

The main legal cases are as follows:

FBRF January 28, 2020

1. **The Friends have been able to overturn an improperly issued wetland permit.** The Wisconsin Department of Natural Resources had granted a wetland permit to Kohler to fill and cause other disturbances to wetlands on both Kohler and state park property on January 17, 2018. The DNR acknowledged the wetlands are globally rare, are of exceptional quality, and host rare plants and plant communities. It also acknowledged that the loss of these wetlands would be irreversible and have high significance, as would other impacts like loss of migratory bird habitat due to partial deforestation of the site. Contrary to state law and, seemingly, DNR's own findings, the permit was granted. In a first, the DNR said it would accept a \$200,000 donation to a wetland program as a condition of the permit. In March 2019, an Administrative Law Judge agreed with FBRF and reversed the DNR's permit (Case number DNR 18-0002). Kohler has since challenged that decision in court.
2. **The Friends are challenging the transfer and privatization of 6.7 acres of state park land from DNR to Kohler.** Historically, much of the land at issue was appropriated for conservation purposes by the state under Eminent Domain in the 1960s from the Smyth family. That case is currently before the Wisconsin Court of Appeals.
3. **Incomplete Info:** A number of other legal challenges are keyed to the protection of the groundwater, the wetlands, and the shores of Lake Michigan as well as the biodiversity of these ecosystems. In particular, the Friends are challenging the golf course project's incomplete Environmental Impact Statement and the project's poorly conceived Stormwater Management Plan.

The "Findings of Fact, Conclusions of Law, and Order" for Wisconsin Case Number DNR-18-0002 is available online at <https://doa-dha.wisconsin.gov/Pages/DNRDecisions.aspx>

Additional background may be found at <http://friendsblackriverforest.org/documents.html>