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 / 2015
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.

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DEAR FRIENDS

Throughout 2015 I heard people express concern that it was hard to watch such blatant destruction of our long-standing traditions of good science and meaningful opportunities for all to participate in decisions that impact our lives today and those of our descendants. I don’t want to give anyone the idea that we aren’t up against the worst assault on our clean water future since the passing of the Clean Water Act in 1972.

But no, I’m not at all discouraged.

For every elected official abusing the power of their office by fast-tracking rollbacks to our hard-fought environmental protections, there are hundreds of good men and women inside and outside government working to recover our position as one of the leaders in using sound science to protect and restore our clean and abundant water.

One of the most egregious trends in state government is the repeated assault on local control. It’s as if all of us are supposed to cower to special interests that fill campaign coffers rather than rolling up our sleeves to do the work that protects public health and the environment.

Fortunately, I don’t know any part of the state where there are not actively engaged citizens working to build their communities and a sustainable future.

Red or blue, it just doesn’t matter when people work together to chart a course forward by putting the health of their families and their environment first. Just because there is an entrenched partisan stalemate in state government, it won’t stop local innovation.

Midwest Environmental Advocates spent every moment in 2015 helping these citizens exercise their rights and use the power of the law to protect our clean water, air and land.

Whether it was through litigation over pollution and safety concerns related to factory farm manure and dangerous crude oil-by-rail transport, empowering Tribal governments to fight for the integrity of their ancestral land in frac sand country, and even appealing to the U.S. Environmental Protection Agency when our state government fails to protect its people, this law center was committed to stand with citizens long after the headlines of yesterday’s political controversies were forgotten.

I’m happy to report that communities throughout Wisconsin are winning and they certainly aren’t backing down. Here are the stories of just some of the uncompromising champions who are making a difference. We’re proud to stand with them.

Thank you for standing with us.

Kimberlee Wright
Executive Director
When Doug Jones and his wife, Sherryl, built their home in Spring Green 15 years ago, they had a vision of a peaceful, rural life on a restored prairie to enjoy with their grandchildren. Their land included an 11-acre oxbow lake and sloughs connected to the Lower Wisconsin Riverway.

“When we moved here, the water in Norton’s Slough behind our home was pristine. You could see the sandy bottom, and lily pads and other aquatic plants and fish species were thriving,” said Doug. “But by 2010, the water’s surface looked like a golf course, like you could walk across it. And the plants and fish in the water declined.”

Doug and Sherryl were among the many Wisconsin residents who spent years of their time, passion and resources to protect and improve our state’s water from sources of pollution like the agricultural runoff that impacts the Jones’ drinking water wells.

With the help of Midwest Environmental Advocates, 16 residents came together to file a Petition for Corrective Action with the U.S. Environmental Protection Agency. The petition asks the EPA to help Wisconsin’s Department of Natural Resources bring our water pollution back under control.
"Of course the EPA needs to step in. Our DNR’s mission is to protect our health and the environment. If we can’t get the help we need from the DNR—or if our Governor and state elected officials are putting other agendas before the health of our drinking water and rivers—we need action from the EPA.”

DOUG JONES, Spring Green
On October 20, 2015, sixteen citizens filed a Petition for Corrective Action with the U.S. Environmental Protection Agency. The Petition was the result of years of citizen action, litigation and community organizing.

The goal of the Petition is simple: we need the EPA’s help to guide the Wisconsin Department of Natural Resources back into compliance with the federal Clean Water Act. Many states have filed these petitions, but true to the mission of Midwest Environmental Advocates, putting citizens’ experiences and voices first was essential for the Petition to be successful.

Petitioners’ stories touch many facets of Wisconsin’s water problems: factory farm manure in drinking water wells, green algae blooms in lakes, beach closings due to unsafe bacteria levels. All their stories have one thing in common. They have worked hard for years to be a part of a Wisconsin where the government puts the health of citizens and the environment first, but they have faced barriers that conflict with their rights and federal law.

Only through meaningful changes in our state’s laws and environmental regulations will citizens be able to enjoy the swimmable, fishable, drinkable water we once had due to the success of the Clean Water Act.

If the Petition for Corrective Action is successful, we will see progress after:

- The EPA holds a hearing in Wisconsin to give members of the public a chance to describe how worsening water pollution problems impact their lives,
- The DNR issues water pollution permits that fully comply with the federal Clean Water Act, and
- State legislators take action to fix Wisconsin’s laws to give the DNR the authority to implement and enforce the Clean Water Act.

Find the complete petition, resources and more at midwestadvocates.org/pca.

“I signed onto the Petition for Corrective Action because respect and reverence for the land could use a little help.”

ELAINE SWANSON, Town of Pickett, WI
It was always the desire of the people of Wisconsin to have a fair fight that drove the Petition for Corrective Action. This effort was, literally, many years in the making.

Midwest Environmental Advocates was there for citizens over the years in support of the community organizing, education about public rights in the environment, and litigation as a last resort. A piecemeal litigation approach to protecting our natural resources is effective, but stressful, costly, time consuming and frustrating for citizens to take on.

We needed a larger strategy to connect the people across Wisconsin who felt isolated in their efforts to protect clean water, even though their struggles are all too similar.

What all these Petitioners – and all the Wisconsinites MEA serves – have in common is how our government denied them a seat at the decision-making table. While our legislators wrote laws and environmental rules, and while our Department of Natural Resources issued pollution permits, some affected entities were involved—industry and developers—but the public was absent. And without the involvement of people, those who have to live day-to-day with the impacts of pollution, the laws and rules weren’t serving them. Because of that, our state’s water quality wasn’t improving despite the gains made after the passage of the Clean Water Act.

The Anderson decision was a real turning point. It was a state Supreme Court decision that essentially said the DNR doesn’t have to follow the Clean Water Act unless the U.S. Environmental Protection Agency makes the DNR do it. We were seeing polluters have more and more access to the people who were writing environmental regulations. Legislators warped the rules to give polluters an out. And then we had a court decision that said the EPA was the only entity that could do anything about it.

Luckily we have amazing people in Wisconsin who are confident in standing up for themselves. We knew we needed a holistic approach to presenting the story of these statewide problems and develop a powerful avenue of citizen engagement: the Petition for Corrective Action to the EPA.

There’s a lot of heart behind the Petition and it’s a part of MEA’s culture to fight for people and what they believe in. Putting the Petitioners first is what will make this effort have a better chance of resulting in some justice.

Midwest Environmental Advocates thanks Betsy Lawton for her dedication and service to the law center’s mission. The Petition for Corrective Action includes the culmination of many years of her litigation and policy efforts. Her work in environmental law continues in Minnesota.
The Petition for Corrective Action is the result of years of community organizing, citizen engagement in local – often rural – communities, making legal assistance available to the public for low or no cost, and litigation when necessary.

Through it all, Midwest Environmental Advocates puts the public interest first, always.

When political organizing isn’t enough and when our state government fails its people, we have to call in the EPA. We know it can lead to progress. We were a part of the 2014 petition to the EPA to empower Kewaunee County citizens to demand clean drinking water under the Safe Drinking Water Act. It got the EPA’s attention and brought citizens like Lynn and Nancy Utesch and the DNR to the table for dialogue.

But Wisconsin’s water pollution is a statewide problem too. And it requires a statewide solution. Midwest Environmental Advocates has the legal and technical expertise to be an effective part of the defense of Wisconsin’s natural resources.

The Petition for Corrective Action is just a part of the work of Midwest Environmental Advocates’ law center. Find information on litigation, community engagement, blogs, events and more at midwestadvocates.org.

“We’re glad we’re being heard by the Wisconsin DNR. But once pollution gets into the water, it’s difficult and expensive to fix. At the end of the day, there is no way to compromise over clean water.”

LYNN AND NANCY UTESCH, Town of Pierce
### REVENUE AND EXPENSES

#### FY 2015

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<th>Source of Income</th>
<th>Amount</th>
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<td>Grants</td>
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<td>Legal Fees</td>
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<td>Other, including Use of Organizational Reserves</td>
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<td><strong>Total Revenues, Gains and Other Support</strong></td>
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<th>Category</th>
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<td>Supporting Activities:</td>
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<td><strong>Total Expenses</strong></td>
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**FINANCIALS**

**TOTAL INCOME**
- Grants: 49%
- Contributions: 24%
- Other (including Use of Organizational Reserves): 25%

**TOTAL EXPENSES**
- Fundraising: 7%
- Operations and Grant Administration: 12%
- Program Services: 81%

**Notes:**
- **Revenues, Gains and Other Support**
  - Grants: $318,950
  - Contributions: 155,775
  - Legal Fees: 15,200
  - Other (including Use of Organizational Reserves): 162,296
  - **Total Revenues, Gains and Other Support**: $652,221

- **Expenses**
  - Program Services: $527,261
  - Supporting Activities:
    - Operations and Grant Administration: 77,876
    - Fundraising: 47,084
  - **Total Expenses**: $652,221
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“It shouldn’t take a lawsuit to make Wisconsin’s Department of Natural Resources protect the rivers and lakes we all share.”

CHERYL NENN, Milwaukee