

No Environment Attorney
By Shamane Mills
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(STATEWIDE) The state no longer has a special attorney to protect the environment. Eight years ago, during the Tommy Thompson administration, the office of public intervenor was eliminated. Some calling for its return are saying the position is needed now more than ever.

The call for restoration of the public intervenor's office comes in the wake of a new process making it easier to get air and water permits. Environmentalists are concerned the new law will have a negative impact: for instance, those building homes or putting in piers could damage fish habitat. State Attorney General Peg Lautenschlager has expressed deep concern over what was dubbed the "Jobs Creation Act" but wouldn't comment on the possibility of her office filing a lawsuit.

Some contend the new law violates constitutional protection of Wisconsin waters. If Wisconsin still had a public intervenor, proponents say that independent attorney would take on this and other legal battles. Now, it's up to nonprofit groups or the Attorney General.

Lautenschlager says she doesn't have authority in all cases, and she doubts whether all violations are even being sent to her office for possible prosecution. She says everyone loses when the environment gets caught up in partisan politics. She says clean water and clean air are hard to get back, and Wisconsin faces a number of environmental problems.

Republican Senator Neal Kedzie says the state doesn't need a public intervenor. The author of the highly-touted groundwater protection bill says legislators don't need help shaping environmental law and don't need another office ensuring those rules are followed. He says the Attorney General's office has been overly aggressive in some case in pursuing as what they see as violations.

The nonprofit group Midwest Environmental Advocates has tried to fill what they say has been an environmental void since the elimination of the public intervenor. The group's attorney, Jodi Habush-Sinykin, says campaign donations sometimes influence lawmakers and bad laws get on the books, resulting in mercury-polluted lakes and dirty air that causes asthma.

She says without the intervenor's check and balance to the state's Department of Natural Resources and other state agencies, the enforcement of state and federal laws has declined.

It's estimated that restoring the public intervenor's office would cost between \$200,000 to \$300,000. Supporters believe this is a small amount to pay for something they say is too valuable to lose.

Opponents say citizens now have more authority to challenge environmental violations and that a public intervenor is a relic who often butted heads with farmers and homeowners when siding with environmentalists.