



**CLEAN WATER ACTION COUNCIL  
OF  
NORTHEAST WISCONSIN**

**Midwest Environmental  
ADVOCATES**  
*pro bono publico*



**FOR IMMEDIATE RELEASE**

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**Conservation Groups Challenge State's Urban Stormwater Permit**

Madison – On Wednesday, Friends of Milwaukee's Rivers, Clean Water Action Council of Northeast Wisconsin, and individual residents, through attorneys Midwest Environmental Advocates, filed a lawsuit aimed at protecting urban rivers and streams.

The groups are suing the Wisconsin's Department of Natural Resources challenging Wisconsin's Municipal Separate Storm Sewer System (MS4) General Permit. The MS4 General Permit controls urban runoff, including runoff from curbside and parking lot storm drains. According to the suit, the Permit allows cities to increase pollution and lower water quality in high quality waters, contrary to federal Clean Water Act requirements.

"Urban runoff is one of the largest sources of water pollution in Wisconsin," says Cheryl Nenn, the Riverkeeper for Friends of Milwaukee's Rivers. "As Wisconsin cities grow, rivers will continue to deteriorate unless we take steps to limit stormwater runoff."

Urban stormwater sends loads of salt, oil and grease, phosphorus, bacteria, and dirt into rivers and streams. Parking lots and other paved surfaces often drain directly to nearby waterways. As a result, once thriving rivers are declining and losing vital plant and animal life.

"The most efficient and effective way to protect our waters is to set limits on new sources of polluted runoff," according to Rebecca Katers, Executive Director of Clean Water Action Council of Northeast Wisconsin. "By limiting urban runoff we will be protecting the waters that are closest to our homes and neighborhoods," she added.

According to the suit, the State's MS4 General Permit violates the Clean Water Act by allowing cities to increase runoff and lower water quality. Additionally, the Permit fails to require water quality monitoring, a necessary tool for judging the success of the Permit's requirements. To highlight alternatives that could be used to reduce stormwater, the groups point to a long list of parking lot and building designs that are used in cities across the country to absorb stormwater on site and replenish groundwater.

"If we want to protect the waterways we use most, we need to monitor water quality and make sure we are designing new developments in a way that avoids unnecessary pollution," stated Brent Denzin, attorney for Midwest Environmental Advocates, Inc.

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### **FAST FACTS**

- A paved surface is estimated to cause 16 times more runoff than an un-paved field. Maryland Department of the Environment, "Stormwater Manual," Chapter 1, Article 63: "Why Stormwater Matters." p. 25
- An average of 27,600 gallons of stormwater runs off a one-acre asphalt surface during a one-inch rainstorm. North Carolina State University Cooperative Extension Watershed Education Network, "Despite Rainy Season, Don't Run from Runoff."
- Currently, cities are expanding at a rate three times faster than population growth, leading to more paved areas and more urban stormwater.
- Friends of Milwaukee's Rivers' (FMR) is a non-profit dedicated to protecting water quality and wildlife habitat and advocating for sound land use in the Milwaukee River Basin. FMR is a member of the Waterkeeper Alliance, an international coalition dedicated to protecting and restoring our world's waterways, and is the licensed Riverkeeper® for Milwaukee.
- Clean Water Action Council is a local, non-profit citizen organization in Northeast Wisconsin working to clean up and preserve the environment for protection of public health and wildlife.
- Midwest Environmental Advocates, Inc. (MEA) is a non-profit environmental law office committed to protecting the public's right to clean air, clean water, clean government, and responsible land use.