



Friends of the Black River Forest, Inc.
P.O. Box 804
Sheboygan, Wisconsin 53082-0804
920-457-0525
www.friendsblackriverforest.org
www.savekohlerandrae.com
501(c)(3) 47-1558895

PRESS RELEASE

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The Friends of the Black River Forest has received a grant from Patagonia, the outdoor apparel company recognized internationally for its authentic commitment to quality, corporate responsibility, and environmental activism. The Patagonia grant supports a suite of legal actions to ensure that the Wisconsin Department of Natural Resources applies Wisconsin conservation law fairly and consistently.

The Friends is a grassroots nonprofit organization created in 2013 after billionaire Herbert Kohler Jr. announced plans to construct a luxury golf course on 247 acres of Lake Michigan shoreline north of Kohler-Andrea State Park, one of Wisconsin's most popular state parks. The site is characterized by rare intact shoreland forest, threatened and endangered species, and rare interdunal and ridge and swale wetlands. The development would also eliminate what the Audubon Society has designated a Tier 4 Important Bird Area and migratory route.

The Kohler Company plans to appropriate an additional 4.7 acres of adjacent state park land for golf course parking, equipment maintenance sheds, and to store pesticides, herbicides, and fuel. Along with a separate road easement, 6.47 acres of valuable state park land would be removed from conservation and recreational use for the public in order to build a private, luxury golf course.

The Friends was founded by Mary Faydash, a retired counselor, and Claudia Bricks, a retired special education teacher.

"Patagonia's support is multiplied because they are bringing our cause to the attention of a national audience of environmental activists and allies," said Faydash. "At the same time, we're humbled by the tremendous amount of financial and other support we continue to receive from our neighbors right here in Wisconsin and particularly in Sheboygan County. Wisconsin residents are avid outdoor enthusiasts and conservationists, and their support for this cause and for our state park is stronger than ever."

"To have a company like Patagonia take our side is so affirming," said Bricks. "Our legal challenge to the golf course is exactly the sort of grassroots activism that Patagonia champions around the world."

The Friends are represented by Christa Westerberg, a partner with Pines Bach LLP in Madison. Westerberg concentrates her practice on environmental and land use law and open governmental law.

The main legal cases are as follows:

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. 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>

The Friends of the Black River Forest welcomes questions from the media.

Mary Faydash may be contacted at mary.faydash@gmail.com, 708-567-8419.

Claudia Bricks may be contacted at cjbricks@outlook.com, 920-457-0525