

Natural Resources Board wants answers on 'surprising' DNR audit

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The annual Take a Stake in Our Waters shoreline trash and aquatic debris collection is set for two Mondays in July on the four Yahara lakes in Madison and Dane County

The Natural Resources Board wants answers about an audit that found the DNR wasn't enforcing water pollution laws, including those aimed at runoff from dairy farms that contributes to beach closings and unnatural growths of weeds and algae that limit use of lakes and streams. Above, Camp Randall Rowing Club members clear clots of weeds around their Brittingham Boathouse pier on Monona Bay in Madison.

Members of the Wisconsin Department of Natural Resources' policy-making board were surprised and disappointed by an audit that cited serious shortcomings in state enforcement of water pollution laws, chairman Terry Hilgenberg said Tuesday in his first public comments on the study.

Hilgenberg said he has asked DNR Secretary Cathy Stepp to respond at the next Natural Resources Board meeting.

“We want to have a dialog with the secretary to say, ‘What are we going to do about all this stuff to make sure it’s not going to happen in the future?’” Hilgenberg said.

Hilgenberg said the board understands the DNR must balance many competing demands while working with limited staff, but all possible efforts must be made to protect the state’s water supply and other natural resources.

Over the last 10 years the DNR failed 94 percent of the time to take enforcement action against sewage plants and industries that exceeded water pollution limits, violating its own internal policies, the nonpartisan Legislative Audit Bureau said in its report.

DNR employees didn’t have time to adequately review annual reports submitted by concentrated animal feeding operations or plans describing how millions of gallons of manure they generate annually would be kept out of lakes, streams and groundwater.

The DNR didn’t meet its goals for inspections and failed to document that it took any action for months or even years in five incidents where monitoring wells showed feedlots were contaminating groundwater with substances harmful to human health, auditors said.

State Sen. Rob Cowles, a Green Bay Republican and co-chairman of the Legislature’s audit committee, said last week that the Legislature should act as soon as possible to allow the DNR to keep more of the fee revenue it collects from polluters so it can hire enough employees to enforce the law.

“I can tell you the DNR board is steaming mad,” Cowles said last week. “This was a surprise to them. Three of them called me, and a lot of my constituents did, too.”

Leaders of the Legislature, which cut more than 90 positions from the DNR’s budget last year, haven’t publicly commented on the audit.

A spokesman for Gov. Scott Walker said any changes in DNR funding will wait until a new budget is enacted next summer.

Walker spokesman Tom Evenson said the DNR had already addressed some audit findings and was working on others.

In a letter to the audit bureau, Stepp said proposals were being formulated to provide tighter controls on manure in regions of the state that are especially susceptible to ground water pollution.

But a public interest law firm that has frequently challenged the DNR for lax enforcement said the agency has announced no plans for increased groundwater monitoring, and it is moving too slowly on changing regulations and practices to protect places like Kewaunee County where it’s been known for years that one-third of tested drinking water wells are polluted.

“DNR has authority to move faster to get people money for clean drinking water whose wells are contaminated with manure,” said Sarah Geers, an attorney for Midwest Environmental Advocates. “In addition to the well compensation program, there is a spills program provision that allows DNR to distribute funds to get people clean drinking water.”

The DNR has been under fire for the way it protects the state's waters at least since 2011 when the U.S. Environmental Protection Agency listed 75 deficiencies in laws, rules and policies. Four of the problems have been cleared up. The state audit provided new details about the shortcomings.

Hilgenberg said board members were told several months ago that the audit was being performed, but Stepp and her staff didn't update them about the seriousness of the findings before the report was released to the public June 3.

"Board members were being contacted by the media and by other individuals," Hilgenberg said. "They're at Rotary and they're getting asked 'What the hell is all that about with that audit?' and they hadn't been apprised about all of it. That could create a little angst."

DNR spokesman Jim Dick said the **Natural Resources Board** will be briefed on the audit when it meets **June 22 in Richland Center**.

"We look forward to reporting to the NRB at next week's meeting on the LAB report," Dick said. "We were planning to make such a report even before the chair's (press) release came out (on Monday)."

It's wasn't clear Tuesday if Stepp would appear at the meeting.

The seven NRB members are appointed by the governor to six-year terms. Walker appointed six of the current members, including Hilgenberg. Walker also appointed Stepp to her post.

Hilgenberg said he believes Stepp is doing a very good job in difficult circumstances. The agency is still trying to hire and train new employees after losing large numbers of experienced people to retirement, he said.

An aging workforce and trepidation about Walker's rollbacks of state employee union rights, take-home pay and benefits contributed to record numbers of retirements across state government in 2011. Walker said changes were needed to close a large budget gap.

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