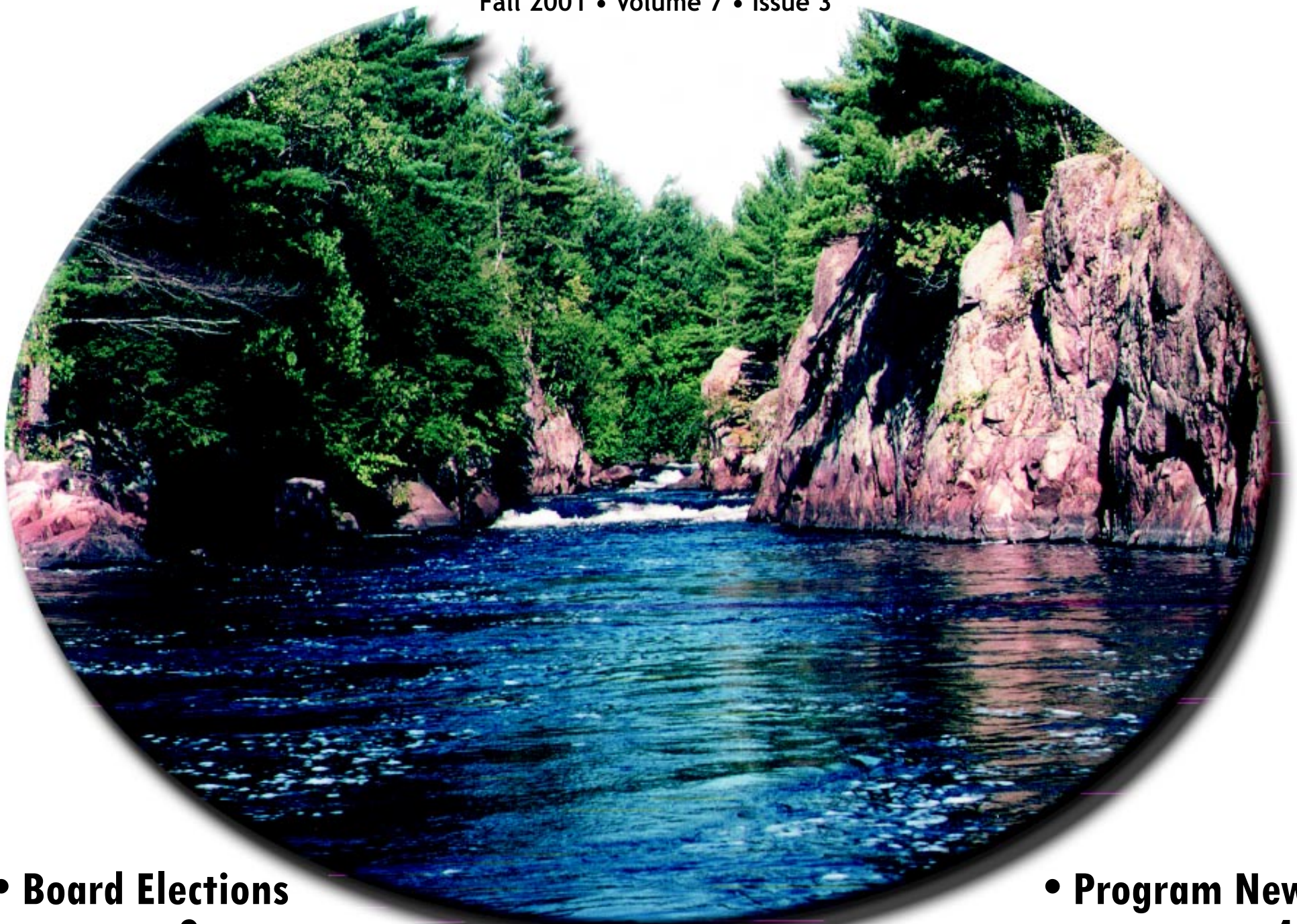


Wisconsin Rivers

A Publication of The River Alliance of Wisconsin

Fall 2001 • Volume 7 • Issue 3



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Stream of Thought

Todd Ambs
Executive Director

In the end, the will of the people prevailed. What began as a textbook example of how not to create public policy ended in late August when Governor McCallum vetoed a proposal to create a separate Department of Forestry. This issue had become a lightning rod for environmental and conservation groups including the River Alliance. The proposal not only threatened a noble seventy-year tradition of integrated resource management of natural resources in Wisconsin, but also angered many observers because of the way a few legislators attempted to jam this backroom deal into law.

As many people know, the original plan called for a complete split of the Department of Natural Resources, taking most fish and game functions to create one agency and leaving most environmental enforcement programs in another bureaucracy. This scheme was blasted at two public hearings and in numerous emails, calls and letters to legislators. When that proposal failed miserably in the court of public opinion, this modified version of the earlier idea was inserted as part of the conference committee deliberations on the State Budget.

That, of course, is the heart of the problem. Our state budget process is broken. The budget itself has become a giant Christmas tree filled with special interest ornaments that may or may not have anything to do with the budget (see related story on Ashley Furniture lawsuit on page 8). As if that weren't insult enough, the real injury comes when many of the budget deliberations are conducted behind closed doors with little or no public input. No one had even heard of the idea to create a separate Department of Forestry until the concept was incubated and hatched in the private conference committee discussions. There were no public meetings, hearings or notices regarding the split. In the end, Governor McCallum responded to overwhelming public opposition once the idea surfaced and wisely vetoed the split. Once again, as was the case earlier in the year when the wetlands protection legislation was signed, Governor McCallum heard the pleas of folks across the political spectrum that believe that protection of natural resources is a funda-



mental principle here in our state. The Governor deserves our heartfelt thanks for his positive actions.

It is time to put an end to this sort of hidden budget process that only serves to further weaken public trust in our system of government.

Whoever is Governor in 2003 will have a golden chance to put the public back into the budget process. Before the next budget, the Governor should announce that any provision in the budget that does not have budgetary implications or that was not discussed in public as part of the deliberations of the Joint Committee on Finance, will be vetoed. Setting this "line in the sand" would force the budget deliberations into the open and end a practice that must have Bob LaFollette doing cartwheels in his grave.

This issue of *Wisconsin Rivers* has a new look and lots of great information about the flowing waters of our state. The new look saves us money and gives you more information about what the River Alliance is doing to protect and restore the streams of Wisconsin. Make sure to take time to vote for new board members and nominate a River Champion for 2001 (see information on page 9). Don't miss all the great news about our Small Dams and Local Groups programs and learn what you can do to help get strong state rules in place to better control polluted runoff (see page 6). Save the date of November 17th and join us in Madison for our fun and festive Annual Dinner and Auction (see page 10).

Finally, I am delighted to report that our staff is now up to seven and, in my humble opinion, is the best team of conservation professionals that I have ever had the privilege to be associated with. We are working hard to fulfill the mission of this organization and with your help we will continue to be a strong, effective, science-based voice for our rivers and streams.

Yours in river protection,

Todd



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The River Alliance of Wisconsin is a statewide non-profit, non-partisan citizen advocacy organization dedicated to protecting and restoring Wisconsin's rivers.

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Legislative Updates

Todd Ambs
Executive Director

The big story of the summer, of course, was the state budget. The end result of this story was pretty good for the rivers of the state, thanks to the efforts of environmentally sensitive legislators and the strategically placed veto pen of Governor McCallum. Highlights of the budget included:

- **Veto of the Creation of the Department of Forestry**

This issue was without question the single most important environmental provision in the budget (see related story in *Stream of Thought* on page 2). The proposal made no sense from an environmental, economic or public process point of view. The River Alliance was especially concerned about the secretive way this provision was added to the budget. The merits of a far-ranging decision like creating a separate Forestry Department should be debated in the open with public input, not by a few individuals acting in secret.

- **Veto of the Peshtigo River Land Purchase**

This proposal to allow the Board of Commissioners of public lands to purchase land from Wisconsin Public Service Corp. was fiscally imprudent and we urged the Governor to veto it, which he did. Wisconsin Public Service Corp. is legally required to maintain this land in its current pristine state as part of a 40-year hydropower license that was granted to them by the Federal Energy Regulatory Commission. The company should not be allowed to abdicate their responsibility to adhere to this contract. While having this land transferred to state ownership is certainly preferable to having it carved up for development, this provision takes precious state dollars for land purchases that should be going to other projects. The company is being allowed to use our public water for free to produce hydropower. It is only fair that they be required to adhere to contractual obligations that they agreed to as part of obtaining their hydropower operating license.

- **Stewardship Program Bonding**

Rapid development in recent years means there is more need for the Stewardship Fund than ever. With rising land prices, currently allocated funds have limited buying power to purchase land for parks, trails, habitat areas, hunting grounds and local parks and for site improvements. The budget appropriately increases funding for the Stewardship Fund to \$60 million, a modest increase of two tenths of one percent of the state budget, to protect land permanently for future

generations. The Governor was under pressure to veto this increase from \$46 to \$60 million but retained the higher figure.

The River Alliance supports legislation to provide comprehensive protection of state groundwater resources. In our view the Perrier issue is the tip of the iceberg of groundwater problems caused by high capacity wells in Wisconsin.

- **Recycling Program Funding Changes**

This long-discussed proposal to preserve one of the state's most important conservation programs is a good compromise in a tight budget. The budget includes a reasonable tipping fee and funding structure to preserve this program.

- **Funding for Coaster Brook Trout Reintroduction**

Though a small budget item, this provision is significant because it will help to reintroduce an important native species to Wisconsin, the coaster brook trout.

Good with the Bad

There were some things in the final approved budget that were not good for our waterways. Those provisions include:

- **Wetland Enhancement and Restoration Grants**

This provision requires the DNR to award certain wetland remediation grants on a "first come, first served" basis. The provision sets aside \$500,000 for the biennium from the appropriation for Lake Management Grants for wetland enhancement projects. The River Alliance supports wetland enhancement efforts. But these projects are already eligible for Lake Management Grant funds. This provision requires that fifty projects of \$10,000 each be awarded, based on *nothing more than* the date their application for funding is filed with the department.

- **Flood Control Dam Rehabilitation Grants**

The River Alliance did not oppose this provision in its entirety but wanted to add a provision requiring that applicants for these funds consider the option of dam removal for both the environmental and economic ben-

efits. Experience in Wisconsin has shown that removing a dam is three to five times LESS EXPENSIVE than repair. In addition, the environmental benefits of dam removal are also well known and well documented. These factors should be considered on their merits before state tax dollars are expended for dam repair projects.

- **Public Access to Exposed Shore Below Ordinary High Water Mark**

This provision weakens the state's public trust doctrine by restricting access by the public to exposed land up to the high water mark only to get around obstructions. Legislation passed two years earlier at the urging of Senator Kevin Shibilski permitted boaters, anglers and other members of the public to have unlimited access to the exposed lands below the high water mark during times of low flow.

High Capacity Well Legislation Still Needed

Just for emphasis, we are reprinting our plea from the last newsletter about the need for better legislation regulating the use of high capacity water wells in Wisconsin. The River Alliance is currently working with several high capacity well user groups to try to reach agreement on comprehensive legislation.

The River Alliance supports legislation to provide comprehensive protection of state groundwater resources. In our view the Perrier issue is the tip of the iceberg of groundwater problems caused by high capacity wells in Wisconsin.

Wisconsin has over 9,400 high capacity well permits, according to the Department of Natural Resources. State water use has steadily increased since 1950 with groundwater use rising from 570 to 754 million gallons per day between 1985 and 1995. Groundwater volume studies have documented adverse impacts on aquifers and surface waters where high capacity wells operate. Lakes in the Madison area, the Little Plover River near Stevens Point, Bloody Run Creek in Wisconsin Rapids, and Duck Creek in Green Bay all suffer from low flows as a result of agricultural and municipal high capacity wells.

Whether Perrier ever sites a facility in this state or not, our groundwater resources are being depleted, our surface waters harmed and in some parts of the state, aquifers are being sucked dry. As a state where residents take pride in wise stewardship of our natural resources, we need to understand groundwater resources as a part of the entire ecosystem.

continues on page 10...

Acting Locally...

Diana Toledo
Local Group Assistance Manager



Acting Locally is a feature of the River Alliance newsletter. With each issue, we will highlight one grassroots organization that is dedicated to working for the protection of its "home waters."

Building a Stewardship Network in the Kickapoo Valley

The Kickapoo Valley sits in the heart of the unglaciated Driftless Area of Wisconsin. This beautiful flat-bottomed, steep-sided valley, formed by the meandering Kickapoo River, draws thousands of paddlers and other outdoor enthusiasts each year from the southern part of the state and the Chicago area. Increasingly, it is attracting the attention of people wanting to build a secondary home in this small piece of paradise. As a result of a growing awareness of the unique natural resources of the region and the importance of

VSN Mission: To encourage, promote and help create opportunities for pro-active stewardship efforts in the Kickapoo River Watershed - through education and awareness efforts and by promoting community pride, positive land use patterns, compatible development and communication and coordination among groups in the watershed.

protecting them, some Kickapoo Valley residents have joined together to form the Valley Stewardship Network (i.e. VSN, pronounced *vision*). We spoke with Kathy Fairchild and Dr. Robert Horwich, founding members of VSN, to learn more about their efforts in the Valley.

As Dr. Horwich explains, "The Kickapoo River is in fairly good shape as a river, an improvement in the last 20 years. We are starting from a good place - and looking to protect the area from anything that would change that." Early logging and poor farming practices resulted in devastating erosion in this area, but as Horwich explains, concerted conservation efforts and land use changes have allowed the slow healing of this watershed in recent decades.

VSN has picked up on the efforts of other groups that have been actively promoting conservation awareness in the valley, including Community Conservation,



VSN meeting in Ontario to discuss comprehensive planning and smart growth law. -Photo by Barb Schieffer 4/17/01

Inc. (CCI, a nonprofit organization that Horwich directs), Trout Unlimited, area sports clubs, the University of Wisconsin, and resource management agencies. "We are trying to give people a voice and unify the watershed... developing a watershed sense of place that is larger than individual townships or counties," says Fairchild. The key to VSN's approach is to build a communication network that helps build common ground among the residents, both year-round and seasonal, of this 65-mile long watershed.

VSN has identified four focus areas for their work: water quality monitoring, bioassessment, comprehensive planning assistance, and promoting a sense of stewardship in cooperation with local agencies. "We started doing water monitoring in 1996, working with schools at first, then organizing a citizen-based monitoring program," explains Horwich. Current efforts are underway to make the data more widely available, and produce reports that can put the data to use in planning efforts.

As Fairchild explains, the existing land use in the Kickapoo Valley is changing rapidly, with farming land being subdivided into smaller parcels for secondary home development. This points to the need for watershed planning in the



valley. Responding to the planning mandate of the 1999 Smart Growth legislation, VSN has proposed to draft the Natural Resource section of that plan, working alongside townships and other conservation organizations. Fairchild explains,

"Through the latest issue of our newsletter, we are trying to assess what people value in the area. We plan to use that information on archaeological sites, natural features (and other resources) to assemble it into the plan."

VSN is also planning to conduct a bioassessment of the Kickapoo Valley area, patterned after the nearby Blue Mounds Project. This "eco-mapping" of the valley can be used to appeal to landowners to learn about the natural resources on their land, and encourage the development of site-specific management plans. As Horwich explained, CCI and VSN have raised funds

to bring Geographic Information System (GIS) software, hardware and training to area schools, facilitating the use of this important tool for VSN's land use planning efforts. Other activities of VSN include various education and outreach efforts through workshops, educational materials for land use planning, and annual "Field Days" that are held each spring.

As the name implies, VSN is a young organization that is rapidly emerging from the early stages of development, bringing a broad ranging VISION to the future of the Kickapoo Valley. To learn more about VSN and its activities, or to become a member, please contact Kathy Fairchild by calling 608-634-4487 or emailing pfairch@mwt.net.



Maggie Jones & friends at Museum of Kickapoo in Gays Mills. VSN Kickapoo Celebration. -Barb Schieffer 5/19/01

River Activists Gather for a Training to Strengthen their Organizations

Diana Toledo
Local Group Assistance Manager

On a beautiful summer weekend last July, twenty river activists from around the state gathered at Durward's Glen Retreat in Baraboo to discuss ways to strengthen their river and watershed organizations. The workshop, "Effective Campaigns or Projects that Build Your Organization," was organized by the River Alliance of Wisconsin, with support from the Institute for Conservation Leadership and the Wisconsin Department of Natural Resources.

Volunteer conservation organizations often feel overwhelmed by the many needs of their watersheds – different issues can pull a group in new directions, each leading to a myriad of worthwhile projects that might help an organization reach its goal of protecting or restoring its watershed. Where should a group begin? How can an organization make the best use of their limited resources to avoid feeling burned-out? How can members of a group ensure that they will emerge from a campaign stronger and better able to tackle bigger projects or campaigns in the future?

The workshop was designed to provide conservationists with useful tools to help their groups prioritize and plan projects or campaigns in ways that incorporate their organizational needs. As one participant explained, "As a new group, we lack some much needed focus. The sessions helped us identify the key areas our group needs to be working on, and left me feeling more able to compete for funding to make our project happen."

Workshop participants included representatives from the following river and watershed organizations: P.R.I.S.T.I.N.E. (Richland Center), Friends of the Branch River (Manitowoc Co.), Valley Stewardship Network (Kickapoo Valley), Citizens for Waterfront Revitalization (Baraboo), Friends of Lake Wingra (Madison), Friends of Cam-Rock (Koshkonong Creek), and the Ojibseau Chapter of Trout Unlimited (northwest Wisconsin).

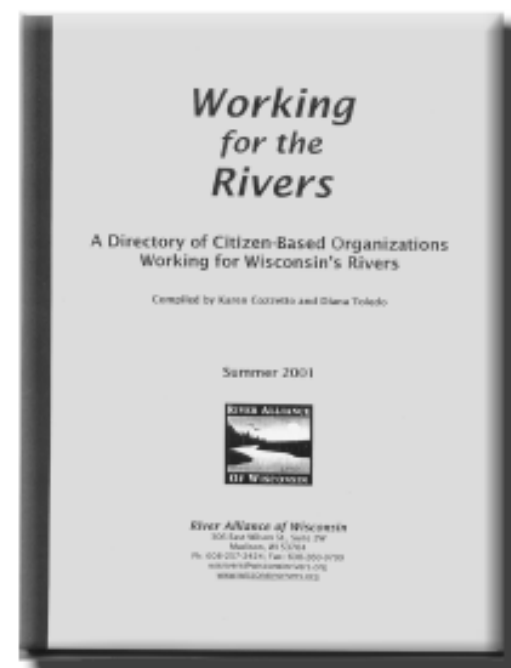
The River Alliance would also like to thank Baird Straughan of the Institute for Conservation Leadership and Rebecca Power from the U.S. Fish and Wildlife Service for their tremendous work as facilitators for this workshop (Rebecca is also on the board of the River Alliance).

If you would like to learn more about the tools shared during this workshop, please contact Diana Toledo at 608-257-2424.

Updated Local Groups Directory Available!

The River Alliance of Wisconsin has just published a new edition of *Working for the Rivers - A Directory of Citizen Based Organizations Working for Wisconsin's Rivers*. The directory is designed to help interested citizens identify groups pursuing river and watershed protection work in their local area, to facilitate networking among groups that share river protection goals and objectives, and to alert potential funders, the media and key legislators about this growing citizen's movement.

The directory includes information on over 100 organizations, including contacts, target rivers and watersheds, current projects, publications and opportunities for public participation. The cost of the directory is \$10 for River Alliance *individual members* and \$15 for nonmembers. *Organizational members* will receive a complimentary copy upon joining. To order a directory or to receive information on becoming a member of the River Alliance of Wisconsin, please contact us at 608-257-2424.



L to R: Rob Horwich and Dave Ebbert of VSN



Rick Eilertson, of Citizens for Waterfront Revitalization, receives an award from RAW Board member and workshop co-facilitator, Rebecca Power



Duke Welter of Trout Unlimited-Ojibseau leads discussion

Was President Good to You this Year?

Consider donating a portion of your refund to the River Alliance of Wisconsin.



Your donation will help us with much needed river-protection work.

One \$300 donation can:

- subsidize two local activists at a weekend training workshop
- cover the expenses for one day of lobbying for stronger rules to reduce polluted run-off
- support one overnight trip to explain the benefits of selective small dam removal to a local community

Runoff Rules Rate Rigorous Review

Steph Adams
Clean Water Campaign Coordinator

As this newsletter goes to press, the Clean Water Coalition (see sidebar) is gearing up for a final round of public comment on the state-wide rules to control nonpoint pollution (better known as polluted runoff). While the public comment periods may be drawing to a close, the rules still have a long road ahead before they become law. Previous drafts of the rules have been modified drastically. This means that groups and individuals who care about Wisconsin's waters must vigilantly monitor the rulemaking process.

After the final public comment period, the Boards of the Department of Natural Resources (DNR) and the Department of Agriculture, Trade and Consumer Protection (DATCP) will approve the rules and then send them to the Legislature for further debate and approval. Will the Legislature receive strong and implementable rules with the potential to restore and protect our waters? Or, will the rules be filled with provisions that effectively exempt everyone from having to do their share to clean up our collective mess?

Rule Management and Design

The state's polluted runoff rule redesign is being carried out by the DNR and DATCP. The DNR developed performance standards to reduce polluted runoff for construction sites, transportation facilities, urban stormwater systems and agriculture. DATCP developed the implementation rule for agriculture. DATCP's controversial rule (called ATCP 50) was up for final public comment through mid-September. The proposed rule would require landowners to implement practices that reduce the flow of harmful nutrients and sediment into rivers, estuaries, lakes, wetlands and groundwater. These practices include managing cropping practices to minimize soil erosion, containing manure storage, creating plans to use fertilizers more effectively and maintaining vegetated buffer strips alongside waterways.

Draft Rule has Controversial Approach to Cost Sharing and Phosphorus

Some of the practices needed to control polluted runoff will cost farmers money to implement. Other approaches, such as nutrient management plans, may save farmers money by using fertilizer more efficiently. Because we as a society value farmers as food producers and land conservationists, the state has made cost-sharing dollars available to farmers who implement these practices. Most private landowners do not receive assistance when they are required to protect public goods, but farmers are made an exception because they also provide a public good.

Cost-Sharing

Cost-sharing the implementation of these practices is not the controversy. What is controversial is how to draw the line on cost sharing in a way that makes limited state dollars stretch far enough so that practices are implemented widely enough to be effective. In its current form, DATCP's rule does not require farmers to implement the new standards until cost-sharing dollars are made available to them. But cost-sharing dollars are relatively scarce compared to the number of eligible expenses that DATCP proposes to cost-share with farmers. The River Alliance also wants to ensure that these rules do not inadvertently penalize farmers who are already good stewards of their land.

The rule proposes to cost-share up to 70 percent of eligible costs with all farmers (including corporate farms) and 90 percent of eligible costs for farmers with economic hardship. Eligible costs are liberally defined to include maintenance expenses, labor, equipment, and the payments for the income lost by the farmer from taking land out of production, among others. The large majority of farmers are already good stewards of the land. Many are already using conservation practices that protect the waterways around their land. Allowing state and federal dollars to pay to main-

tain practices that control polluted runoff penalizes the many producers that are already doing the right thing for our water resources.

A further cause for concern is that DATCP has decided that farmers do not need to include phosphorus in their nutrient management plans. Phosphorus and nitrogen are the two most common nonpoint source pollutants impairing surface waters and result from excess fertilization and manure production (Carpenter et al. 1998). Scientific evidence clearly points to the need for practices that will decrease phosphorus pollution. According to a recent article published in the journal *Issues in Ecology*, "72% to 82% of eutrophic (algae-filled) lakes would require control of nonpoint phosphorus inputs to meet water quality standards" (Carpenter et al. 1998). Why then, has DATCP left out this very critical nutrient? If farmers are not required to manage for phosphorus they will miss an opportunity to save money, other practices (e.g. vegetative buffer strips) will be made less effective, and our waters will not be successfully protected.

What We Will Do

The Clean Water Coalition will advocate for rules that give adequate support for counties who will be enforcing the rules and that counties are held accountable for enforcement. Furthermore, the Clean Water Coalition would like to see the state target high quality waters because the impact is greater to these waters.

Polluted runoff comes from a wide variety of our collective polluting practices. To really be effective in cleaning up our collective mess, Wisconsin's new polluted runoff rules should be as strong and comprehensive as possible. As an individual or group member of the River Alliance of Wisconsin, we encourage you to weigh in on this very important issue.

WHAT IS THE CLEAN WATER COALITION?

The Clean Water Coalition is a group of forty environmental and conservation organizations working collaboratively to promote the adoption of effective rules to control polluted runoff by monitoring the rule-making process, submitting public comments, and generating public support for a strong rule package. In general, the Clean Water Coalition supports the draft rules and seeks to strengthen the rules by advocating for:

- Reasonable cost-sharing to support agricultural producers who implement best management practices;
- Inclusion of phosphorus in nutrient management plans;
- Effective monitoring and enforcement of the best management practices;
- Inclusion of water quality issues and priorities in County Land and Water Conservation Plans;
- Additional funding for county Land and Water Conservation Districts;
- Mandatory vegetative buffers along waterways in agricultural fields, for new development projects, and on new transportation projects;
- Applying nutrient management plan standards to golf courses and the turf industry;
- Meaningful infiltration standards for stormwater on construction sites;
- The Department of Transportation should also adhere to performance standards; and
- Targeting impaired and outstanding and exceptional waters for increased protection levels when necessary to meet water quality standards.

Please contact Steph Adams, 608-441-8411, to find out ways you can advocate for strong, effective polluted runoff rules.

Selective Small Dam Removal in Wisconsin

Helen Sarakinos
Small Dam Program Manager

The addition of a new small dams program manager (see story on page 11) has ushered in a new era for the River Alliance as we continue to work to promote selective dam removal as a river restoration tool. Several new projects are currently being planned. Meanwhile, our Twenty by 2000 Campaign continues to reap benefits. A couple more dams on the list have been removed and one more is coming out this fall. All but two of the twenty dams on the list have either been removed or are slated for removal!

20 by 2000 Updates Over 5 miles of cold-water fishery restored on Deerskin River.

The removal of the Deerskin Dam this past June, 2001 has restored a cold-water fishery to a 5.6-mile stretch of the Deerskin River in Vilas County. This former high-quality trout stream had been blocked by the 9-ft earthen dam for nearly 100 years. Cold-water streams such as the Deerskin River cannot be created; the opportunity to restore a cold-water fishery is a rarity, especially in Vilas County, which has one of the highest concentrations of freshwater lakes in the world. Dam removal will change the character of wetlands created upstream by the dam to their pre-dam state but according to DNR scientists, no net loss of wetlands is expected to occur. The DNR is coordinating the removal and restoration work, aiding in part by funding from the Northwoods Chapter of Trout Unlimited. River Alliance staff testified at public hearings, and worked with local individuals and groups to support this river restoration project.

Large Northern Wisconsin Dam Removal In Progress

Work has begun on the removal of the Orienta Falls Dam on the Iron River in Bayfield County. The 43 foot former hydropower dam was damaged in a 1985 flood event and has remained unused

since then. Dam removal was begun in late August. To date, the uppermost 15 feet of the dam structure have been removed and removal will continue at least to the end of September. Removal of the Orienta Falls Dam will restore the scenic Orienta Falls and a beautiful sandstone gorge. More than 1.5 miles of cold-water habitat will replace the existing warm-water impoundment. A sea lamprey barrier, designed by the DNR and the U.S. Fish and Wildlife Service, will be installed after the dam is removed to keep this exotic pest out of the river. The River Alliance testified in favor of the removal and promoted the river restoration benefits to the local community.

Last Of The Baraboo River Dams To Be Removed October, 2001!

The Linen Mill Dam on the Baraboo River, Sauk County has been slated for removal in October, 2001. Removal of this lowermost dam on the Baraboo River will fully restore the Baraboo Rapids, a high-riffle portion of the Baraboo



River that served as historical spawning grounds and nursery for sturgeon and paddlefish, among many other fish species. With the removal of the three downstream dams in Baraboo and the LaValle Dam 30 miles upstream, the entire river, over 120 miles, will be restored to free flowing conditions.

The Baraboo River restoration effort is believed to be the longest stretch of river returned to free-flowing through dam removal in the history of the United States! The River Alliance was instrumental in the removal of three of the

dams, working with local groups, the City of Baraboo and the DNR to secure funds

for the removals and to urge the dam owner, local citizens and city officials to consider the many positive benefits of dam removal as a river restoration tool. This project is now being looked at as a model as dam removal/repair decisions are being weighed across Wisconsin and the nation.

Sediment Study

Mud flats, sediment, muck... whatever you call the stuff it is an issue with most dam removals. The management of this sediment that accumulates behind a dam is a key technical challenge during dam removals. The River Alliance is taking action to address this issue by undertaking a unique study to determine the best methods for sediment management. Our sediment research team has been meeting over the past year to help design the study. Now, two UW Madison students have been hard at work over the summer on this project to help determine what happens to sediments during and after a dam removal. The project is a partnership between the River Alliance of Wisconsin and University of Wisconsin-Madison, with funds obtained by RAW from FishAmerica Foundation and the U.S. Environmental Protection Agency.

Students and RAW

Cailin Orr, a student with Dr. Emily Stanley at the Center for Limnology, has been studying the rates of revegetation on stabilized sediments remaining in the river after impoundments are drawn down. This summer, Cailin surveyed vegetation and sampled soil at 15 different dam removal sites in western and south central WI. This information can provide valuable insight into how plant restoration efforts on sediments might best be optimized in future dam removal

The Baraboo River restoration effort is believed to be the longest stretch of river returned to free-flowing through dam removal in the history of the United States!

als. Cailin capped off a summer of intense work by getting married. Congratulations, Cailin!

Nora Bertram,

a PhD student with Dr. Ken Potter in the Dept of Engineering studies the sediment that got away. Nora's project is to determine long-term sediment transport following dam removal. As of this writing, Nora was still out conducting field work, so we will be able to report on her summer in the next newsletter.

The results of this year-long study will provide critical guidance in sediment decisions for future dam removal projects in states within the Great Lakes Basin.

Success Of The Citizens' Guide To Small Dams Removal

The response to the release late last year of the first-of-its-kind Dam Removal Toolkit has been tremendous. To date, more than 3,000 copies of the toolkit have been sold to groups and individuals in 33 states and 10 countries worldwide.

The River Alliance, the national office of Trout Unlimited, and other leading river conservation groups collaborated to produce the toolkit. The valuable handbook and video are designed to meet the dramatically increasing need for information about dam removal as an option to improve river quality. Taking a Second Look: Communities and Dam Removal, a 22-minute video, addresses many of the issues and concerns that are involved in the dam removal decision-making process. The 126-page handbook, Dam Removal: A Citizen's Guide to Restoring Rivers, offers a step-by-step process for pursuing selective small dam removal as a river restoration tool.

For info on ordering your Dam Removal Toolkit, contact the River Alliance of Wisconsin:

- (608) 257-2424
- wisrivers@wisconsinrivers.org
- www.wisconsinrivers.org

River Love Affair

River Life; The Natural and Cultural History of a Northern River
 Scott Froehlke, RAW Vice Chair

I'll bet at some point soon after author John Bates moved to his wife's ancestral home in Manitowish, Wisconsin, he realized he was falling in love with a nearby river. As, it is with all great love affairs; John knew that he must get to know the object of his desire better. The product of his search for a deeper understanding of the Manitowish, a warm water tributary of the Upper Chippewa River, is found in his latest book, *River Life; The Natural and Cultural History of a Northern River*.

The Manitowish is not a long river, running for not much more than forty miles before joining the Bear River and together becoming the Flambeau. But what it sacrifices in length, it recovers in biological diversity and in the richness of its historical story. The author, Bates, essentially becomes our river guide and the book could be an excellent companion to a canoe trip down the Manitowish. His storytelling is, at the same time, so complete and enrapturing and his understanding of aquatic biology is so sophisticated that the book should be incorporated into environmental studies and high school curriculums throughout the state.

There is a tradition of nature writing in American literature that is the great gift possessed by authors in the "new world." We celebrate nature. Wisconsin's own contributions to this pantheon are the stuff of legends. John Bates would scoff at comparison, but there is something about the mixture of science and poetry in his work that conjures up Aldo Leopold. Though a less dense writer than John Muir, he is an equal advocate of wild places.

The book reads like a river, looping and slowing while he contemplates bul-

rushes, grebes and the mystery of springs. It is not really a fisherman's story. In fact, the Manitowish River is too warm to sustain the royal trout. But fish get their due, and my understanding of the life cycle of the damselfly will never be the same.

Bates does an admirable job of exploring one of the toughest policy-related river challenges of our time; the role dams play in our history and in the life cycles of a living river. Dams were not built to menace rivers; they had their purposes and in some cases still do. Nevertheless, a great awakening regarding dams is taking place. In fact, Wisconsin leads the nation in removal of unsafe, uneconomical and unwanted dams. This important work is one of the principle missions of the River Alliance. The author takes a hard look at one the dams on the Manitowish built by a logging company a hundred years ago. Though leaking, sagging and essentially ownerless, the dam continues to hold back a swelling river.

Though I am as supportive as the next person of treatises about leeches, mosquitoes and tag alders (I warn you that this guy explores everything that catches his eye), I have always been a fool for pre-settlement times. Bates lays it on thick. There are journal extracts from trappers and Jesuits and marvelous discussions of ancient trails and portages. A *pause*, it would seem, is the expression used by voyageurs to delineate portaging distances. It is not a standard measure but rather only how far a voyageur traveled on a particular day until it was time to pause. We also learn which Ojibway bands placed their sturgeon weirs at particular rapids and where they dispersed to afterwards.

The period when Sioux and Ojibway fought their death battles over the northern woods and French Canadian trappers plied their hard trade is only five to six generations removed from us. Much has changed and yet, as Bates' book compellingly reminds us, the river rolls on.

There is a tradition of nature writing in American literature that is the great gift possessed by authors in the "new world."

Ashley Furniture Court Decision Precedent Setting

River Alliance Staff

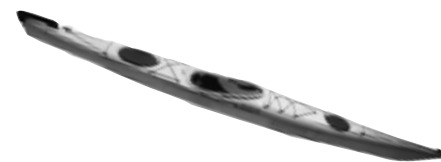
On Friday July 27, 2001, a judge in Trempealeau County ruled in favor of a lawsuit filed by the River Alliance and four other environmental organizations to prevent two highly valuable wetlands from being destroyed as a result of special exemptions in the state budget passed in 1999. The five groups, Wisconsin Wetlands Association, Sierra Club-John Muir Chapter, the River Alliance of Wisconsin, 1000 Friends of Wisconsin and Wisconsin's Environmental Decade, charged that the special exemptions violate two sections of the Wisconsin Constitution – the public trust doctrine and the "private bills" prohibition. The suit further argued that the exemptions represented a threat to the integrity of the budget process and to environmental protection efforts in Wisconsin.

"Everyone concerned about real participatory democracy should be delighted with this decision," stated River Alliance of Wisconsin executive director Todd Ambs. "The court has made it clear that the state budget cannot be used as a hiding place for policies that wouldn't survive public scrutiny in the light of day. We urge Governor McCallum to take action in this budget to close this Pandora's Box for good."

A 14-acre wetland owned by Ashley Furniture Industries adjacent to the Trempealeau River near the city of Arcadia (Trempealeau County) and a 4.2-acre portion of a 16-acre wetland associated with Stout Technology Park in the city of Menomonie (Dunn County) were targeted for filling. Normally a person or company interested in filling a wetland must file an application with the Department of Natural Resources requesting permission. Field personnel then review the application to determine the extent and quality of

wetlands being impacted, whether alternatives exist and whether it will have adverse impacts on water quality. The budget bill exemptions would have bypassed the state regulatory process entirely.

Congratulations to the Sierra Club and to the Wisconsin Wetlands Association for their leadership on this suit, to Glenn Stoddard, our attorney on this case, for his great work and to Senator Rob Cowles for his steadfast opposition to this secret provision in the last budget and work today to strip the language from state statutes.



Carl's Paddlin' Special Offer to Alliance Members

Members Able to Attend Pre-Sale Friday, September 28

River Alliance members will have access to Carl's Paddlin' Canoe and Kayak Center's annual fall sale prior to the general public.

River Alliance members will receive sale prices on Friday, September 28th, (sale prices for the general public aren't available until Saturday the 29th).

Carl's Paddlin' set aside this day, and extended the normal store hours (Noon – 9 p.m.) to thank environmental group members for their commitment to the environment and their support of environmental organizations.

Carl's Paddlin' is located at 110 N. Thornton, Madison, Wisconsin (on the Yahara River one block north of East Washington Avenue)

Go to (www.paddlin.com) or call Carl's at 608-284-0300.

RAW Board of Directors Election

The following individuals have been nominated by the nominating committee to serve a two-year term beginning November 2001.

Joe Aliota

Deforest

I am honored to have been asked to serve a second term as a River Alliance Board member. It is a pleasure to be associated with so many wonderful people who work so passionately for such an important cause as protecting our rivers.

Bill Berry

Stevens Point

It would be an honor to serve another two-year term on the River Alliance of Wisconsin board of directors. I've learned a great deal in my short tenure on the board, and I'm firmly committed to seeing that our rivers receive more, not less, protection. I also feel my conservation work in the agricultural area adds an important perspective to the board.

Nat Heffernan

Madison

As a lifetime user and admirer of Wisconsin's rivers, I would look forward to helping the River Alliance protect this important resource. I share the Alliance's commitment to building coa-

litions and generally speaking up for rivers. It's a good group of people, and I'd like to lend a helping hand.

Terry Hiltz

Cottage Grove, WI

My personal interests and professional experiences related to water quality improvement, plus my innate love of moving waters drew me to the River Alliance and it's mission. I'm interested in serving a second term on the board to continue working for Wisconsin's rivers.

Tony Kubek

Appleton, WI

I am a retired professional baseball player and television broadcaster. I am honored to serve as I have a love for rivers that comes from many years of canoeing, both recreationally and while duck hunting. My fly fishing experiences have led to a further appreciation of the beauty and serenity found in fast-flowing, cold and clear water.

continues on next page...

Do You Know A River Champion?

Tell us your nominations for the annual River Alliance River Champion Awards!

Each year, the River Alliance of Wisconsin honors individuals, businesses and organizations that have gone the extra mile to protect and restore our rivers and streams. We publicly recognize these award winners at our Annual Awards Dinner and Auction. This year, the event will be held the evening of Saturday, November 17 at the Monona Terrace in Madison.

Please provide the appropriate contact information and describe the reasons you believe the nomination is warranted. All nominations must be postmarked by no later than October 5, 2001.

CATEGORIES:

1. **Elected Official**- An elected public official in local, state, or federal government who has been a leader in seeking legislation that will help to protect and/or restore the rivers and streams of Wisconsin.

2. **Private Sector**- A business or corporation that has done exceptional work for the rivers and streams of Wisconsin.

3. **Public Sector**- A government employee at the municipal, county, state or federal level whose actions have benefited our rivers and watersheds.

4. **Local Guardian**- An individual or organization that has put forth meritorious effort on behalf of Wisconsin waterways at a local level.

5. **River Alliance Volunteer**- A member of the River Alliance of Wisconsin who has furthered the aims and efforts of the Alliance and helped protect our rivers.

Please Complete and Return Form Below

Board of Directors Election 2001

Please vote for up to seven (7) nominees.

- Joe Aliota
- Bill Berry
- Nat Heffernan
- Terry Hiltz
- Tony Kubek
- Tom Miller
- Rebecca Power

Please return this nomination form to:

River Alliance of Wisconsin
306 E. Wilson St., Ste 2W
Madison, WI 53703

Or by fax: 608-260-9799. Or send an email: wisrivers@wisconsinrivers.org.

River Champion Awards Nomination Form

I would like to nominate an individual, business or organization as a River Champion. I understand that I will be contacted about the status of my nomination prior to the award presentations at the River Alliance Annual Awards Dinner and Auction on November 17th. I also understand that this entry must be postmarked no later than October 5th to be eligible for consideration.

Nomination Category (If you are submitting more than one nomination please copy this form and submit each nomination separately):

Name of Nominee

Address

Phone, Fax, E-mail

Please provide a brief description of the reasons for the nomination. Remember, these nominations are for actions taken in 2001. Please limit your description to 100 words or less.

- _____ Elected Official
- _____ Private Sector
- _____ Public Sector
- _____ Local Guardian
- _____ Volunteer of the Year

Submitter:

Phone, Fax, E-mail

What I Did on My Summer Vacation

A Report On River Alliance Activities
Michael "Otis" Lavitschke

Summer would not be complete without an official 'back-to-school' style report on one's actions since spring. The exercise lends itself to nostalgia, of course, but also to bragging. I remember telling my fifth grade class how my family and I traveled all the way across-country to Glacier National Park. I told them about seeing a grizzly bear, sleeping in a cabin with nothing but a wood stove, hiking ten miles to a glacier fed lake that my brother and I drank straight out of, and feeling like I was at the top of the world. Most likely, I used up my ten minutes plus those of several classmates.

Several years later, here I am, yet again telling the 'class' about my summer vacation with the River Alliance. Notice how it still involves bragging to some degree.

Yahara Waterfront Festival

My tenure with RAW (River Alliance of Wisconsin) started with some welcome weekend work at Madison's east-side Yahara River festival. For two days, we were treated to excellent food, music and people.

Our goal for attending the festival was to spread the word about RAW while giving our neighbors a chance to win two touring kayaks valued at \$3,000. (At press time we had not yet drawn a winner. Check out www.wisconsinrivers.org to see who won.) Except for burned feet, RAW staff and volunteers had a blast.

Whole Foods Market 5% Day

This year, RAW was awarded Madison Whole Food's 5% Day where 5% of a day's sales go to help fund our work. It was a great event, especially when our executive director, Todd Ambs, put on a frog suit to draw attention from passing cars. Thanks to our members and other Whole Foods shoppers, we were able to raise \$1,669. Thanks also go to Katie Long (Community Relations/Marketing) and Whole Foods staff for selecting us this year.

Staff Retreat

Mid-August found RAW staff up by Ontario near the Kickapoo River for our annual staff retreat.

Now that our staff has grown so quickly, this outing gave us a chance to connect with each other and address some issues and projects in a closed, "get-it-done" setting.

Our stay at Inn Serendipity was flawless and the second day of our retreat commenced with breakfast and a trip down the Kickapoo River. One lesson learned from that trip was that all of us could use more practice navigating a winding river.

Annual Paddling Party

I was not able to attend RAW's Annual Paddling Party this year but heard that it was just wonderful. (Color me jealous.) Thanks go out to RAW Board member Susie Isaksen and her husband Greggar who coordinated the event at their beautiful home on the Bois Brule.

Marriage

As a crowning achievement this summer (I'm bragging again), I went out and got married. It was an excellent, albeit hot, day but well worth it as I am reminded everyday when I see my wife. Thanks to all who have wished us well.

So as you can see, not all of work is legislation this or policy that. We actually find time to get out, meet with individuals and sometimes, play in the very rivers we are committed to protecting.

Annual Dinner and Auction

Next up is our Annual Dinner. This will occur on Saturday, November 17. Watch your mail for more details as they arise, but I can tell you that it will be another great event with excellent food, interesting people and exciting auction items.

Put the date on your calendar now! You will not want to miss our dinner this year.

Legislation continues from page 3...

Water Resources Deserve a Fair Share of Gas Tax Money

As this newsletter goes to print, work is underway to give the water resources of our state a fair share of state taxes collected from the sale of gasoline. Currently, a state tax on motorboat fuel funds many of the conservation programs that protect water quality, recreational opportunities, water safety, and scenic beauty in Wisconsin.

Since boat fuel comes from the same pumps as other motor fuels, a formula is used to estimate the motorboat fuel tax. This formula was set 15 years ago and has not kept pace with changing motorboat fuel consumption. Boating is on the rise and motorboat horsepower has increased across the board. Today, many smaller horsepower engines are used by fuel-consuming personal watercraft. More than 40% of the boats registered in Wisconsin are between 18 and 39 feet in length. That is more than double the number twenty years ago. The current state formula ignores these changes. The result? Motorboat fuel taxes are now

used to fund road improvements and maintenance.

The Wisconsin DNR, the Wisconsin Association of Lakes and the River Alliance all support a change to the current formula to correspond to the rise in motorboat fuel consumption. Legislation is currently being drafted to increase the formula to an average annual consumption of 80 gallons from the current average annual consumption of 50 gallons. This estimate represents the low end of recent surveys of motorboat fuel usage, but better reflects the changes in current motorboat fuel consumption.

Wisconsin lakes and rivers anchor the state's \$8 billion tourism industry. Legislators will decide if \$6.4 million per year (less than 1% of the Wisconsin motor fuel tax collected in fiscal year 2000) is better spent on protecting our 15,000 lakes and 43,000 miles of rivers, or converting less than two miles of a two-lane highway into four lanes.

The River Alliance wishes to thank State Senator Rob Cowles (R-Green Bay) for leading the effort to pass this legislation.

Board continues from page 9...

Tom Miller

Waupaca, WI

I've been honored to be on the board of the River Alliance of Wisconsin for four years... one as vice chair and three as chairperson.

The time has come for me to step aside and let the organization evolve beyond my time as chair. However, I would welcome the opportunity to serve one last term of two years as there remains some unfinished legislative business on behalf of the River Alliance that I would like to help bring to closure.

Rebecca Power

Amherst Junction, WI

Serving on the River Alliance board has been an opportunity to do good things for the rivers of Wisconsin, spend time with an inspiring group of people, and an excuse to explore some nooks, crannies, and meanders of the state that I know I wouldn't have otherwise gotten to. The rivers of Wisconsin are a resource I am committed to devoting time to, and the River Alliance is a great venue from which to do this.

You are Invited to the River Alliance of Wisconsin's

Annual Dinner & Auction

Saturday, November 17, 2001

Monona Terrace
Convention Center

Save the Date

Save the Date

River Alliance Welcomes New Staff Members

Staff

The River Alliance of Wisconsin family has undergone a recent growth spurt this summer, with the addition of three new staff members.

Helen Sarakinos

Helen Sarakinos joined the River Alliance in mid-July as the new Small Dams Program Manager, filling the vacancy created by the recent departure of Stephanie Lindloff (see Summer 2001 issue). Helen will continue to work with communities facing the difficult decision of repairing or removing a dam by providing information that enables dam removal to be considered on its merits.

Helen, a native Canadian, completed a Master's of Science degree in aquatic ecology at McGill University (Montreal). She has worked on numerous river-related issues, including a scientific assessment of the state of water quality and aquatic ecosystems in the San Joaquin Valley, California. Helen also volunteered with Friends of the River (Sacramento, CA), focusing on FERC relicensing issues. Helen, a recent Wisconsin transplant, plans to spend this fall diligently sampling Wisconsin cheeses and beers.

Stephanie Adams

Stephanie (Steph) Adams recently joined the River Alliance staff as the Clean Water Campaign Coordinator. A coalition of over 40 environmental and conservation organizations is working together to support strong state rules to control polluted runoff – the number one source of pollution to the waters off our state. As the coalition's coordinator, Steph will monitor the rule design process, organize the coalition's response, and develop educational and action materials (see related story on page 6).

Steph completed a Master of Public Affairs at the University of Minnesota and joins us with a diverse background in organizing, economics, and policy

River Alliance Weighs In On Fox River Cleanup

Todd Ambs
Executive Director

Cleanup of the Fox River near Green Bay continues to be one of the most difficult water quality issues facing our state. The WDNR and the U.S. EPA plan to release the long awaited cleanup plan sometime around the end of September. An important public comment period will then follow. Several other developments in recent months continue to be monitored closely by the River Alliance. Those developments include:

The WDNR Natural Resources Damage settlement with Fort James was released early this summer. The River Alliance joined the Sierra Club in comments about the settlement. Overall, we urged the WDNR to abandon the pro-

analysis. In her spare time, she enjoys playing ultimate Frisbee and is also a voracious reader of fiction and non-fiction.

Lisa Goodman

Starting September 24th, Lisa Goodman will be joining the local group assistance program as the coordinator for the northern region of the state. As citizen-led conservation efforts continue to grow in Wisconsin, so has the demand for support from the many new and existing river and watershed organizations of our state. Lisa will join Diana Toledo, Local Group Assistance Manager, in assisting groups with organizational and programmatic issues and developing training and networking opportunities for river advocates around the state.

Lisa is an avid paddler and is a long-time river enthusiast. She brings extensive community organizing experience to this position, having served as board member, founder and organizer of various citizen advocacy organizations. Lisa has recently completed a Master's of Science degree in Natural Resource Management at the University of Wisconsin – Stevens Point, and has most recently worked with the *Becoming an Outdoors-Woman* (BOW) program.

Welcome Helen, Steph and Lisa!

posed natural resource damages settlement with Fort James. We believe that reaching a settlement on natural resource damages before a cleanup plan is finalized "puts the cart before the horse." Without a cleanup plan, we do not know the ultimate extent of damage to the ecosystem, thus we cannot determine how much the responsible parties owe the public to compensate for that damage. In addition we found the lack of public involvement, the lack of a completed cleanup plan, and the lack of support by the other co-trustees troubling.

By contrast the agreement reached late this summer with Appleton Papers appears to be a good start. In part, the agreement calls for up to \$10 million per year for cleanup costs over the next four years. The money can go for restoration

or remediation projects. Perhaps most importantly, the money does not release Appleton Papers/NCR from any responsibilities, liabilities, or further payments. These payments will be credited to the mills to be deducted from whatever they end up owing. If the final judgment is for some reason less than the \$40 million for Appleton Papers/NCR, the mills will NOT be reimbursed.

While the agreement does include a covenant not to sue during the four years of payments, it was extremely unlikely that complex litigation of this sort would reach filing stage over the next four years anyway. Because of these safeguards, the River Alliance believes that this agreement is a good step forward. We will be joining the Sierra Club in formal comments later this month.

Erin O'Brien

RAW Summer 'Intern'



The River Alliance would like to thank Erin O'Brien for her help with several key projects this summer. Erin aided our mission immensely, working as a full-time summer staff assistant. Her areas of focus included projects for the local groups program as well as our member services program. Erin tackled a big assignment with great success as she drafted a citizens guide to using the Clean Water Act here in Wisconsin.

From here, Erin is off to graduate studies at the Institute for Environmental Studies at UW Madison, so we are certain to see her around.

In addition to all of her great work, we will miss Erin's good humor, tremendous smile and excellent taste in beer.

Thanks Erin!

MEA Publishes New Citizen's Guide

Has a new source of air or water pollution been proposed for your neighborhood? Many decisions related to pollution and land use are made by the DNR every day. These are decisions that activists can shape if they get involved.

To help you get involved, Midwest Environmental Advocates (MEA) has published *Being Heard: A Citizen's Guide to DNR Hearings* which describes how to request a hearing, what to expect during a hearing, and how to prepare.

You can request a copy of the guide by writing to the address below or by e-mailing MEA at advocate@chorus.net. The guides are free, but a tax-deductible donation to MEA is appreciated and will help to ensure that you continue to have environmental lawyers working for the public interest.

Send donations to Midwest Environmental Advocates, 22 E. Mifflin St., Suite 300, Madison, Wisconsin 53703.

What We Did on Our Summer 'Vacation'



Erin, Helen & Steph stop on the Kickapoo for birdwatching.



What would morning be without cooffe?



Brad Glass, of WI Canoe Assc. picks the perfect paddle.



Jill relaxes and is chauffeured down the Kickapoo by Steph Adams and Todd Ams.



Our fearless leader, Todd Ams, in his 'fun' hat.



Otis demonstrates the perfect J-stroke.



The WI River is the perfect place to picnic after the big race.



RAW Staff in the Kickapoo River-8/17/01. From left to right back row first: Todd Ams, Diana Toledo, Michael "Otis" Lavitschke, Helen Sarakinos, Steph Adams, Jill Lawley.

Thanks to Our Contributors!

We are truly indebted to the literally hundreds of individuals, businesses and organizations that made contributions this Summer. We regret that we cannot list everyone.

River Guardian (\$500+)

Julilly Kohler

River Keepers (\$250-499)

Janet and Crandell Bliss
Robert and Nancy Froehlke
Jill Jonas
Richard Kark MD
Martin and Esther Kellogg
Warren Loveland
James D Lyons
Dr. David A. Manke
Mike and Judie Smithers

River Patron (\$100-\$249)

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You, too, can be a part of Wisconsin's Only State-wide River Advocacy Group!

- o \$100 River Patron
- o \$50 River sustainer
- o \$35 Household membership
- o \$25 Basic membership
- o \$___ Other

306 East Wilson; 2W
Madison, WI 53703
www.wisconsinrivers.org
wisrivers@wisconsinrivers.org
608-257-2424

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You will receive:

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- free email alerts via C.A.N.O.E.
- action alerts
- invites to our annual paddling party and awards dinner!

Name _____

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