

The Door County Environmental Council News



March 2021



“Fostering the preservation of Door County’s rich heritage of natural resources for the health, welfare, and spiritual uplift not only of its inhabitants, but of generations to come.”

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Escape... to Door County, Wisconsin, or from Door County, Wisconsin?

Reflecting on what I consider Norb Blei’s most important hypothesis.

Several months ago I wrote an essay in which I praised the inherent and natural uniqueness of my lifelong home, Door County, WI. That essay won me the Norbert Blei Memorial Scholarship, which is named in honor of the late Door County writer and is given to a young writer who, like Blei, manifests a fondness of the innate beauty Door County boasts in their writing.

Being the fan of Blei I am, it was an honor to have won the scholarship. I never knew the man, but I think he would have chuckled knowing the scholarship in his name went to the future son of a teenage guy—my father—who took Blei’s daughter to the junior prom.

That’s one thing about Door County; we all know and have connections to one another here. It’s an aspect of its charm.

The first thing that comes into most peoples’

minds when they hear the name “Norb Blei” is usually that he was a great writer and articulator, and indeed he was. However, when I think of Blei, I think of him as more of an activist who used the medium of writing to communicate his philosophies. And of his activism, speaking in support of preserving Door County’s natural resources was always at the forefront.

My grandparents tell me Blei was a man always surrounded by controversy. My grandma worked for two months at Al Johnson’s and recalls Norb being a regular at the locals’ table, carping about all the horns honking and the constantly increasing number of tourists flowing in each year.

His thoughts on tourism and the growing commercialization of Door County became part of his column in the Door County Advocate, but his unyielding, blunt and often satirical writing style cost him that column in 1981. Blei analogized running a newspaper to being a bartender, saying “you don’t want to alienate anybody,” which he

admitted his columns did.

Being a great writer doesn't just mean that one must be skillful at articulating. It means that the writer must have thoughts and ideas to articulate, and reasons to do so. We can admire the technical aspects of writing—the coherence, the organization, the brevity, and the vocabulary—as we would any art. But writers like Blei don't write because they want their writing to be admired for its technicality. Rather, they write because they see it as an effective way to bring about change.

Even in my less than two decades living in Door County, Blei's dogma regarding what has come of the abiding propagation in our county has become one I share. Despite his warnings over several decades, it has become worse every year, and exponentially worse since his death in 2013.

In 1981, when my family first migrated to Door County from Crystal Lake, IL, for a short period of time they lived in a house that no longer exists about three houses down from the one I grew up in. Why isn't it there anymore? You guessed it, condominiums.



Sister Bay Marina and condos on the bluff

Photo by Mike Bahrke

Of course there will always be a contempt among locals for the amount of tourists that visit each year (and their poor driving), but at what point do we begin to understand and embrace the wisdom in Blei's words, and not just brush off the late genius's work as the scrawlings of a grumpy old man just longing for some peace and quiet?

Blei made his thoughts on the propagation and branding of Door County known throughout his life, and in reflecting on and admiring his life, it's often convenient to forget about them. Do we not owe it to the man to at least consider the merits of what he thought Door County should be? Or even more so, what it once was?

My dad hung out in the old mill and lumber yard across the street and stepped in soil now covered with massive condos and an unused tennis court.

When I was young I went to play at the house that survived the development, the one everyone calls "the banana house" for its yellow siding. My brothers and I would get excited to visit the house because our neighbor Susie would let us play with her toy swords and shields. When Susie and her family moved out, the place served as affordable housing for local service workers.

Now, an offer has been made on the property by a developer who is looking to turn it into

a 14-unit condominium complex.

Every morning when I would walk around my hometown of Sister Bay, I saw that more construction had been completed on the new three-story hotel building that sits atop the hill I once rolled down and where I tossed a football with my brothers while my dad cooked at the Sister Bay Bowl and my mom taught at Gibraltar High School.

Since then, I've moved to Chicago for college, and frankly, a much-needed change of scenery. I felt as though in order to escape the development, exploitation, and propaganda that characterize the concrete jungles and the commuter belts, I needed to escape from Door County, rather than to it.

I am not old, but I am undoubtedly old enough to understand the sentiment "Door County's not the same anymore," which I have heard countless times throughout my life in Door County.

Regardless of which Door County "era" is juxtaposed with the present, it seems the Door County locals with whom I've come to develop relationships, from friends and relatives to gas station clerks, all agree that it's true. Door County is not the same anymore.

In December 1986, exactly 34 years ago to the day from the time I began writing this, a letter to the editor written by Norb Blei was published in the Door County Advocate in which Blei speaks of the sense locals share—albeit often silently—that

Door County is constantly changing for the worse. Blei, whose strife for almost every aspect of civilization made him both famous and infamous in the county, attributed the widely-held notion that "Door County's not the same anymore" to this prevalence of property development and tourist-hawking.

The letter was written in response to the change in ownership of the Door County Advocate, which Blei claimed was a part

of the broader commercialization of Door County.

"The sale of the Advocate is no different than the closing of another cherry processing

plant, farm acreage chopped into house lots, the loss of bluff and shoreline property to yet another condo development..." Blei wrote. "And each move rationalized as a contribution to the advancement of the county, when in truth the magic of what once was is almost gone and the landscape grows less and less appealing, and more and more like the urban sprawl and tourist traps people wish to escape from."

I think that there are many more reasons for me to have this view in 2020 as opposed to in 1986, when Blei communicated it. All the things that Blei loathed—development, commercialization, gift shops and motels—are as rife as the tourists are in Door County these days. Not even a worldwide pandemic that posed the most severe health risks to the demographics that greatly characterize Door County could stop (or even slow) the incessant propaganda, the condo development, and the removal of nature for more money.



*New construction atop the Sister Bay hill
Photo by Mike Bahrke*

The worst part of all of this is that many locals and tourists alike have been blandished into thinking all of the condo development and new businesses are positive because they are erected in the name of “progress” or “beauty,” or for “the good of the county.”

“Much of what diminished the bare-bone beauty of this county is a falseness growing like a cancer upon the landscape, which certain mindsets and forces seem hell-bent on perpetuating,” Blei wrote.

“The good of the county” is already here, and it always has been. It’s the landscape, not what buildings or people sit atop it. Yet, the landscape was never good enough, was it?

In Norbert Blei’s absence, I think it’s important that I continue to argue that the landscape is enough, and will always be enough—that is, if it is preserved.

That said, I am happy to have taken a role as a member of the Board of Directors for the Door County Environmental Council, on which I will advocate against the accelerating commercialization and for the preservation of what makes Door County, well, Door County. I believe the biggest threats to the landscape have been and continue to be overtourism and overdevelopment, which is why I also believe that we (they) must sacrifice profits in order to protect the rich natural resources.

We all can gripe after more affordable housing is replaced with another condominium complex or gift shop, or we can say “that’s enough.” There will be hundreds of gift shops and festivals that come and go, but there will only ever be one Door County.

By Solomon Lindenberg

Back 40 Mine Update, Wetland Permit Denied!

One step closer to saving the Menominee River and our water quality!

On January 4, 2021, Administrative Law Judge Daniel Pulter of Lansing, Michigan denied Aquila Resources of Toronto, Canada, their much needed “Wetland” Permit for the proposed Back 40 metallic sulfide mine. Only a mere 750 ft. deep, the open pit mine would be only 50 yards away from the banks of the Menominee River. The Menominee River is the largest river tributary source to Green Bay and Lake Michigan. It is also the ancestral tribal grounds of the Menominee Indian Tribe of Wisconsin.

Back in June 2018 the Menominee Indian Tribe of Wisconsin, the Coalition to SAVE the Menominee River and landowner, Tom Boerner, contested the previously granted wetland permit that Aquila Resources had received from the Michigan Department of Environmental Quality (MDEQ), now retitled as the Michigan Department of Environment, Great Lakes, and Energy (EGLE). The wetland permit was the last of four permits required before mining operations could begin.

The DCEC wants to thank those environmental groups for their determination to save this important river ecosystem from metallic sulfide mining. No sulfide mine has ever been free from acid mine drainage (AMD is a sulfuric acid rich liquid) escaping into the environment. AMD will persist for hundreds, if not thousands, of years into the future!

Two provisions of the wetland permit in question were contested by the

Menominee Tribe, River Coalition, and citizen landowner, Tom Boerner. The first permitted provision contested was about the Michigan EGLE's allowance for the disruption or removal of a significant portion of the wetlands within the proposed mine's boundaries. The second provision contested was the proposal for a pipeline from a mine water treatment facility into the river. This pipeline would discharge 1,000,000 gallons of "degraded" mine waters into the Menominee River on a daily basis.

The contested permit case was actually a review of the June 4, 2018 decision by the Michigan Department EGLE of the wetland permit which was granted to Aquila Resources with numerous conditions that would still need to be adequately addressed before mining operations could begin. These added conditions to the granted permit, apparently, were an unprecedented deviation from the lawful compliance with Michigan laws. Conditions for Michigan mining permits are to be fully and satisfactorily addressed before issuance.

Judge Pulter's decision was part of the Michigan Office of Administrative Hearings and Rules procedures, not by a court of law which, therefore, can be appealed to a technical review panel and then to a Michigan trial court. Since the permit's denial, Aquila Resources has appealed the decision. Also, a number of Upper Michigan lawmakers released a statement in opposition to the judge's decision citing that the decision was based on "misinformed environmental rhetoric" and "what if" scenarios.

The Coalition to SAVE the Menominee River, Inc. was one of the parties to the contested case. In their response to the lawmakers statement they "found it hard to

believe that these elected representatives took the time to actually read the 76 pages of Judge Pulter's decision, based on their statement. The reasons for denying the permit had nothing to do with 'misinformed environmental rhetoric' but instead were based on the expressed requirements of Michigan law." For a full account of the Coalition's statement as provided by WLUC-TV6, visit uppermichiganssource.com and search Menominee River Back 40 Mine.

It seems that Aquila Resources has continued to submit sub-satisfactory estimates of the major environmental impacts upon this fragile wetland and the ultimate negative impacts on the Great Lakes ecosystem.

This issue is not over and is far more reaching than this update. For more information and a more complete account of Judge Pulter's decision visit:

Back40film.com

Wisconsinrivers.org

Jointherivercoalition.org

Uppermichiganssource.com (then SEARCH Menominee River)

By Paul Leline



Garlic chive blossom Photo by Mike Bahrke

Washington Island Quarry

The Jordan/Hagen Non-Metallic Mine was approved even after surrounding neighbors objected and appealed. This mine, while seemingly small, was “a first and unique” for the County and presented many problems. Following the failed appeal by the surrounding neighbors, the conditions were re-written. However, they excluded much of what the applicant had earlier agreed to adhere to and also provided very few protections requested. Even the final reclamation plan, at minimum, failed to protect any of the concerns of the neighbors. It was decided by Door County Soil and Water, the Wisconsin DNR (WDNR), and Wisconsin Fish and Wildlife (WFW), that an *adaptive management strategy* would be implemented to allow for a multi phase approach. The now approved mine is located near and within the Hine’s Emerald Dragonfly Buffer Zone, as mapped by the 2008 Natural History Survey Maps.

Phase One of the adaptive management strategy applied to this permit allows for a one acre portion considered the furthest from the Buffer Zone areas protecting the Hine’s Emerald Dragonfly. Phase One has no required baseline studies. The Phase One portion is to be closed, implementing the scant reclamation plan prior to allowing Phase Two. The Phase One mine pit is proposed to become the holding area for Phase Two water retention. No studies have been required, and neither WFW nor WDNR say they have the authority to require any such study prior to either phase. (This is a strange way to grow a mining operation in a precarious location.)

Currently the owner, Jordan, through the hired engineering firm, has notified the nearby neighbors (required in the

conditions) that explosive operations will begin “on or near” Feb. 21, 2021.

The enforcement of the few conditions that were applied and policing of the daily activities have been clearly indicated to the surrounding neighbors. It is said that Door County Soil and Water will periodically view and monitor compliance.

There is a current request to adopt a *sound ordinance* on the Island which would help address the increased trucks and heavy equipment used at this mining operation as well as across the entire island.

There is also an initiative to create and add a new Zoning Ordinance on the Island using the example ordinance originally drafted by the Midwest Environmental Association that was provided to the Ridges Sanctuary in 1995. The ordinance would overlay the Buffer Zones identified as protecting the Hine’s Emerald Dragonfly and clarify safe development locations, thus further protecting water quality on the Island for its future growth.

The DCEC is working in conjunction with residents in areas of Door County that include HED Critical Habitats, to adopt this ordinance to prevent future development that may compromise the habitat.

Since the Jordan/ Hagen Non- Metallic Mine was permitted via an approved zoning change using a Conditional Use Permit Application in Door County, the non-metallic mine has been, and is still, considered problematic. This mine located on Washington Island—a land mass of no more than 5x7 miles—is located dangerously close to the Big and Little Marshes. The Natural Historic Survey

Maps of 2008 indicate that surface waters travel directly to both marshes on the island. The concern for the proximity of the groundwater retrieval areas feeding these marshes is the fragile nature of the well known karst and dolomite rock formation under much of Door County. The percolation and filtration of groundwater activity on this unique strata directly impact the aquifers below. The Jordan/Hagen pit-style non-metallic mine will further hasten the delivery of surface waters which run directly into the breeding waters or nursery of the larva of this endangered species. While seemingly “just a bug,” the Hine’s Emerald Dragonfly is the “canary in the coal mine” of our own water quality.

*By Juliann Gardner (Washington Island)
and Lora Jorgensen*

Spring Highway Cleanup 2021

The Door County Environmental Council will host a Highway Cleanup Event scheduled for Saturday, May 22, in Egg Harbor. Safety will be a concern and we will practice safe protocols and distancing.

Our area of cleanup starts in town where Highway 42 and County E intersect. We meet at the vacant parking lot near Brilliant Stranger and hike to County EE just past Hyline Orchard. The distance is easy walking with only two slightly steep areas.

We provide the trash bags, gloves and safety vests. Hopefully you will be able to join us on **May 22, at 1:00 pm.**

If you can participate, please let us know by email or phone: contact@dcec-wi.org or (920) 743-6003.

Door County Environmental Council Scholarship 2021

We are now accepting applications for the DCEC scholarship. Candidates should be strong seekers of advocacy for socially responsible development and recreation within Northeast Wisconsin.

To submit an application, download the application at <https://www.dcec-wi.org> or go to UW college websites.

High School Senior:

- Include resume highlighting volunteer/community activities
- Two page, double spaced summary of yourself and your commitment to preserving natural resources
- Three reference letters and a school transcript

College Junior/Senior

- Include resume highlighting volunteer/internship or community activities
- Two page, double spaced summary of yourself and your commitment to preserving natural resources
- Three reference letters, school transcript, and current college enrollment

Award Criteria

- Must be a US citizen or legal permanent resident
- Current GPA of 3.0 or higher

Submission and Deadline

- Must be received by April 15, 2021
- Winners will be chosen on or before May 21, 2021
- Submit your completed application packet to contact@dcec-wi.org.

Who Needs Zoning?

Some people ask, why do we have any zoning in Door County? We just don't need it. These folks feel that zoning unfairly restricts what they can do with the property they own. They believe that since they purchased their land, and pay their real estate taxes, they should be able to do whatever they want with it. After all, they feel the property is theirs and believe nothing should restrict their use of it. The short answer to that view is that we live in an integrated community. What you do on your property directly affects others. Ours is a nation of rules and laws that both restrict and protect us. Zoning helps allow people to have a peaceful and orderly society. Zoning laws are created for the simple purpose of protecting the health, safety, and general welfare of citizens as it relates to land use. These rules help protect our land values by keeping incompatible or unsuitable uses away from our property. Good zoning actually makes property more attractive and valuable, as it informs would-be developers exactly what the subject land may be used for.

Currently, the Door County Comprehensive Zoning Ordinance is in effect in nine of the fourteen towns in Door County. These nine towns, through their voluntary enrollment, are covered by the county's Comprehensive Zoning Ordinance. Two Door County towns, Brussels and Union, are not covered by Door County Zoning, but have their own town-level zoning ordinances. Three towns, Egg Harbor, Gardner, and Nasewaupée, have no zoning ordinances. The Town of Egg Harbor does, however, have some land use rules. All fourteen Door County towns are covered by Door County Shoreland Zoning which sets rules as to what may be done within 1000 feet of the shoreline.

The problem with having no zoning ordinance in place is that it effectively eliminates a town's ability to stop any unwanted property use, no matter how offensive it may be, to residents. Recently a quarry was proposed for property in the Town of Gardner, right next door to existing homes. Neither the town, nor the county had the ability to do anything about it unless it violated existing environmental law(s).

In my opinion, all Door County towns and villages need to have zoning. If they don't, anything goes, and a town's citizens have no protection. We need to plan with the end in mind. What is it we want Door County to look like when it's fully developed? Door County has such unparalleled natural beauty, that protecting it should be in everyone's best interest. Good zoning is one of the keys to protecting the environment in Door County.

By Steve Eatough



Updates

Quarry RV Park Campground and Housing Development:

Nearly two years ago (April 2019), developers proposed construction of a 117-site recreational vehicle park campground and housing development located on the former Leathem Smith Quarry and across from George Pinney County Park on Bay Shore Drive. However, members of “No Quarry RV Village”, a well-organized opposition group made up of nearby residents, other concerned citizens, and your Door County Environmental Council, questioned many aspects of the plan. Wastewater and stormwater management plans dominated much of the environmental aspects of the initial hearing by Town of Sevastopol plan commissioners.

In February 2020, the Door County Resource Planning Committee (RPC) voted unanimously to deny a conditional use permit for the proposed RV park and housing development on the old stone quarry site. In April 2020, developers of the proposed housing and RV park development filed an appeal of the RPC’s denial of the conditional use permit (CUP) for the development to the Door County Board of Adjustment (BOA). The BOA meeting, originally intended for August 2020, was postponed until February 2021. However, in January 2021, developers withdrew their appeal for the RV park campground.

After a long and expensive opposition campaign that involved significant legal fees, expert witness testimony, and considerable expenditure of time and effort by all involved, nearby residents and other opposition group members were relieved by the fact that a 117-site RV park and housing development on the property was not going to occur. Door County property owners stood together to resist the

Quarry RV Park Campground and Housing Development. However, developers continue to examine other ideas for the property, including a housing development consisting of single-family homes and duplexes. Meanwhile, neighboring property owners hope developers will turn the property into something that can be enjoyed by the public, perhaps as a part of the George Pinney County Park?

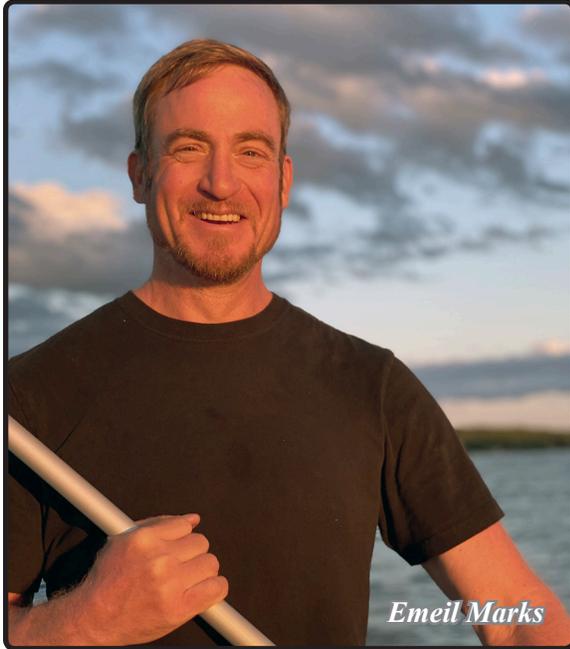
Gardner Quarry:

The Franda Quarry will be moving forward as planned. Franda was awarded all permits necessary by the DNR and the Door County Soil and Water Department to commence operations. The Gardner Town Board plans to continue discussing this matter with the attorney representing adjoining property owners.

Forestville Millpond:

The Friends of the Forestville Dam, Inc. (FOFD), along with numerous local residents and businesses, have filed suit against Door County related to the temporary drawdown that started back on November 1, 2019. FOFD members were opposed to the drawdown when it was approved by the County Board out of concern that it would not be effective and would unnecessarily result in impacts both upstream and downstream of the dam. After a year of the temporary drawdown, it is FOFD’s position that the drawdown is not achieving its stated goals, has been mismanaged and should not continue. The lawsuit seeks injunctive relief requiring the County to cease the drawdown. FOFD is also seeking a declaration that Door County is required to maintain the water levels we have all traditionally enjoyed and relied upon. Attorney Grant Thomas told county supervisors at the last Door County Board meeting not to discuss the lawsuit. Thomas said he “will be working with outside counsel.” The county has 45 days (deadline: March 5, 2021) to respond to the lawsuit.

DCEC Welcomes Two New Board Members, Emeil Marks and Solomon Lindenberg!



Growing up with a deep appreciation for the environment was instilled in me at a young age, and made for a life living in the outdoors with a reverence for nature. Recently I found myself looking for a way to give back to local communities outside of my position as Postmaster of the Northern Post Offices of Door County. The Door County Environmental Council seemed the perfect nonprofit to join and help serve, representing and working to preserve the very natural elements that make living here so special. I look forward to the opportunity to work with the DCEC Board and continue its legacy as an ambassador for the natural equities that make this such a wonderful place to call home. Don't hesitate to approach me either at work or on the random trail or water adventure with your questions or concerns.

Emeil Marks



Solomon Lindenberg grew up in Sister Bay, WI, during an era when condominiums and gift shops were few and far between. Now a journalism major at DePaul University in Chicago, Solomon joins DCEC to continue advocating for the Door County he remembers.

DCEC Board Member Ryan Heise Resigns

Ryan Heise, administrator for the Village of Egg Harbor for the last five years, has announced that he has accepted a similar position in Saugatuck, Michigan and will be resigning as a member of the DCEC Board of Directors. We would like to thank Ryan for his commitment in helping us to preserve and protect our unique and fragile Door County environment and in his role of Village of Egg Harbor Administrator for his many contributions to our community and county. We wish Ryan and his family all of the very best.

DCEC Leadership

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