

# EMPOWERMENT We use the power of the law STEWARDSHIP to help you protect our heritage of COMMUNITY healthy water, air, land and government. JUSTICE

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ANNUAL REPORT / 2016



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Advocates



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## DEAR FRIENDS

Because of the generosity of the member Advocates who support this law center, we've had a great year of community-based advocacy on behalf of Wisconsin families suffering from dangerous pollutants in our water, air, and land.

Although this report includes a timeline of our biggest wins and steps toward progress, each victory took years of researching, watchdogging and partnering with citizens to strive for environmental justice.

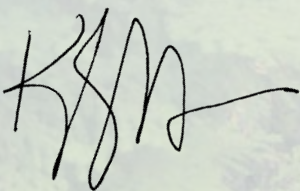
While we have documented an increase in the number of calls to our law center, we take heart in a trend of hearing from local communities who have already started pulling together to solve problems. Grassroots organizing is resurging: smart, engaged citizens are building networks at the local level to share successes in protecting their water from threats like frac sand production and industrial livestock operations.

The number of sustaining Advocates who contribute through monthly electronic transfer donations also significantly increased in 2016. These donating champions provide the steady support that allows us to answer the call. We are particularly proud to answer the calls of individuals, families and citizen groups who find no assistance or unaffordable assistance when they look elsewhere.

What didn't change in 2016? We continued to see the burden fall on citizens to provide meaningful oversight of polluter accountability. Citizen oversight only became more difficult as our DNR was further weakened by legislative budget cuts, not to mention political interference in decision-making that is best left to trained, professional DNR staff. We expect to see what has happened in Wisconsin echoed at the federal level when elected officials ignore the needs of the public in favor of the demands of the highest bidder.

*Our hope remains strong, as we've always seen that in good times and bad, the people of Wisconsin have worked together for clean water and a healthy environment.*

As a law center dedicated to community-based legal services, we get to stand behind them. I'm inspired by the growing numbers of people from all political backgrounds who will not give up on a clean water future when the going gets hard.



Kimberlee Wright  
Executive Director

# HIGHLIGHTS: 2016 PROGRESS AND

In 2016, citizens all over the state held the line on protecting our natural resources.

Whether it was through litigation, opposing controversial proposed laws or in appealing to the federal government, each victory made a difference to a local community and to our future.

Here are some of the highlights:

## JUNE

The state **Legislative Audit Bureau issues an audit of the DNR's water pollution permitting program** showing deficiencies in reporting and enforcement. The results of the audit echo problems outlined in our **Petition for Corrective Action filed with the U.S. Environmental Protection Agency** in October 2015.

PETITION FOR CORRECTIVE ACTION



## MAR 29

After several years of slow to no response from state government in open records requests, **we won a lawsuit which results in improvements and greater transparency in state government records policies** in a victory for public access to government information.

CLEAN GOVERNMENT



JAN

## FEB 15

The state **Senate drops a bill to ease the way for private companies to take over municipal water utilities.** We took the lead on sounding the alarm, working with media, and raising awareness among water access advocates about the costs and risks of water privatization.

DRINKING WATER



## JAN 22

Citizens involved in Green County Defending our Farmland celebrate the state Department of Natural Resources' rejection of inadequate manure waste storage plans for a proposed 5,100-head **concentrated animal feeding operation** in Sylvester, WI. **We partnered with Wheeler, Van Sickle & Anderson to provide legal and community organizing support to assist citizens in raising concerns about groundwater protection.**

FACTORY FARMING

# VICTORIES

DEFENDING OUR WATER: GREAT LAKES

**JUN 21**

The Great Lakes Compact Council approves a Lake Michigan water diversion for the City of Waukesha. **We provided legal analysis and strategy to the The Great Lakes Compact Implementation Coalition** which helped to make citizens' voices heard by decision makers, prevented the approval process from straying from the Compact's mission, and made a positive impact on the terms of the final plan.

FACTORY FARMING

**JUL 14**

**A Dane County Circuit Court Judge affirms our position that the DNR has the power to require basic groundwater protection measures in a CAFO water pollution permit.** Citizens challenged a pollution permit for the Kinnard Farms, Inc. expansion in 2012 and have since been fighting for basic protections in the courts with our legal support. This decision counters the state Attorney General's opinion that Act 21 denies the DNR's authority on matters not explicit in law and shows many examples where the DNR has existing powers and duties in state law to require water protections.



PUBLIC LAND

**OCT 07**

We joined Wheeler, Van Sickle & Anderson to file a motion on behalf of the Friends of the Sturgeon Bay Public Waterfront to challenge a hotel development on public land in violation of state Public Trust protections. **We won in court in early 2017 in a victory for citizen action in defense of their waterfront.**



CLEAN AIR

**OCT 25**

**We filed a petition with the EPA asking for a formal objection to the DNR's approval of the Superior Silica Sands mining permit** which would allow the frac sand mining operation to emit fine dust (PM2.5) in violation of the Clean Air Act.

DEFENDING OUR WATER: MISSISSIPPI RIVER

**NOV 17**

**The Mississippi River Collaborative issues "Decades of Delay," a report on the failures of states and the EPA to prevent nutrient pollution in the multi-state Mississippi River watershed.** We worked with clean water advocacy and legal groups on the state-by-state nutrient audit report that shows how Wisconsin was once a leader in water protection policies, but stronger limits on phosphorus and nitrogen by state and federal elected officials are needed to keep our rivers, lakes and streams clean enough for swimming, fishing and as a source for drinking water.



**JUL 25**

**We join with citizens in testifying in a DNR hearing in review of a draft Strategic Analysis of Industrial Sand Mining.** The in-depth report was prompted by a citizen petition filed with the Wisconsin Natural Resources Board in October 2014.

CLEAN AIR



PETITION FOR CORRECTIVE ACTION

**OCT 10-13**

**Staff from the regional U.S. EPA visit the DNR to do an in-depth file review of water pollution permits, policies and enforcement.** The file review was another step building on the filing of the Petition for Corrective Action on behalf of 16 Wisconsinites who experienced problems with water pollution and the state's non-compliance with the Clean Water Act.



DEC

FACTORY FARMING

**JUN 21**

**Kewaunee County Groundwater Collaboration Workgroups issues final recommendations for improving groundwater protections in the region.** Recommendations are based on months of meetings and discussions among stakeholders – including MEA – in 2015 which were prompted by MEA's filing of a Safe Drinking Water Act petition to the EPA in 2014 along with partnering organizations.

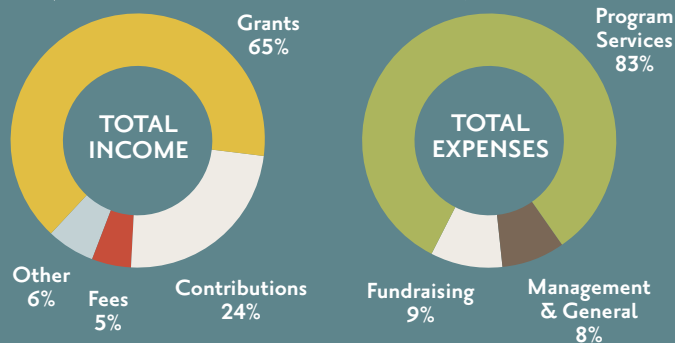
FACTORY FARMING

**SEP 30**

**A Dane County Circuit Court Judge awards fees under the Wisconsin Equal Access to Justice Act in a Kinnard Farms, Inc. CAFO case appeal.** The decision is a rare example of the courts requiring the state to compensate our law center for the expense of pursuing a court decision on an appeal that is so critical to the public interest: ensuring clean water in Kewaunee County. Clean Wisconsin joined us in this challenge to the DNR's approval of a CAFO's water pollution permit in defiance of an administrative judge's orders.



## FINANCIALS



### REVENUE AND EXPENSES

FY 2016

Revenues, Gains and Other Support	
Grants	\$486,171
Contributions	180,278
Fees	40,000
Other, including Use of Organizational Reserves	45,349

**Total Revenues, Gains and Other Support** \$751,798

Expenses	
Program Services	\$623,850
Supporting Activities	
Management & General	63,816
Fundraising	64,132

**Total Expenses** \$751,798

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## **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.

