

“Wisconsin is a state of breathtaking beauty and rich natural resources. But none of that belongs to us – we are just stewards. Our awesome obligation is to preserve the beauty and use the resources wisely so we leave a cleaner, healthier world to our children.”

Herb Kohl

Conserving and Protecting our Natural Resources

“Wisconsin has a great university system, an innovative business sector, and abundant natural resources,” says Senator Kohl. “Government’s role should be to bring together these top scientists and business men and women to do what they do best: Come up with the ideas that create jobs while preserving our environment.”

Throughout his tenure, Kohl has fused Wisconsin’s proud conservationist tradition with the practical perspective of a businessman. He has sought to carry on the environmentalist legacy of his predecessors -- “Fighting” Bob La Follette and Gaylord Nelson – with bipartisan policies that both the private sector and the public sector can embrace. “Promoting clean energy and protecting our resources aren’t partisan issues,” emphasizes Kohl. “Businesses and environmental groups may come at them from different perspectives, I understand that. But we all want future generations to enjoy a Wisconsin that is beautiful and clean as well as economically sound. When we are looking for ways to preserve and enhance our state’s natural endowments, we’ve always tried to bring everyone to the table and include everyone in the decision-making. When we succeed, we’ve been able to accomplish some very good things.”

What I will always admire about Senator Kohl is his quick and enthusiastic support for big, bold ideas that will help Wisconsin and the U.S. Early in the formation of the Milwaukee Water Council, with no history as an organization, Senator Kohl stepped up and asked what he could do to lend a helping hand. It was from that point to his retirement that he continued to fight on behalf of Wisconsin's water technology cluster. He was a critical ally to have in Washington, D.C. and we will always appreciate his steadfast support.

Dean Amhaus, President & CEO, Milwaukee Water Council

Protecting the quality of our drinking water and municipal water infrastructure

Wisconsin's drinking water and water infrastructure have always been at the top of Kohl's agenda. He has consistently worked to keep the Clean Water and Drinking Water State Revolving Funds solvent and has made the federal government a partner in innovative wastewater projects in cities across Wisconsin, including Beloit, Green Bay, Madison, Racine, Sun Prairie, Superior, Waukesha, and of course, Milwaukee. He has also focused on federal initiatives that serve Wisconsin's smaller, more remote communities: the Circuit Riders, which provide free technical assistance to rural wastewater utilities, is one example; the National Tribal Environmental Council, which works with tribes on their water systems, is another. And he has pushed several administrations to expand eligibility for Clean Water Act benefits for states like Wisconsin that already invest more in water infrastructure than the federal government requires, making sure these states are not penalized for making clean water a major priority.

In 1993, Kohl responded quickly to the cryptosporidium outbreak that infected Milwaukee's drinking water, killing over 50 people and sickening more than a million. He secured immediate federal support for UW-Milwaukee to trace the source of the outbreak, then followed up with an amendment to S. 1316, the Safe Drinking Water Act, requiring EPA to track and control the pollutants aggressively. This bill was also the vehicle for several of his other priorities, including a national study of microbial contamination in drinking water and a "Right to Know" provision requiring utilities to alert consumers when their water may be contaminated. The bill was signed into law in 1996. After 9/11, Kohl leveraged his position on the Appropriations Committee to secure funding for the University of Wisconsin-Milwaukee's Center for Water Security to research how to protect drinking water infrastructure from terrorist attack.

One of the major initiatives of Kohl's last term was a collaborative public-private effort to develop the Milwaukee area as a national hub of water technology and research. Milwaukee is

"Under the leadership of Senator Herb Kohl...and countless local partners, you are working to turn Milwaukee into a world-class water research hub and a thriving regional innovation."

Gary Locke, U.S. Secretary of Commerce, address to Metropolitan Milwaukee Association of Commerce

home to three universities with research programs in freshwater science and some 130 water-related companies. The effort has been assisted by government dollars but is ultimately driven by scientists and water technology businesses in the region. Between 2009 and 2012, the Milwaukee Water Council won grants from the National Science Foundation, Department of Commerce, and the multi-agency Jobs and Innovation Accelerator Challenge. In 2009, Kohl brought federal support to UW-Milwaukee to establish a research and business mentoring arm of the university's Great Lakes Water Institute, a program that will offer services like business mentorship, workforce development, and venture funding support. "[We have] a shared and lofty goal," said Kohl at the 2010 Milwaukee Water Summit, "to make Milwaukee the freshwater capital of the world."

Revitalizing the Great Lakes

When Kohl first took office in the Senate, the Great Lakes were choked with pollution, overrun by invasive species, and governed by a hodgepodge of laws from eight states and two provinces. Kohl recognized early on that responsibility for the Great Lakes ecosystem doesn't stop at the state border. In the first months of his first term, he initiated, organized, and chaired a series of hearings in Wisconsin to investigate the environmental challenges facing the lakes. He then led the effort in 1990 to pass S.1646, the Great Lakes Critical Programs Act, which set water quality standards across the region and required cleanups of 42 toxic hotspots in all five lakes. He worked with EPA to make sure the agency treated Wisconsin municipalities, paper companies, and other stakeholders fairly when enforcing these measures. He also pushed the federal government to support research to study the effects of mercury in lake fish, then took on EPA when it tried to weaken mercury contamination rules.

Kohl championed legislation in 2008 to enact the Great Lakes-St. Lawrence River Basin Water Resources Compact (S.J. Res. 45), a historic bipartisan compact enacted by eight Great Lakes states and two provinces that banned new water withdrawals out of the Great Lakes basin and gave regional states a say in large-scale water usage proposals. Kohl successfully pushed for an amendment to the Oil Pollution Act of 1990 to establish a Coast Guard oil spill response group to be on alert for oil spills and successfully opposed further expansion of oil drilling in the Great Lakes.

Kohl used his position on the Appropriations Committee to promote, through the Great Lakes Legacy Program, environmentally sound dredging projects at ports and harbors in Milwaukee, Green Bay, Manitowoc, Kewaunee, Saxon, Sturgeon Bay, and

Two Rivers. He also worked to support important conservation priorities and research projects through the Great Lakes Fish & Wildlife Restoration Program; the Great Lakes Fishery Commission; and the University of Wisconsin Sea Grant Institute.

Finally, Kohl spearheaded efforts at the national and state level to combat the invasive species – like zebra mussels, river huffe, sea lampreys, and Asian carp – that threaten the lakes. Despite the extreme difficulty in eradicating invasives once introduced, scientists have been able to decimate the population of invasive sea lampreys by 90%, essentially erasing it as a major threat to the ecosystem of the Great Lakes.

“The Great Lakes are an inland treasure of natural beauty and endless recreational possibilities; they are part of what makes Wisconsin such a unique place in which to work and live, and [they] are also integral to our state’s economy,” said Kohl in 2012, citing a University of Michigan study showing the lakes responsible for 1.5 million jobs and \$62 billion in annual wages. “Efforts on behalf of these tremendous natural and economic resources is money well spent.”

Cleaning up Wisconsin’s rivers and lakes

Kohl’s efforts on behalf of Wisconsin’s inland lakes and rivers were no less vigorous than his work on behalf of the Great Lakes. Kohl made sure Wisconsin lakes like Delavan, Koshkonong, and Poygan got the resources they needed from EPA’s Clean Lakes Program to stay pristine and ready for fishing and boating. He worked to have the Upper Mississippi designated as one of the first American Heritage Rivers in 1998 and fought for the Mississippi Environmental Management Program, which manages the Upper Mississippi Valley ecosystem, conducts water quality studies, and maintains the lock system that keeps commercial traffic moving smoothly.

“SOBA wishes to commend Senator Kohl for his continued efforts to promote water access opportunities for boaters in the State of Wisconsin and across the country. His commitment to recreational boaters is unwavering, and we salute him for his ongoing dedication to the nation’s boating community.”

Ed Poolos, President, State Organization for Boating Access

Kohl also maintained a focus on the historic Fox River and its locks. He fought to make the federal government a partner in

cleaning up the river's contaminated sediments and helped transfer control of the locks from the federal government to the state, reopening them, spurring recreation and development up and down the river.

Kohl also partnered with the Forest Service's Wild Wisconsin Waterways project to direct attention toward projects preserving other important environmental sites in the state, such as the St. Croix National Scenic Riverway and the Kickapoo River and Baraboo River basin.

"Senator Kohl is responsible for the conservation of thousands of acres of Wisconsin's last great places and is also a national leader in the protection of our natural resources. From the Baraboo Hills to the Wild Rivers Legacy Forest and many places in between, Senator Kohl secured funding not only the protection of our natural resources but for the conservation of our working forests. Very few have had this magnitude of impact on our wild lakes, forestlands, wetlands, streams and prairies. We can only hope that his successor approaches the Senator's dedication to our natural resources."

Todd Holschbach, Wisconsin State Chapter, The Nature Conservancy

"Of course, when we are working on conservation, we are thinking about our responsibilities to generations to come," says Kohl. "But we also shouldn't forget that these efforts are a boon to our vibrant tourist industry. I have always supported – and, as often as I could, participated in – Wisconsin recreational boating." Kohl served as co-chair of the Senate Boating Caucus. He saw several of his pro-boating bills enacted into law including the Clean Boating Act of 2008 (S. 2766), which prevented EPA from putting in place an overly burdensome permitting process for recreational boaters, and a bill (S. 1640) to outlaw "hull splashing," a practice in which a boating manufacturer steals a competitor's boat hull design and builds a

different deck on top of it, thus dodging copyright restrictions. Kohl was honored with an award by a national boating group for his work in this area.

Conserving recreational lands for future generations

"There is intrinsic value, as well as economic value, in preserving Wisconsin's beautiful lands and waters," said Kohl. "We are responsible for leaving our children a cleaner state than we found, so they can hunt and fish and hike with their own children, and preserve these precious resources for generations to come."

Kohl worked throughout his tenure to make sure Wisconsinites have ample

areas and opportunities to enjoy the state's outdoors. He brought in the federal government as a partner to acquire and maintain land for the Ice Age National Scenic Trail, which winds through 1200 miles of the state, as well as the St. Croix National Scenic Riverway and the Wisconsin portion of the North Country National Scenic Trail. He sponsored outdoor areas for hiking and touring throughout the state, everywhere from the Apostle Islands National Lakeshore to the environmental award-winning Menomonee Valley Stormwater Park. He made it easier for private landowners to sell their land to the Forest Service to insulate it from development and keep it available for recreation.

In 2002, Kohl brought together local landowners and the Fish & Wildlife Service to agree on a plan for land acquisition and conservation on private lands to expand the Fairfield Marsh Waterfowl Protection Area. The wetlands protected by this project were important to migrating ducks and geese, as well as local hunters. He also set up a rigorous, statewide program to eradicate chronic wasting disease in our deer population and preserve the marshes and wetlands that sustain waterfowl, an accomplishment that earned him a national achievement award from Ducks Unlimited.

Through Kohl's efforts, an abandoned Army Corps of Engineers dam project in the Kickapoo Valley has become over 8,000 acres of wildlife reserve and recreational area. Thousands of acres have been added to Wisconsin's Chequamegon-Nicolet National Forest for wildlife protection. The federally-run National Wildlife Center, located in Madison, has garnered the resources to research, monitor, and protect wildlife across the state and around the world. Kohl also involved the federal government in the cleanup of former industrial sites such as the Badger Ammunition plant in Baraboo and the Better Brite Shops in De Pere. He worked with the Driftless Area Initiative to preserve the unique landscape of the Paleozoic Plateau in Southwest Wisconsin; with the Great Lakes Indian Fish & Wildlife Commission to protect wild rice beds and other environmentally sensitive sites in Northeast Wisconsin; and with the Resource Conservation and Development Council to promote conservation in the rural areas of Wisconsin and across the nation.

Conservation on the farm

Wisconsin's agricultural sector plays a leading role in the state economy, not just in crop production but in stewardship of the land. Since Kohl first took office, he has eschewed using federal regulations to manage rural lands. Instead, he has championed consensus and cooperation among farmers and conservationists to implement practical ways of reducing agriculture's effect on the environment. He championed farm bill initiatives like the Conservation Reserve Program and Wetlands Reserve Program, which incentivize farmers to protect and restore environmentally vital wetlands on their property. He supported a buffer strip initiative that allowed state and local officials to prioritize riparian areas whose preservation yielded the most environmental benefit. He established federal pilot programs at several UW outlets to explore new ways that farmers could reduce nutrient runoff and adopt practices to keep contaminants out of groundwater. He also supported internships to groom the next generation of conservationists.

Protecting Wisconsin's air quality

Kohl consistently supported strong clean air measures and opposed bills that undercut the Clean Air Act. At the same time, he insisted on taking the time to make sure that EPA rules were treating Wisconsin's farmers and manufacturers fairly. "Too often," said Kohl, "these debates end with both sides making unfair accusations. It's not true that supporting EPA means jeopardizing jobs. It's also not true that voting the other way means supporting dirty air. We have to clean up our air, but we have to do it in a way that makes sense for Wisconsin. Only by bringing everyone together can we arrive at a workable solution."

A Sample of Awards received by Senator Kohl in recognition for his work on natural resources:

- National Safe Boating Council Confluence Award, 2005
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- Ducks Unlimited, Wetlands Conservation Achievement Award, 2008
- States Organization for Boating Access Congressional Award, 2008
- National Rural Water Association Rural Water Star for Outstanding Contribution and Dedication, 2009
- National Rural Water Association Rural Water Star for Outstanding Contribution and Dedication, 2009
- National Ground Water Association Ground Water Protector Award, 2011
- Wisconsin Rural Water Association, Tradition of Excellence Award, 2012
- The Nature Conservancy, Lifetime Achievement Award in Conservation, 2012

Early in his first Senate term, Kohl supported the historic Clean Air Act of 1990, adding amendments to clean up airborne toxins entering the Great Lakes and to require

Illinois to clean up the pollution wafting up to Wisconsin. He also championed a bill to elevate the Environmental Protection Agency to cabinet-level.

He continued to focus on keeping Wisconsin businesses and utilities – many of which had exemplary environmental records - from paying to clean up air pollution they did not cause. In 1995, he pushed EPA to suspend the reformulated gas program that sickened numerous Wisconsinites until health complaints could be investigated and called on EPA to step up pollution enforcement of upwind states, citing data showing that as much as 50% of Wisconsin’s ozone pollution comes from other regions. A major victory came in 2004 when he succeeded in keeping Kenosha businesses from having to clean up smog emanating from dirtier Chicago industries.

Despite a solid record of opposing federal attempts to undermine the Clean Air Act, Kohl also spoke out against regulations he found misguided and potentially harmful to Wisconsin’s industries. For instance, in 2003 he joined an effort to stop regulation of emissions from small engines like lawnmowers and chainsaws. These rules would have had no

more than a small impact on air pollution but would have seriously affected Wisconsin manufacturers like Briggs & Stratton. In 2011, when dairy farmers discovered a regulatory quirk that would treat spilled milk in dairy plants under the same hazard rules as spilled crude oil, he immediately proposed a bill (S. 104) to clarify the law. EPA updated its regulation along the lines of this bill, a change that saved dairy farmers \$133 million in yearly compliance costs and milk processing plants \$13 million a year. “I am pleased that the EPA listened to the concerns of the dairy industry and approved this commonsense exemption,” said Kohl shortly after. “Dairy farmers are already required to meet strict standards for safety and quality, and adding another regulation didn’t make sense. I hope this will serve as a model for the future – achieving a balance between reasonable regulation and environmental protection.”

“In the face of... repeated attempts to put our health and safety at risk, Wisconsin's Senator Herb Kohl fought to make sure that Americans will have clean air to breathe. He helped beat back four different measures in the U.S. Senate that would have weakened the Clean Air Act, which protects Americans from dangerous pollution like mercury, carbon, and methane. Senator Kohl showed the kind of leadership that we need in Congress. Every person in Wisconsin who has lungs should call him to say thank you.”

**Steve Cochran, Vice President,
Environmental Defense Fund**

He also joined the rest of Wisconsin's delegation in pressuring EPA not to classify coal ash – a byproduct of burning coal – as a hazardous waste. While coal ash is the subject of close scientific analysis, there is no consensus that it meets the definition of hazardous waste, and labeling it as such would threaten Wisconsin's coal ash recycling sector, an industry that leads the nation in using coal ash for drywall and road pavement instead of dumping it in a landfill where it could potentially leach into the soil.

During 2010 to 2012, Kohl played a key role in convincing EPA to structure new emissions standards for industrial boilers in a manner that reduces pollution while avoiding adverse impact on Wisconsin's pulp and paper mills. As originally proposed, the so-called "Boiler MACT" rule could have jeopardized thousands of jobs and resulted in millions of dollars in extra compliance costs. After hearing from several paper mills, Kohl personally brought their concerns to the EPA Administrator and led Senate colleagues in forwarding both regulatory and legislative fixes to the problem. EPA studied the arguments, agreed with the critiques, and rewrote the rules.

Reducing the burden of high gas prices

From his first days in office, Kohl battled high gas prices on every front. In 1993, he held out the deciding vote on President Clinton's budget until the president agreed to cut a proposed gas tax hike. In 2000, he asked the administration to bring suit against OPEC nations for colluding to raise gas prices. When they refused, he introduced legislation to strip the sovereign immunity of OPEC member states and subject the cartel to U.S. antitrust law, which would empower the Justice Department and Federal Trade Commission to take them to court. Kohl introduced this so-called "NOPEC" bill in every subsequent Congress, and it has passed the House and Senate at different times.

Though NOPEC wasn't signed into law, it shaped the national conversation on price-fixing by oil companies. As chairman of the Antitrust Subcommittee of the Senate Judiciary Committee, Kohl hauled in everyone from oil industry executives to the attorney-general to discuss why oil companies were pursuing mergers that led to obscene profits at the same time prices at the pump were soaring for American consumers. "One important cause [of high gas prices] is the actions of the OPEC oil cartel," said Kohl in 2011, "which limits supply in order to maintain a high price. If the nations of OPEC were private companies, such conduct would be nothing more than naked price fixing, illegal under the most fundamental principles of antitrust law. Why

should OPEC be treated differently than other price fixing cartels that the Justice Department has taken action against under antitrust laws?"

Kohl also recognized that a major key to reducing our oil dependence is being more efficient with the energy we use. He introduced legislation to increase maximum truck weights on interstate highways, which allows companies to ship more goods in fewer shipments with less energy. He also forwarded a bill to expand tax credits to convert heavy-duty trucks into hybrids, which would reduce the 2 billion gallons of fuel used every year by idling trucks.

In 2009, he supported the "Cash for Clunkers" program, which took some 700,000 inefficient vehicles off the road and replaced them with new vehicles getting over 50% better gas mileage. He also led the Wisconsin congressional delegation in intervening with the Department of Transportation to provide Clunkers vouchers to some Wisconsinites whose applications were denied due to a technical glitch.

Keeping seniors and low-income families warm in winter

The economic downturn fell hard on Wisconsin's senior citizens and low-income families, and this reality was no clearer than during Wisconsin's cold winters. Throughout his career, Kohl made a central priority of supporting the Low Income Home Energy Assistance Program (LIHEAP), which assists with the heating bills of low-income residents of cold-weather states. He worked extensively to make sure the distribution formula was fair to Wisconsin, which has among the highest percentage of LIHEAP-eligible residents, and he pushed federal agencies to transfer unobligated funds - extra money they had left over - to LIHEAP. During the many years when Congress failed to pass its yearly appropriations on time, Kohl fiercely fought to maintain support for LIHEAP through stopgap funding bills. "LIHEAP is a crucial bridge for the elderly and low-income working families and helps keep hundreds of thousands of homes warm in winter," remembers Kohl. "I was unwilling to turn the heat off in these homes just because our federal government couldn't agree on a budget."

Promoting renewable energy and clean renewable energy

Some of the best energy efficiency ideas come straight from the manufacturers of energy efficient products. Kohl worked with Johnson Controls to solve a bureaucratic accounting problem, preserving Energy Savings Performance Contracts, which the government uses to install energy-efficient equipment without spending a lot of money

up front. In the 110th Congress, he extended a tax credit for energy-efficient hot water heaters, which will reduce wasted energy; save consumers money on their utility bills; and support jobs for Wisconsin manufacturers like AO Smith. In 2012, he unanimously passed through Congress a bill to update outmoded efficiency standards for water heaters, allowing the new heaters to be *Energy Star* certified. He also forwarded legislation (S. 157) in 2011 to create tax credits for an innovative new technology, developed by Orion Energy Systems of Manitowoc, that captures sunlight and uses mirrors to reflect it throughout a building, completely preempting the need for electric lights during the day. While this bill did not get through Congress, it drew national attention to the need for incentives to promote new clean energy technologies. President Obama made the case in person when he toured Orion prior to Kohl's introduction of the bill.

Developing clean renewable energy requires states to make use of their resources, and Wisconsin is a national leader in research on how to turn biomass into energy. Through institutions like the Wisconsin Energy Institute at UW-Madison, the state has brought together scientists, farmers, and businesses to explore how clean renewable energy can be generated right here in the Midwest. For instance, the Great Lakes Bioenergy Research Institute is one of three Department of Energy research centers in the nation devoted to developing advanced biofuels. Kohl worked at the federal level to support the important work of these institutions and brought together stakeholders so that Wisconsin's cutting-edge firms could lead the way. He worked to maintain the USDA Forest Products Lab, the Forest Service's premier research arm that focuses on wood recycling and new forest products, as well as the Consortium for Plant Biotechnology Research, a partnership that explores new ways of utilizing biomass resources and now gets more private sector support than government support. He also championed research on how to produce energy from sewage sludge, hydrogen fuel cells, nuclear fusion, and other unconventional sources.

"Does some of this stuff sound far-fetched?" asked Kohl, "Sure, and not every idea will work out. But this is the role government should play: Not mandating rules and regulations, but giving businesses and academic institutions the tools they need to come up with the energy sources of the future. We're not going to get off fossil fuels overnight, but I feel very optimistic about Wisconsin as a place where we'll be seeing the development of new technologies that conserve energy, help the environment, and support the jobs of the future."