waste Management has responsibility for the Boundary Road Superfund Site and cannot place any new waste over the 58-acres.

The DNR and EPA perform five-year site inspections for Boundary Road and Reports suggest the site has been meeting closure and monitoring requirements. The DNR & EPA reports do not indicate either agency suggested any type of plan to exhume the Boundary Road Superfund Site

WEAL has requested a copy of the Initial Site Inspection (ISI) for the excavation of the Boundary Road Superfund Site from the DNR and will be requesting additional documents when they are available.

WEAL will continue to raise issues, ask questions and submit comments to the DNR and EPA on the plan to exhume the Boundary Road Superfund Site as the permitting process proceeds.

**Waukesha County  
Land Conservancy  
receives land trust  
of the year award**

Steven Schmuki, President  
Waukesha County  
Land Conservancy  
Board of Directors

Waukesha County Land  
Conservancy, Inc. was

awarded Land Trust of the Year at Gathering Waters Land Conservation Leadership Awards held at Monona Terrace in Madison on September 20, 2018. The designation acknowledged a land trust that demonstrates its commitment to permanently safeguard Wisconsin's natural treasures and open lands through its leadership, achievements, projects, and more.

Since its creation in 1992, Waukesha County Land Conservancy has had a tremendous impact on the county.

These accomplishments include protecting over 2,900 acres of Waukesha County's most environmentally significant land and water, including two state natural areas, successfully transitioning from an all-volunteer to a professionally staffed organization over the past three years, securing an \$886,000 grant to restore the 51-acre Davis Nature Preserve on the Mukwonago River to a highly functioning wetland, and building one of the best internship programs for land trusts in the state with over 75 interns contributing 7,000+ hours of service.

Gathering Waters, Wisconsin's Alliance for Land Trusts' mission, is to help land trusts, landowners, and communities protect the places that make Wisconsin special. Nearly all Wisconsin land trusts are organizational members of Gathering Waters. They help to ensure that land trusts have the tools, expertise, and resources to be strong and effective organizations.

The Waukesha County Land Conservancy has appreciated the strong support it has received over the years from the Waukesha County Environmental Action League, Inc. in sharing its time, talent and treasure with the Conservancy. That support has included many man-hours of labor on Conservancy properties doing invasive species control, donating dollars to and participating in Conservancy events, and sharing expertise on numerous issues that have confronted the Conservancy over the years.

So, thank you to WEAL, its Board of Directors and all its members who have helped the Conservancy attain this recognition.

# The Vote Tracker: Your Eyes on the Capitol

## Track your legislators

The vote Tracker on the Wisconsin League of Conservation Voters' website is a powerful tool. From committee votes to bill summaries to actions taken by legislators and the governor, the Vote Tracker serves as your eyes in the State Capitol.

Vote tracker is updated in real-time, meaning you can get the information you need when it's most important—as a bill is moving through the legislative process. It also provides opportunities for you to weigh in on the issues that matter most through petitions, email messages to lawmakers and more.

To get the most value out of it, these are the features included in Vote Tracker:

**Bills to watch:** click on a specific bill for a summary, link to the full bill, its status and ways to take action.

**Track your legislators:** Click on legislators' names to view how they've voted on current legislation and get their contact information. This page also includes links to the bills they voted on as well as links to past conservation scores.

**Explore the Vote Tracker at:** [conservationvoters.org/vote-tracker](https://conservationvoters.org/vote-tracker)

Source: Conservation Review of the 2017-2018 Wisconsin Legislature





**Waukesha County  
Environmental Action League  
Invites you to attend its  
**Annual Meeting****

**Thursday November 8, 2018, 7pm**

**Retzer Nature Center**

S14 W28167 Madison St, Waukesha, WI 53188

**Film Screening of Racing To Zero: In Pursuit of Zero Waste...**



Only one third of the waste in the United States is recycled or composted. Why? Industry, through its practice of planned obsolescence, plays a major role; our lives are almost totally dependent on unrecyclable petroleum products. In order to reach zero waste, we need to change our relationship to garbage and view the things we discard as resources, rather than waste.

***RACING TO ZERO*** examines today's cultural garbage practices in terms of consumption, preparation, use and production, and discovers some amazing solutions in San Francisco, which is successfully taking the necessary steps to reach zero waste. Cities all over the United States have instituted zero-waste policies of their own, and it is through these mandates that we are challenged to think differently about not only how we handle our garbage, but what it can become.

. The event is free and open to the public Refreshments served

. **Learn more about WEAL @ [www.WEAL.org](http://www.WEAL.org)**