

EMPOWERMENT

We use the power of the law

STEWARDSHIP

to help you protect our heritage of

COMMUNITY

healthy water, air, land and government.

JUSTICE

ANNUAL REPORT / 2013



Midwest
Environmental
Advocates

“Since we can no longer trust our elected officials to protect us and our natural resources, citizens’ voices have been powerful tools. Our voices represent citizens caring about other citizens. Midwest Environmental Advocates supports our voices by protecting our freedom to have access to clean air, land and water.”

SHEILA DANIELSON, *Act Now, LLC*

WHO WE ARE

Founded in 1999, Midwest Environmental advocates is a nonprofit, nonpartisan environmental law center that supports people working for healthy air, land, water and government for this generation and the next. We use the power of the law to help concerned citizens protect our natural heritage.

We are not your average law firm, nor are we your typical environmental nonprofit. Our mission is to empower citizens to make a difference and to support their efforts to protect public health and the environment using sound science and the law. We believe that every citizen has the potential to make a difference.

BOARD OF DIRECTORS

WILLIAM H. LYNCH
President
Milwaukee

ARLEN CHRISTENSON
Founding President
Madison

DAN COLLINS
Milwaukee

JIM GOODMAN
Wauwatosa

DANIEL IDZIKOWSKI
Treasurer
Milwaukee

TIM JACOBSON
Boscobel

HELEN SARAOKINOS
Secretary
Madison

MELISSA SCANLAN
Founder
Norwich, VT

KELLY PARKS SNIDER
Madison

GORDON STEVENSON
Black Earth

STEPHANIE TAI
Washington D.C.

LARRY WAWRONOWICZ
Lac du Flambeau

STAFF

KIMBERLEE WRIGHT
Executive Director

BETSY LAWTON
Senior Staff Attorney

ANDREW NICHOLAS
Staff Attorney

JIMMY PARRA
Staff Attorney

SARAH WILLIAMS
Staff Attorney

STACY HARBAUGH
Communications and
Outreach Coordinator

**JODI HABUSH
SINYKIN**
Of Counsel

DENNIS GRZEZINSKI
Of Counsel

MIDWESTADVOCATES.ORG

 /MIDWESTENVIRONMENTALADVOCATES  @MIDWESTADVOCATE

612 W MAIN STREET, SUITE 302 • MADISON, WISCONSIN 53703

DEAR FRIENDS

People all over Wisconsin are stepping up for clean air, land and water when their government can't or won't. It's shocking how significant threats to public health continue to expand while state and federal agencies charged with oversight are starved for resources.

In a few short years, Wisconsin has become the largest exporter of the sand that is a critical component in hydraulic fracturing for oil and gas. Many western counties are under siege with landscape-scale frac-sand operations and the only power they have to protect their health and property is at the local level. People in many communities have run for and won local elections to protect the integrity of their communities.

The number of industrial dairies in Wisconsin continues to grow at an alarming rate even though there is widespread groundwater contamination. In some communities, groundwater levels are so low their lakes and streams are disappearing. In spite of threats to our drinking water, permits for new and expanding industrial-scale livestock operations are granted with little scientific review.

Even though my heart is heavy in seeing the accelerating destruction of our natural heritage, I am hopeful. *Citizens all over Wisconsin are standing up and standing together to protect the rights of future generations.* They understand their duty to pass on a Wisconsin that can support the health and economic opportunities of generations not yet born.

The good men and women of Wisconsin are volunteering their time to collect water quality samples, systematically alerting their neighbors about their rights, and bringing legal actions when there is no other path to follow. When the time comes to use the power of the law, Midwest Environmental Advocates stands with citizens to provide legal and technical support. Polluters and their industry lobbying groups are spending record amounts to hire big corporate law firms to obstruct the proper implementation and enforcement of the law. Even in the face of great challenges, I still believe citizens with access to sound science and legal services are more powerful than special interests with fists full of dark money.

The men, women and children of Wisconsin are rolling up their sleeves and doing their part to protect their families from dangerous pollution and to protect this lovely state as did the generations before us.



Kimberlee Wright
Executive Director





Despite all of the challenges we faced in 2013,

Wisconsin's conservation legacy is living on, perhaps not in the halls of the State Capitol, but in the hearts and minds of the people who believe that clean air, land and water is essential for life and for the lives of future generations. Though the influence of industry and corporate power was strong, citizen voices matter.

Some of the portraits in this report are from the Citizen Voices Matter project, a film and photo series that aims to share the faces and voices

of some of the courageous people who are educating their communities, holding politicians accountable and working with us through the courts to protect our valuable natural resources. We invite you to visit midwestadvocates.org and explore the Citizen Voices Matter project and hear from clients, friends and allies about why defending our air and water in the courts is so essential to pass on the legacy of conserving our natural resources for future generations.





CITIZENS HAVE ALWAYS BEEN THE LEADERS IN DEFENDING OUR WATER AND AIR

“It is citizens’ voices that create the impetus leading to the protection of all life on this planet. Through our voices, we are able to seek out and find each other for support and action. Midwest Environmental Advocates is able to do what most citizens cannot—confront the egregious destruction of our environment with legal action, thus carrying citizens’ voices into the legal arena.”

GLORY ADAMS, *Eau Claire WI*

WHEN ADVOCATES STAND
TOGETHER, WE WIN.

OUR CONSERVATION LEGACY HAS NOT BEEN FORGOTTEN

In 2013, it seemed like the influence of special

interests drowned out the voices of citizens in Wisconsin. The enforcement of our existing environmental laws was often pre-empted by political power. No independent Department of Natural Resources Secretary and a lack of resources and autonomy for experienced, professional staff means that healthy air, land and water are at risk. On many levels, the legacy of generations of passionate conservationists appeared to be unraveling one pollution permit and piece of legislation at a time.

On March 11, Governor Walker signed a piece of legislation that would weaken regulations of one of the most destructive kinds of resource extraction: open-pit iron mining. Midwest Environmental Advocates and the Bad River Band of Lake Superior Chippewa Indians worked together to review the legal and technical

elements of permit applications submitted by Gogebic Taconite to allow them to conduct exploratory activities for their proposed iron mine. The mine, if built, would be the largest open pit taconite mine in the world at the headwaters of the globally important wetland ecosystem within the Bad River Reservation.

While local citizens, organizations like the Penokee Hills Education Project, and Tribal members continued their passionate, grassroots efforts to educate the public about how the proposed mine could damage the Bad River area streams, wetlands and even Lake Superior forever, Bad River's legal team, of which MEA is a partner, laid the foundation to defend the area's clean water in the courts.

“I’ve always been proud to live in Wisconsin where natural resources were cherished and protected. In spite of a political climate that would appear to want to reverse the hard won victories of Gaylord Nelson, Aldo Leopold and Martin Hanson, Midwest Environmental Advocates gives me hope.”

BOBBI RONGSTAD, *Bad River Watershed Association*





WITHOUT A PUBLIC INTERVENOR, CITIZENS NEED A LEGAL ADVOCATE

Frac sand mining and processing plant applications

are at an all-time high. Our partners in grassroots organizations are working hard to pressure their local elected officials to bring balance back to land use decisions. Because of vocal citizens, local governments all over western Wisconsin are standing up by passing ordinances to limit the harm to people and their land from frac sand mining and pressuring the legislature to maintain their authority to protect public health and safety at the local level.

In early 2012, the Wisconsin Department of Natural Resources rejected a petition from citizens requesting science-based research on and the regulation of silica dust, a known carcinogen created in the mining, processing and transportation of frac sand. This left communities with unanswered questions about the threats to their health from the cumulative impacts of concentrated industrial mining activities in their once quiet rural landscape.

Wisconsin used to have lawyers in state government, Public Intervenors, who worked to ensure meaningful participation by citizens most threatened by activities likely to degrade

their health and the clean air, land and water of our state. When the Public Intervenor's Office was dismantled, the responsibility and cost of protecting our natural heritage was shifted to the people in harms' way. The lack of sound science and meaningful regulation of silica dust is a clear example of the immediate need for citizens to have access to legal resources. They are up against an under-regulated industry that was literally blowing up and hauling away the beautiful hills of the Driftless region.

Midwest Environmental Advocates filed two legal actions on behalf of area families to challenge air pollution permits that didn't meet public health standards in existing law. With Midwest Environmental Advocate's legal and technical assistance, area families are fighting for proper implementation of laws designed to protect the public from dangerous air pollutants. During one hearing, citizens told the judge how every aspect of their lives had been impacted by uncontrolled silica dust from the mining, processing and transport of frac sand.

“We are determined citizens who are trying to protect our natural resources. But we cannot do it alone. A major obstacle to defending our air and water is our lack of legal funds. Every individual court case won by Midwest Environmental Advocates is a huge victory for all of us. Thank you MEA...both attorneys and staff...for the selfless dedication to our causes.”

HEATHER ANDERSEN, *Bloomer WI*

THE GOVERNMENT ISN'T DOING ENOUGH TO PROTECT OUR AIR AND WATER

Protecting our natural resources is an essential

governmental function; it's as basic as effective law enforcement or fire protection. But objective standards to protect public health are often ignored by our state government. Weakened laws that once protected natural areas around rivers and streams put our communities at risk for floods and the destruction of habitats for fish, birds and other wildlife. Dust from frac sand mining and hundreds of millions of gallons of untreated animal waste from industrial dairies have been virtually unregulated by the state. Without a watchdog, citizens' concerns about their health and the health of their environment go unanswered.

Midwest Environmental Advocates' legal work brings accountability back to the essential role of government in protecting public health and the places we love. **Not all actions happen in the courtroom.** Attorneys track, review and comment on pollution permits and proposals to fill in wetlands, and they monitor the effectiveness of enforcement actions. We raise funds to hire experts to provide scientific review of standards designed to protect us from unsafe drinking water and air pollutants known to cause serious illness and disease. People working together, with access to legal and technical resources when they need them, make a difference. Citizens shouldn't have to shoulder the burden of implementing and enforcing our laws, but we're so thankful they do.

“Given the current political climate, it is crucial for citizens to demand that their government act to protect human health and the environment. With the assistance of organizations like Midwest Environmental Advocates, we can organize and take action against polluters or governmental agencies to ensure enforcement of existing laws. If there was ever a time for our voices to be heard loud and clear, it certainly is today.”

DEAN HOEGGER, PRESIDENT,
Clean Water Action Council of Northeast Wisconsin





WE LITIGATE TO GET BASIC HEALTH PROTECTIONS

We all want to be confident that the water

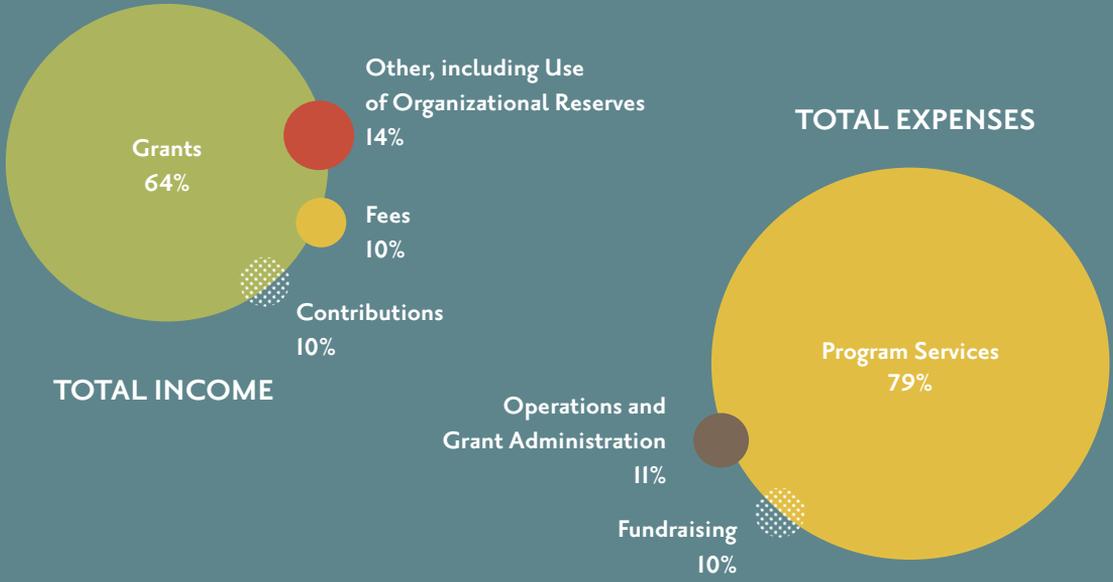
coming out of our tap is safe to drink or that the lake our grandchildren swim in on a hot, summer day is clean. But in Kewaunee County, with a population of just over 20,000 people, drinking water and once healthy trout streams are polluted by industrial livestock operations that produce as much waste as 756,000 people, nearly the population of Milwaukee and Madison combined. Over half the households in the Town of Lincoln have well water unfit for human consumption from massive quantities of untreated animal waste being spread and dumped throughout the landscape.

Citizens whose wells were unsafe to drink from waited nearly two years to have their day in court. Knowing it would be a multi-year effort, Midwest Environmental Advocates assisted committed Kewaunee County residents to challenge a factory farm's water pollution permit. Instead of helping families in need, the DNR issued a permit allowing a known polluter to expand their untreated animal waste production to over 76,000,000 gallons per year. Though families couldn't safely wash their hands with their well water, the DNR issued a permit that didn't meet existing technical standards in the law.

“Without MEA’s expertise and ability to challenge these permits in a legal setting, citizens would have no hope that Wisconsin Department of Natural Resources would ever be forced to protect the public health and safety of Wisconsin’s citizens posed by these operations and DNR’s flawed permitting procedures.”

KEN SCHMITT, *Town of Lincoln, WI*

FINANCIALS



REVENUE AND EXPENSES

FY 2013

Revenues, Gains and Other Support	
Grants	\$444,481
Contributions	66,540
Legal Fees	72,682
Other, including Use of Organizational Reserves	112,478
Total Revenues, Gains and Other Support	\$696,181
Expenses	
Program Services	\$546,150
Supporting Activities:	
Operations and Grant Administration	76,921
Fundraising	64,026
Total Expenses	\$687,097

DONORS

Midwest Environmental Advocates extends our deepest gratitude to those who made a contribution in our 2013. We depend on your support to help us defend our environment. Our success requires a committed staff, an engaged board, dedicated citizens and generous people like you. Please know that every gift you send is valued and directly benefits public health and our natural heritage.

\$100,000 +

Brico Fund
McKnight Foundation

\$20,000 – \$49,999

Joyce Foundation
William H. Lynch and
Barbara Manger
Mott Foundation

\$10,000 – \$19,999

Grant Abert
Patagonia

\$5,000 – \$9,999

CORE
Patrick and Anna M. Cudahy Fund
Barbara and Donald Frank
Deborah Kern

\$1,000 – \$4,999

Anonymous
Ron and Patricia Anderson
Stephen and Susan Carpenter
Carolyn Dry
Craig and Kathryn Hall Foundation
Stacey Herzing
Michael McCabe
Margaret McGuire

Jay and Darci Minorik

Melissa Scanlan
William and Angela Sylla

\$500 – \$999

Patricia Bowne
Arlen and Judy Christenson
Pamela Gates
Danni and Sheldon Gendelman

DONORS CONTINUED

Robert Habush
John Jansen*
Charles and Mary Kamps
Shawn Krueger and
David Deangeles
Dave Marshall
Peter McAvoy and
Jacqueline Boynton
Samuel McCready
Edward and Karel Moersfelder
Carrie Lee Nelson
Kelly Parks Snider and John Snider
Lew and Vicky Posekany
Ron and Paulette Smith
Leonard Sobczak
Gordon Stevenson
Patrick Walsh
Lynn Larsen Williamson
Guy and Joan Wolf

\$250 – \$499

Ann T. Behrmann
William and Ann Beverly
Lynn Broadus and Marc Gorelick
Dana and Patricia Chabot
Dan Collins and Nancy Aten
Paul and Irma Dumser
Bill and Idy Goodman
Sarah Groessl and
Jeffery Masciopinto
Dennis Grzeziński*
Henry Hamilton III*
David Hetzel
Daniel and Lisa Marie Idzikowski
William and Andrea Iwen
Tim Jacobson
Patricia and Fritz Klass
Barbara J. McCarthy*
Peter and Sharon Peshek
Lucia and Pete Petrie
Cricket and Phil Redman
Glenn C. Reynolds
Matthew and Jean Rothschild
Jane Schley
Lauren Williams Steinhäuser
Nancy Watenphul
Kimberlee Wright

\$100 – \$249

Todd Ambs and Beth Wentzel
Curt Andersen
Marie Anderson
Robert Joseph Barton
Andre Beardsley-Dusette
Mark Borchardt and Gwen Stone
Denny Caneff
Victoria L. Cerinich and Peter Wyatt
Erin Chalmers
Jane Collis-Geers
Carol and Douglas Cowgill
Karen Deslieres
John Domino
Nancy Dotlo
Michael Duffy and Charlene Quest
Carol Elvery and Bruce Inkmann
Albert Ettinger and Susan Lannin
Marianne Ewig

Rick Fahrenkrug
Kathleen Falk
Greg Farnham
Anne Forbes and Jim Lorman
Jessica Carrier and James Friedman
Ned and Carol Gatzke
Jennifer Giegerich*
Jim and Rebecca Goodman
Stephanie Greene and Gail Cyrkiel
Bob and Mindy Gribble
Michael Hall*
Hannah and Andrew Harris
Margarete Harvey
Brian and Dianne Henke
Tod Highsmith and Joan Braune
Kolby Hirth
James and Mary Beth Jansen
Hiroshi and Arlene Kanno
Mark Kastel

Joyce Kiel
Beverly A. Kienitz*
Barb Kneer and Alice Holbrow
Charles Kreiemendahl
Mitchell and Carol Kwaterski
Norbert Larson
Betsy Lawton and Chris Freeman
Madelyn Leopold
Jessica Owley Lippmann
Eric Lynn
Steve and Sue Macejkovic
David and Helen MacGregor
Tod Maclay
Lois Malawsky and Dr. Jay Larkey
David McIntosh
Mary Clare Murphy
Angie Nash*
Laura M. Noel*
Judith Perlman
Kenneth Potter
Ruthie and Robert Price
Laura Priebe
George and Mary Reis
Tom and Barbara Richardson
Eugene and Jean Roark
Louise Robbins
Joshua Roemer*
John and Audrey Rosenheim
Michael and Marilyn Sagrillo
Karen Schapiro and Doug Frazer
Kerry Schumann*
Stanley and Ramona Sheggeby
Susan and Melvin Sinykin
Sarah Skebba and
Michael Bernstein
William Stewart and
Phoebe Parsons
Elaine Swanson
Stephanie Tai
Scott and Judy Trembl
Jeanne Wallschlaeger
Ted and Kelly Warpinski
Margaret Webster
David Wernecke
Shahla Werner and Andy Weidert
Christa and Chuck Westerberg
Sharon and Walter Wochos
Karen Wollenburg

UP TO \$99

Anonymous
Brenda Allen-Johnson*
Carol Sue Anderson
Russell Beebe
Sinem Bertling*
Amy Bishop*
Charles Boardman
Mary Bowman
Ann Brummitt
Deborah Cardinal
Wade Carlsson*
Eldeen Carpenter
Susan Conway
Dino Corvino
Susan De Vos
Patricia DiBiase
Gloria and Jerre Duerr
Krista Eastman*
Barbara Eisenberg
Sarah Enz
Judith A. Fitzgerald
Michael Flynn*
Doug La Follette
Harold and Connie Fosmo
Lana Fox
Gerrit W. Friedberg
Jeffery Gahrns
Al Gedicks
Eric and Ann Marie Godfrey
Stu Grimstad and Mary Reser
Stacy Harbaugh
Phillis Hasbrouck
Paul Scott Hassett
Tom and Lenore Heiman
Katie and Tom Heinen
Steven Heinzen and Tess O'Brien-
Heinzen
John Hermanson
Ellen Hinchcliffe
Jay G. Hochmuth*
Jack and Jennifer Holmes
Mike and Judy Howden
Andrea Jacobs
Judy Jolin
Jane and Brian Jones
Heidi A. Kennedy*
James and Liesa Kerler
Louise Klopp
Kris Knoepke and John Szalkowski
Erin Koch
Bernard Kopera
Beverly and Robert Kordus
Annemarie Kresser
Bill Lamb
Kathleen and Gary Lang
Fred Lauing
Kerry and Raymond Leonard
Mary Lewandowski
Bette Lindgren
Sara Mader
Garrick Maine*
Melissa Malott*
Elizabeth and Francisco Martorell
Peggy M. and Michael McAloon
Brynne D. McBride*
Mike McCabe*

Sandra Panosh McSweeney
Ezra Meyer*
Mark F. Miller
William Moore
Yvonne Nehring
Kathy Neidert
Tia Nelson*
Veronica Neumann-Thompson*
Susan M. Nossal*
Jim and Paula Olson
Kathy Oppegard*
Michael O'Rourke
Kathleen Dalsey O'Toole and
Bernard O'Toole
Aurora Otzelberger
Doug Ower
Joseph Pabst
Kurt Pagel
Robert Peterson*
Patricia J. Popple
Robert Pragalz
Dr. Margaret Pulera
Nancy and Gordon Ranum
Glenn Reynolds
David Riemer
Marcia Riquelme
Bobbi Rongstad and Tom Podlesny
Michael Rosenberg and
Cheryl Daniels
Karyn L. Rotker*
Helen and Jake Sarakinos
Anne Sayers*
Lu Schilling
Sue Schneider and
Michael Kuhnen
Tom Schorr*
Laura Schurman*
Katrina Shankland
Bernice Shumway
Jeanne and William Sieger
Dr. Peter Sigmann
Kara Slaughter
Glenn Smeaton
James Smith and Jean Rausch
Roger Springman
Dan and Valerie Stefanich
Catherine Sullivan
Jeff Sweetland and
Margaret Murphy
Suzanne Swift
Eleanor Swift
Mark Toso
Moirä Ulrich*
Cindy A. Van Pelt*
Kirsten Vinyeta
Rebecca Wheeler*
Donald Wichert and Lisa Hancock
Andrea Johnson Wieland and
Michael Wieland
Jennifer and Robert Winding
Kathryn Wolf
Nancy Zucker and Michael Burns

* Donors made gifts to MEA through their Community Shares of Wisconsin and Greater Milwaukee workplace campaigns.

CONTINUE YOUR SUPPORT

We depend on your support to facilitate change. Donate today at midwestadvocates.org



Midwest
Environmental
Advocates

612 W MAIN STREET, SUITE 302
MADISON, WISCONSIN 53703

NONPROFIT
U.S. POSTAGE
PAID
MADISON, WI
PERMIT NO. 237

“Midwest Environmental Advocates has been and continues to be an important player in the constellation of organizations working to protect our resources and hold accountable those who govern their appropriate use. Not only can MEA serve as a catalyst for collaboration among its peers, but citizens deserve the option of taking legal action when reasonable compromise is rejected or when environmental regulations are ignored.”

LYNDE UIHLEIN, *Brico Foundation*