

What's Happening with Friends of the Black River Forest?

9/11/18

We have come far in four years.

The golf course which was expected be built simply because the Kohler Company was the developer, has not been built. Many agencies needed to be involved-Town, City, County, State, Federal. We have been met with the withholding of records by the DNR, and incomplete information from the Kohler Company. It appeared that the company itself was not interested in providing critical information necessary for permitting. However, the DNR, citing the irreversible, adverse impacts to our park, and the unique characteristics of the land, approved the permit anyway.

FBRF has monitored the many permitting agencies' decisions which were based on the DNR's poor permit. We filed suit against the DNR, the Natural Resources Board, and soon federal agencies challenging the incomplete, misleading and often inaccurate information provided by the DNR in its wetland fill permit granted to Kohler Co. as well as the illegal land swap of our state park land for Kohler's land.

Working with our lawyers at Pines Bach LLP, we have initiated legal challenges that are critical to the protection of Wisconsin's natural resources and the public's interest in state lands. These include fighting a state-issued wetland permit in a 5 day evidentiary hearing, and a court challenge to the unprecedented state park land giveaway. The results of those cases are pending.

Over the last four years, we have also gathered countless pages of information through freedom of information act requests, attended public meetings, and educated the public and ourselves.

We are the only nonprofit group fighting this appalling threat to the Lake Michigan ecosystem and unprecedented land grab in court. (We say this is unprecedented because Kohler does not need our state land for ingress and egress as the company has its own land. Therefore, this is a case of a well-connected developer asking for our state park land without need because it is less expensive and won't disturb his land).

Through private fundraising and foundation donations, we have raised \$100,000 for these efforts. We continue to raise funds through social media and events that aim to educate the public about the impact of the project, and most importantly, about how citizens can effectively intervene in environmental policy and administration.

We stress the critical impacts to our land, air and water from this project. However, we began FBRF with a group of people that believed that there should be a level playing field between a developer with political connections and the public's access to decision

making on their own resources. There have been many factors against our fight to keep this ethical, legal and non-political. One is that it is a fact that Governor Walker influenced the annexation of Kohler's and Wilson land to the City, and pushed the DNR to give Kohler what it wanted while refusing to inform the public. The other is the systemic avoidance in Sheboygan County of taking a polluter to task because the company has done positive things for the community.

One of the most egregious actions to favor this golf course project was the Republican legislators' push to stop using the air quality monitor at Kohler Andrae State Park as the source of air quality data which alerts residents to the daily state of the air. The air at KASP is beyond compliance levels because of southern cities' pollution drift and Sheboygan County activity. Therefore, no pollution could have been added by the proposed course. So, the legislators, reasoning that the pollution wasn't caused here, moved the reading to Haven Wi., enabling the hundreds of diesel non-road golf course machines to create ozone on a daily basis AND putting our residents' health at risk. (non-road diesel equipment is responsible for 45% of this country's pollution. Hundreds of thousands of additional cars and trucks will add to this, which the DNR didn't study).

Every environmental crisis in Wisconsin was started with one bad permit designed to favor a business with political ties. Every environmental crisis started with the carrot of jobs. This needs to be stopped here. Many of us are involved in battles for the soul of our country and a return to ethical behavior. Why don't we start here? By the time new leaders bring this state back to the principles which made us great, another chunk of state park and will be given away, another shoreline will be covered in algae. More people will be hospitalized with respiratory distress.

Help us send a message to those handing out our air, land and water as thank you gifts for donations that it stops here.

Sincerely,

Your FBRF team

http://scorecard.goodguide.com/env-releases/hap/county.tcl?fips_county_code=55117#ej

<http://www.lung.org/our-initiatives/healthy-air/sota/city-rankings/states/wisconsin/>

(See map on next page.)

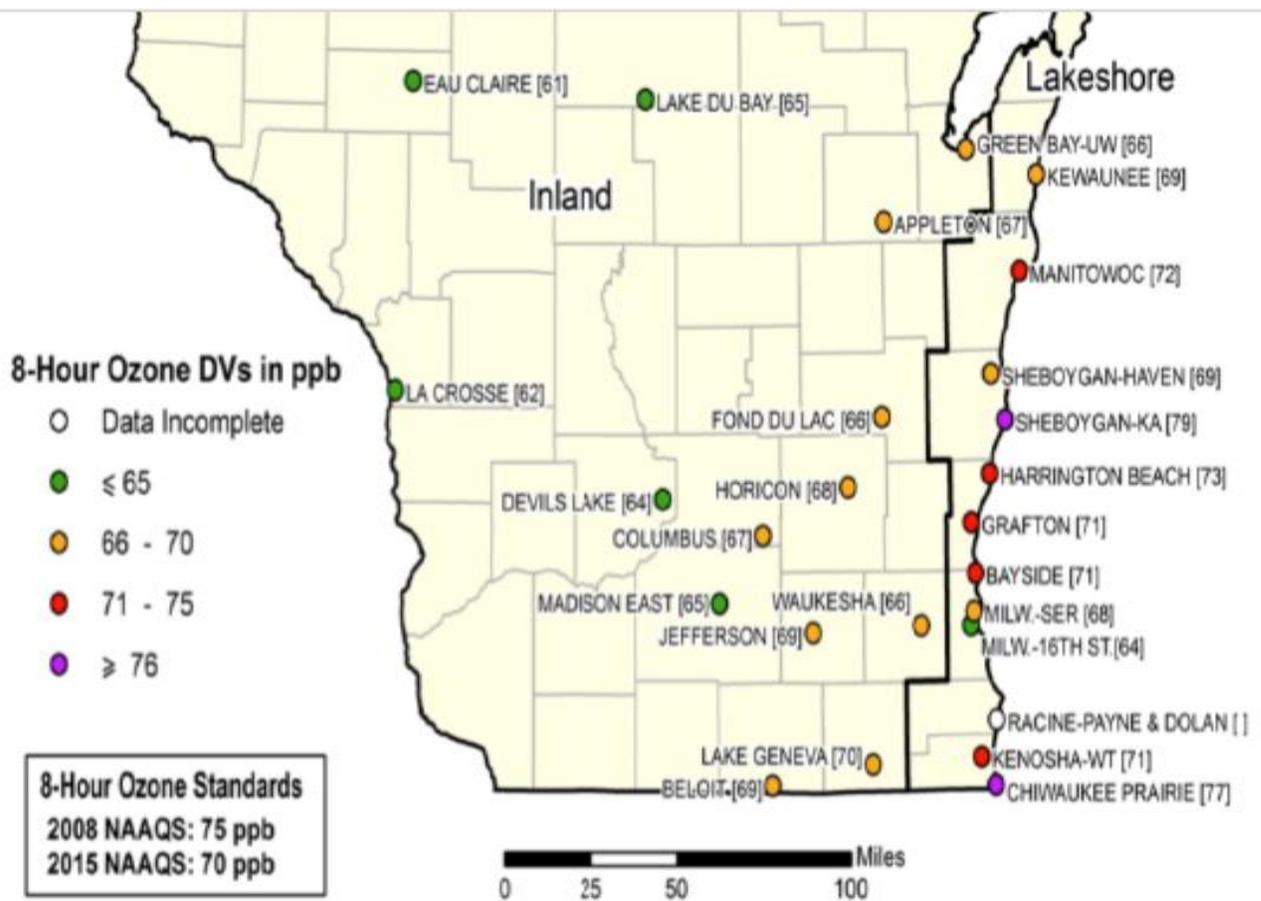


Figure 3. The 8-hr ozone design values for each monitoring site⁵ for 2014-2016. Note that the Far North region includes the three sites shown, but its boundaries are not clearly defined.