



# WISCONSIN ASSOCIATION OF LAKES, INC.

*is a nonprofit group of citizens,  
organizations, and businesses working for clean, safe, healthy lakes for everyone.*

One Point Place, Suite 101 Madison, WI 53719-2809  
800/542-5253 (WI) • 608/662-0923 • FAX 608/833-7179  
e-mail: wal@wisconsinlakes.org / website: www.wisconsinlakes.org

## Should an individual be able to pollute lakes without consequences?

In a July 2006 decision, a Sawyer County circuit court judge essentially said yes. But his ruling stated that phosphorus laden runoff from a cranberry operation is so severely polluting Musky Bay on Lac Courte Oreilles that recreation and navigation are being negatively impacted. His ruling also found there is "satisfactory evidence" that the cranberry grower "is intentionally discharging phosphorus laden water directly into Musky Bay."

But the Judge did not order the polluter to stop, despite the fact that the Court agreed the continued runoff is deliberate, harms public water quality, and is negatively affecting citizens' ability to use and enjoy the lake.

The Wisconsin Association of Lakes (WAL) believes the courts should protect our lakes and property values, rather than protecting individuals who are degrading water quality. In order to have clean, safe, healthy lakes for everyone, we need everyone—lake users, farmers, and property owners—to work together. We believe everyone should be responsible for their actions, and be held accountable if those actions are degrading the quality of Wisconsin's public lakes.

That's why WAL has joined the State of Wisconsin and several Sawyer County property owners in an Appeals Court lawsuit against the individual cranberry grower who is polluting Musky Bay. WAL supports the State's contention that the Sawyer County Circuit Court dismissed the initial case in error when the Judge contended the reoccurring, miserable, preventable conditions that plague Musky Bay in the summer are not sufficiently constant—in part because algae and excess plant growth problems stop when the lake is frozen—to be considered a public nuisance.

Most cranberry growers are operating responsibly and are good neighbors. Farming is an essential part of the high quality of life we enjoy in Wisconsin—but so are clean, safe, healthy lakes. This lawsuit does not target cranberry growers, or any other producers to agricultural products. It is a lawsuit to stop one individual from continuing practices that are harming other's rights.

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