



Citizens May Still Use Power of the Law to Defend Natural Resources in the Courts

Statement on the Signing of Mining Deregulation in Wisconsin

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MADISON, WI – Today the Governor’s signing of a mining deregulation law will be the last step in a broken legislative process throughout which the voices of citizens, the treaty rights of a sovereign nation, and the weight of scientific evidence have been ignored. For two years, state lawmakers have disregarded the majority of their constituents who are opposed to exempting mining corporations from environmental protections in order to push through a bad bill written largely by an out-of-state company. And from the beginning, neither state legislators nor the Executive Office has engaged the sovereign nation whose health and way of life are put at risk by the largest proposed iron mine in our state’s history.

As an organization that works every day to help citizens use the power of the law to protect our heritage of healthy water, air, land and government, Midwest Environmental Advocates will be closely watching the implementation of the new law. We continue to have deep concerns about how the law conflicts with long-established tribal treaty rights and the Public Trust Doctrine in our state constitution. This mining deregulation legislation comes closely on the heels of recent changes in laws that protect our wetlands which create a faulty, backwards mitigation scheme that attempts to fix environmental damage after it has been done and allows destruction of irreplaceable, pristine wetlands.

“This legislature and governor have gutted the capacity of DNR, while at the same time inserted political pressure for special interest lobbies over the judgment of professional, experienced staff,” said Kimberlee Wright, Midwest Environmental Advocates. “The proposed mine would be the largest, most destructive activity in the history of the state. We haven’t seen anything at this scale of destruction since the great cutover of our Northern forests. Instead of diminishing citizen rights and tying the hands of state regulators, this law should have enhanced science-based protections of our air, land and water. This law literally puts the profits of one company above the long-term health and well-being of people for centuries to come. The people of Wisconsin have worked together throughout most of our history to protect our precious natural heritage, we will not give away the rights of future generations because big, dirty money bought enough votes to pass a bad law.”

The people of Wisconsin and of the Bad River Band of Lake Superior Chippewa shouldn’t have to bear the cost of turning to the courts to protect their natural resources. This law takes one more step toward weakening the Wisconsin Department of Natural Resources. Our state’s most important regulatory agency entrusted with protecting our natural resources will now be prohibited from stepping in to stop iron mining activities found to be dangerous to public health and the environment. Further, the size and scope of a proposed mine in the Penoque Range demands an autonomous and science-based review of the impact a mine would have on the landscape and on the water, but this law places an unreasonable limit to what this science costs. Our WNR does not have the funding, staffing or autonomy to issue and enforce routine permits across the state, let alone

properly review and approve the largest open pit mine in the nation. Midwest Environmental Advocates will also be closely watching whether or not our WDNR has the resources and autonomy it needs to assess the environmental impact of open-pit mining.

Midwest Environmental Advocates will support the people of Bad River in whatever way we can to work through the courts to address the continued environmental concerns with this law before significant damage is done to an internationally important natural area. Despite hopeful promises by legislators who are satisfied with the mining deregulation bill Governor Walker signed into law today, there is still not a clear path to an open-pit mine in the Penokee Hills. This fight has just begun and the numbers of people standing together to protect the rights of future generations grows every single day.

Midwest Environmental Advocates is a public interest organization that uses the power of the law to support communities fighting for environmental accountability. Learn more about the Midwest Environmental Advocates on the web at midwestadvocates.org, like MEA on [Facebook](#) or follow [@MidwestAdvocate](#) on [Twitter](#).

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