

From: [Carl Buesing](#)
To: [DNR Kohler Proposal](#)
Subject: Comments on Kohler Golf Course proposal for the Town of Wilson
Date: Thursday, July 21, 2016 5:15:04 PM

Thank you for giving me an opportunity to read and comment on the draft environmental impact statement which was prepared as part of the Kohler Co. golf course proposal in the Town of Wilson, Sheboygan County.

As a City of Sheboygan native and long-time resident, I generally agree with the report and its observations. I support the Kohler Co.'s proposal.

All of us would prefer to maintain and preserve from development as much area adjacent to Lake Michigan as practicable. We should feel fortunate that Kohler has allowed the property to remain undeveloped for as long as it has up to now. However, Kohler ought to be given the opportunity to use its own land as it chooses. Among the infinite potential uses for the property, it would seem that there many more uses would be much more intrusive and less environmentally friendly than Kohler's intended plans for a golf course. Thus, I would characterize the Kohler plan as a "win-win" for all interested parties.

The report makes fleeting reference to the Amsterdam Dunes as being a recreational and public area in Sheboygan County. Perhaps it is a matter of timing, but I think there is an intangible symmetry between the Amsterdam Dunes and the Kohler proposal. Amsterdam Dunes is an undeveloped parcel some 7 or 8 miles south of the Kohler property that was acquired by Sheboygan County in 2014. The 330 acres is comprised of dunes, wetlands, forests, and farmland and some 1900 feet of Lake Michigan shoreline. The County specifically acquired the parcel so that it could be preserved and it was purchased in part with State Stewardship Fund money. The farmland portion of the property is going to be returned to its natural state and be used as a wetland mitigation resource. The Amsterdam Dunes property shares a common border with the State's Cedar Grove Hawk Research Station that was also mentioned in the report.

In some imperfect way, I believe that to the extent that the citizens of Wisconsin lose something by the Kohler proposal, the citizens of Wisconsin have received an offset of greater value through the public acquisition and maintenance of Amsterdam Dunes.

Finally, as noted, in 1965, the Kohler Company donated 221 acres of land to the State resulting in the creation of the Kohler State Park. It would be ironic (and unfair) if the proximity of the proposed golf course to this earlier gift parcel would serve as a basis for blocking the golf course.

Please take these comments into account as this matter proceeds.

Sincerely,

Carl K. Buesing
2124 Kohler Memorial Drive, Suite 310
Sheboygan, WI 53081

920 457-8400

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www.hopplaw.com

From: [Andy Raddatz](#)
To: [DNR Kohler Proposal](#)
Subject: Comments on Kohler Golf Course Proposal
Date: Sunday, July 31, 2016 10:39:17 PM

My wife and I wish to go on record as opposing the Kohler Proposal for establishing a golf course in the Black River area. We're OK if the Kohler Reserve is never developed.

I don't agree with the decision by our cash strapped DNR to go ahead and do a preliminary EIS without any applications provided by Kohler for this project. Seems to be putting the cart before the horse.

I don't agree that the impact on migratory birds should to be ignored by the EIS. Especially since the impact of the Lake Michigan shoreline as stopover habitat during spring and fall migration is well documented.

Nor do we wish for closure to foot traffic of the Lake Michigan shoreline and beaches.

Furthermore as a state resident, we don't wish to provide any KASP land for an easement to the Kohler Project. The fact that this land is not currently open to the public has no affect on our denial of its use by Kohler.

I hope this reaches you before the August 1st deadline for comment.

Thank you for considering our concerns.

Andy & Janet Raddatz

Sheboygan County, Wisconsin

From: [Wendy Honold](#)
To: [DNR Kohler Proposal](#)
Subject: Comments on Kohler Project
Date: Thursday, July 21, 2016 8:26:57 AM
Attachments: [2016 July 18-Letter to DNR-Jay Schiefelbein.docx](#)

Good Morning, Mr. Schiefelbein:

Please see attached. Please also confirm that you have received the attached, and that you have thoroughly reviewed it.

Thanks, and have a great day. Wendy Honold

Wendy J. Honold
5146 Evergreen Drive
Sheboygan, WI 53081

July 18, 2016

“Justice will not be served until the unaffected are as outraged as those who are.” Benjamin Franklin

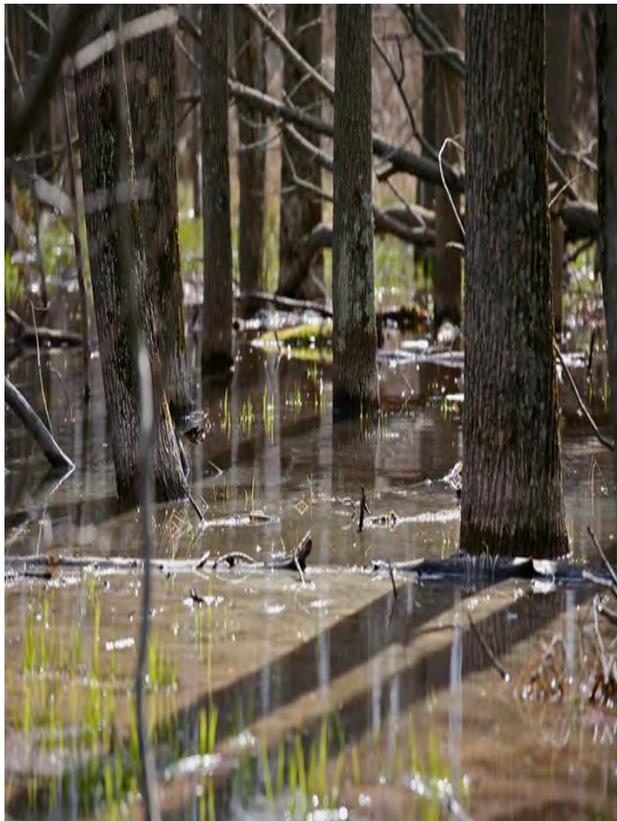
Jay Schiefelbein
Wisconsin Department of Natural Resources
2984 Shawano Avenue
Green Bay, WI 54313-6727

Re: Kohler Golf Course Project

Mr. Jay Schiefelbein:

Your Mission, should you choose to accept it, is posted on the DNR’s website.

Perhaps all DNR staff could benefit from repeating this mission daily, like the Pledge of Allegiance, which might inspire daily motivational reminders of your sworn duties:



To protect and enhance our natural resources:

our air, land and water;
our wildlife, fish and forests
and the ecosystems that sustain all life.

To provide a healthy, sustainable environment
and a full range of outdoor opportunities.

To ensure the right of all people
to use and enjoy these resources
in their work and leisure.

To work with people
to understand each other's views
and to carry out the public will.

And in this partnership
consider the future
and generations to follow.

<http://dnr.wi.gov/about/mission.html>

I would like to sincerely request that the DNR to do your job by protecting the environment and our resources, while making sound decisions which are truly backed by science-based studies.

The FIRST on the list is to protect and enhance our natural resources: our air, land and water; our wildlife, fish and forests and the ecosystems that sustain all life.

Why is the DNR wasting Wisconsin taxpayers' money, working as a private contractor for Kohler for over 2 years now, on a project that as yet has no permit applications of any kind on file, such as: CUP (Conditional Use Permit) application; FEMA floodplain permit application, which involves 195 acres with prehistoric artifacts, that will be negatively impacted by changing the elevation of the land?

When questioned by the Natural Resources Board on the DNR's lack of action against polluters, Secretary Stepp cited lack of staff to carry out the necessary mandates, yet she has allowed 36 employees (paid for by taxpayers) to work for a non-applicant in 2015. Is the DNR truly understaffed, or is this just one more situation where 'crap rolls downhill' and the staff take the blame for following Scott Walker's 'dictatorial' directives?

There is no way, that the effect on both the environment, and our quality of life will be 'minimal' with Kohler's plan.

The DNR has pushed through Kohler's EIS that did not include science-based impact data, which I feel is incomplete and unacceptable, especially when the natural filtration of wetlands and forests will be decimated. Rare dunes will be eliminated and foreign materials will layer over top of the once natural terrain. This is NOT a minimalist approach, as 'marketed' by Kohler. An EIS is mandated to present impacts to the public about the proposed Kohler Golf Course project. It is supposed to contain thoughtful and carefully derived scientific data. There are very few scientific facts in the EIS to back up Kohler's claims. I believe that the true total impact of this project has been overly minimalized, glossed over, and/or just plain ignored. This needs to be seriously addressed before the entire ecosystem is destroyed. The public cannot make informed comments on the impacts of a project that is theoretical, hypothetical, and unscientific. The report uses a few citations saying what 'might happen' if things were managed in a textbook fashion. The DNR, by issuing this incomplete study of a non-applicant's proposal, has deprived 'we the people' of our right to know the impacts, thus depriving the public to be able to make meaningful comments. Quentin J. Carpenter Ph. D., a professor who teaches how to write and grade EIRs, has submitted several communications to the DNR that contain the finest details of all of the issues that are really lame about Kohler's EIR submission. The DNR should review Professor Carpenter's submissions multiple times, until all EIR submissions are thorough and complete before processing.

Why is so much information 'confidential' when 'we the people' have a right to know what's going on with 'OUR' public land? Even more is being hidden from us, such as these redacted documents: July 29, 2015, File No. 193703078, submitted by Stantec Consulting Services, Inc.; and the Botanical Survey Memo dated October 28, 2105, also submitted by Stantec Consulting Services, Inc. Yet I have also been informed that all of the information submitted to the DNR by environmental activists was not redacted (blackout all private information) as required, prior to being released to Kohler.

In addition to the above, I feel that the DNR is in violation of LAWCON and the Deeded Land by allowing any access at all through or across our public owned land for Kohler's profit. By accepting the Deed, which is a contract, the State of Wisconsin accepted all directives therein, which were then 'set in stone,' including but not limited to: never allowing any of the public owned land to be used for private/personal/business use; and that the directives of the deed shall not be altered or changed in any way. Yet in a 'Land Use Agreement' issued by the DNR as effective beginning March 2016, Kohler is allowed access through this land, thereby violating LAWCON, and the Land Deed stipulations as initially and completely accepted by the State of Wisconsin. I feel that the DNR is in violation of the contractual law, as set forth in the Land Deed.

The EIS report cites Lee Trotta, who went to the Madison hearing. It does not seem to mention specifics of any other professionals who weighed in at the Scoping meeting.

The well section of the EIS report says that in order for any resident, whose well goes dry, must rely on the Kohler Company and go through many hoops to prove that the dry well problem was a result of the high capacity wells. **Meanwhile, no water for people, pets, farm animals, and/or crops. Yet, what good will result from having our well water restored, when there are many more concerns that should be considered that may increase the environmental impact as well as negatively impact our health, which may result from Kohler's high capacity wells.**

A similar comparison could be like the crisis and cover-up in Flint Michigan, when nothing came to public knowledge until AFTER the damage was done to so many people. I BELIEVE THAT DNR's REVIEW PROCESS SHOULD INCLUDE STUDIES BY QUALIFIED, AND UNBIASED, PROFESSIONAL GEOLOGISTS AND HYDROLOGISTS, FOR THE FOLLOWING ADDITIONAL REASONS:

- To my knowledge there have been no studies done in Sheboygan County for fractures in the bedrock of the deeper aquifer that is contaminated with radium. If there are fractures in this aquifer, as there are in NE Wisconsin, then Kohler's high-capacity wells will just cause a suction of pressure to refill itself from any natural surrounding source. **There are 38 isotopes of radium (all of which are radioactive), yet only 2 of the isotopes are required for testing in municipal water by the EPA.** All radium turns to lead when its radioactive life is over. The evaporated gas from radium is radon. Source:
http://gonuke.org/ComprehensiveTeachingToolkits/Radiation%20Protection/ChSCC_RP/Columbia%20Basin%20RPT-111/Supplementary%20materials/natural-decay-series.pdf
- "When ingested into the body from drinking water, radium can accumulate in the bones; just like calcium does from milk." Source: <http://dnr.wi.gov/files/pdf/pubs/dg/dg0008.pdf>
- "Exposure to radium over long periods of time can increase the risk of cancer. Radium can enter the body in drinking water, food, or inhaled dust particles that contain radium. **It can be stored in the body because it behaves similarly to calcium and can replace calcium in tissues, particularly bone.** Long-term internal exposure to radium increases the risk of developing diseases such as bone and sinus cancer, lymphoma, and leukemia. Because radium readily accumulates in the body, it is considered to pose a greater cancer risk than most other radioactive elements. Radiation exposure from radium received externally through washing, showering, or other uses of water...." Source: http://water.usgs.gov/nawqa/trace/radium/Ra_FAQ.html

The EIS is mandated to study impacts and inform the public. This EIS report provides only theoretical "maybe's". Because of the theoretical and incomplete EIS report, we are being deprived of our rights to make completely informed comments. Now the EIS report will have to be rewritten to fulfill the mandate to inform the public, and Wisconsin taxpayers will pay for this also. And again, Cathy Stepp told the Natural Resources Board, that the DNR couldn't do its job because it is short-staffed. Will this lack of efficiency continue?

I also don't think that giving an easement to allow Timberlake residents (approximately 27 homes), access to the lakefront, while taking away State Park land from hundreds of thousands of people, is a very good trade off.

Why did the DNR allow bulldozing and heavy equipment to enter the land even prior to studies for historical artifacts and Native American burial mounds? The DNR was alerted, by the public, to these issues and more from the very start.

How did Kohler get approval, on the Whistling Straits golf course, for polluted surface water to go through professionally installed pipe drains that go directly into Lake Michigan? Was this approved by the DNR and/or the EPA, or did Kohler have all of this done without your full knowledge and/or approval?

If the fertilizer, pesticides and herbicides pollute surface water runoff, for the current Kohler golf course project, it will go into Black River (which is already over-contaminated). The runoff will still pollute Lake Michigan, because Black River flows into Lake Michigan. Pollution of Lake Michigan at this site will also impact the beachfront and lake water quality for State Park visitors, as the ugly and smelly rotting Cladophora algae just gets 'piled higher and deeper' year after year, which is the result of too much phosphorus from fertilizers. I'd be willing to bet that the contaminated runoff from Kohler's Whistling Straits golf course since 1998, which drains directly into Lake Michigan, has continuously increased the problems with our beachfront quality. If I were a park visitor, I'd rather be nauseated by the stench of rotting algae, rather than swim in the lake and have the poisons and toxins absorbed into my skin from the pesticides and herbicides. Below are just of few of the problems that are based on medical studies.

"Agrochemicals could be causing chronic illness in your family." Source:

<http://www.healthfreedoms.org/what-are-pesticides-destroying-in-your-body/>

"Pesticides are designed to kill, although the mode of action they use to put the stranglehold on pests varies. Whether it's nerve gas-like neurological disruption, the unbalancing of key hormones, or the stunting of a plant's ability to absorb life-sustaining trace minerals from the soil, none of the chemical interventions seems all that appetizing, especially considering that chemical residues routinely wind up on and even inside of the food we eat everyday. Pesticides are also blamed for diminishing mineral levels in foods."

"Agrochemical supporters tend to fall back on a "the dose makes the poison" theory, assuming that small exposures aren't harmful. Increasingly, though, independent scientists are debunking that belief, even proving that incredibly tiny doses could set a person up for health problems later in life."

Here are 10 health problems associated with pesticide-based agrochemicals:

1. Food allergies: Chlorine and Dichlorophenol- a breakdown product of the herbicide 2,4-D
2. Memory loss: Organophosphate
3. Diabetes: Tolyfluanid and Organochlorine
4. Cancer: More than 260 studies link pesticides to various cancers
5. Autism & other developmental diseases: Bug killing insecticides such as Organophosphate effectively kill bugs by throwing off normal neurological functioning
6. Obesity: More than 50 pesticides are classified as hormone disruptors
7. Parkinson's disease: Association is strongest for weed- and bug-killing chemical exposures over a long period of time,
8. Infertility: Carbaryl, chlorpyrifos, and atrazine, a common chemical weed killer used heavily in the Midwest...on golf courses, has been detected in tap water.
9. Birth defects: Atrazine and chlorpyrifos
10. Alzheimer's disease: DDT (DDE)

The DNR draft of the EIS on Kohler's project does not identify the list of pesticides that Kohler will use at the proposed golf course location. The report only states that Kohler has a 'good pest management plan.' This is neither scientific, nor competent. I feel it is more of a 'deceptive plan' similar to the ingeniously concealed drain pipes at Whistling Straits that are contaminating Lake Michigan.

Fertilizer, pesticide and herbicide polluted surface water will severely impact the Town wells, plants, wildlife, and have a significantly damaging environmental impact on what 'minimal' portions of the natural habitat may remain.

Why is Kohler being allowed to have a septic system where the water table is very high? A septic system is planned with no information on the type, or contingencies for failure. All other Town of Wilson businesses and residents are required to be connected to the City of Sheboygan Sanitary District sewer system. I feel that the Sanitary District has far better government approved equipment and management techniques to properly process waste water.

There are NUMEROUS and HUGE IMPACTS with regard to Kohler's current project. Kohler continues to market a 'minimalist plan,' for construction of the golf course, which respects the existing ecosystem. This is absolutely impossible, and the incomplete EIR report clearly shows the folly of Kohler's 'marketing strategies.'

To date, this is what I understand of what may be forthcoming. Disappointedly, I hope I am wrong, but this seems to be the patterned plan ahead:

1. That the State currently plans:
 - To continue to waste taxpayer's money on a non-applicant.
 - To coordinate with the National Park Service to arrange for the conversion of 4 acres of State Land, which was purchased for the State Park with federal funds (LAWCON), to become private land so that Kohler can use the land for its own profit.
 - The State Department will ignore the rare Natural Resources, and work with Kohler to justify the mandate for 'public recreational use of the land' by saying 'the public' can 'play golf' and that the restaurant can be 'used by the public.' Kohler doesn't mention that the average person will not be able to afford the recreational fees.
 - At Kohler's request, the State will work with the National Park Service to change the Kohler-Andrae Master Plan. Kohler-Andrae State Park entrance will be reconstructed into a roundabout for the golf course at the main entrance to Kohler-Andrae State Park to facilitate entry into Kohler's land. LAWCON requires the land converted be used for the public's recreational benefit. The Kohler Company says a restaurant and golfing will mitigate that requirement for 'recreational use.' And as stated above, Kohler doesn't mention that the average person will not be able to afford the recreational fees, and
 - Construction will impair all of the camping and visiting activities of the second most visited State Park for almost 3 years.
2. 50-60% of the forest will be removed and the rarest wetlands filled in. This changes the entire hydrology of the area by destroying 'natural' filters for agricultural and pesticide runoff that will go directly into Lake Michigan.

3. 195 acres will be bulldozed and covered with foreign materials where historically valuable prehistoric Native American cultural heritage artifacts and burial mound remains have been discovered, which date back to 1200 B.C. It has been recommended by the Army Corps of Engineers, that this land should be recognized as a Historic Place in the National Registry.
4. Dunes which took 5000 years to create will be decimated by graded leveling. Adding denser materials on top of the dunes will also block filtration. This exists now near Whistling Straits at Hika Bay. There is also a dead zone at Green Bay.
5. Residents' wells will be drawn down, and will only be remediated by Kohler if each property owner can prove to the Kohler Company that Kohler's high-capacity pumping is responsible. Kohler's high-capacity wells will draw millions of gallons of water from the same fractured bedrock aquifer that we all share.
6. Critical habitat will be destroyed for numerous native rare, unique, and endangered species, including shorebirds, like the endangered Piping Plover.
7. This area is a Tier 4 - Important Migratory Bird Route. The presence of birds and other wildlife will be severely diminished because of loss of habitat.
8. Kohler-Andrae Park shares the same contiguous ecosystem. With the elimination of the natural habitat, Kohler Andrae Park rangers and visitors will see the same significant drop or disappearance of the same once flourishing animal and coastal bird populations, as well the impact from the destruction of the important bird migratory route in this very significant coastal bird area.
9. Traffic congestion, safety, and noise during all major golf tournaments.
10. Loss of Public beach access and impacts of fencing boundaries on the State Park.
11. Once you level rare dunes and fill rare wetlands, deforest 150 of 247 acres, the ecosystem is permanently destroyed and it can never come back.
12. **And there is much, much more to be concerned about.**
 - I wonder where the favors start that have given us a 'pay for play' government. The Sheboygan County Economic Development Corporation (SCEDC), which received at least \$39,900 last year from Kohler, believes in Kohler's golf course project. Is this why Kohler is listed with the SCEDC as a Gold Sponsor? I am are disappointed that the SCEDC would follow a developer blindly without verification, as presented by Dane Checolinski, Director of the SCEDC, in his news release dated March 24, 2015.
 - While the Sheboygan County Economic Development Corporation (SCEDC) has contributed to Sheboygan's business development in many ways, those businesses to date have not destroyed ecosystems. The SCEDC is not invested in Smart Growth, which has been a practice in operation in many cities for years. The SCEDC should value an integrated approach to development, where the environment, health and quality of life are as important as dollars.

- In July, 2105, the SCEDC Chairman wrote a letter to the DNR, where he stated: "We were asked to support the project but would not do so until a full economic and ecological impact presentation was given to our board. After the presentation our board gave unanimous approval to support the project." The SCEDC accepted the Kohler Economic Report without verification. This is not done in the City of Sheboygan development.

In conclusion: NO DEVASTATION KOHLER!

Please completely adhere to your mission to 'protect and enhance our natural resources.' The quality of 'air, land, and water' are vital for the sustenance of all lifeforms on the entire planet. All natural ecosystems support the health and quality of life for humans, as well as wildlife, fish and forests. Everything is being destroyed at increasingly horrific rates all over the planet. To promote big money for personal/corporate profit, goes beyond just the 'economy.'

History has shown that all of these destructive measures which pollute and deplete natural resources, have been approved all over the world (and Wisconsin too), such as fracking (fracturing of bedrock for mining), poor quality disposal of polluted waste, and so much more, which will continue to negatively affect 'the future and generations to follow.' All the above and more have been promoted as economically beneficial, and all of the 'approved' global destructive is, and has been, caused by the human race. Species are going extinct, not just from illegal poaching, but from completely decimating habitats and migratory pathways necessary for their survival.

We (the current generations) have had to clean up and/or try to remediate the mess that former generations left behind, such as: asbestos; lead gasoline; lead newspaper printer ink; and lead water mains/fittings/solder (which were banned in 1971 for future plumbing); and so much more. Yet while we complain about what they left behind for us to live with, we continue to follow in their footsteps by approving even more damaging projects.

I understand 'the right of all people to use and enjoy these resources in their work and leisure,' but the resources cannot be enjoyed once they are decimated and covered with fake fill-in materials. The mission statement should be amended to say 'to use and enjoy these untouched, pristine Natural Resources,' as the untouched resources are the only REAL and ORIGINAL 'Natural Resources' that can be enjoyed by future generations.

I have been a resident in the Town of Wilson for many decades. As mentioned above, and in many previous communications with the DNR, I vehemently oppose building of a golf course on this site in the Black River forest area. I feel the 'short-staffed' DNR is extremely one-sided and obviously slanted towards Kohler's ultimate goals of destroying this natural habitat for profit, based on the incomplete EIS report submitted by the Kohler Company. This golf course will destroy our ecosystem, pollute our Great Lake and Black River with toxic runoff, and effect local wells from the over-pumping of approximately 30 million gallons of water per year. The deforestation of 150 acres will destroy the pristine wildlife habitat and disrupt a major migratory corridor along the lakeshore. The adverse impact this golf course will have on our environment greatly outweighs any jobs or profits it will create. This is a very rare site with

ancient artifacts and Native American burial mounds. **This beautiful land should be registered and preserved as a historical site.**

- As published in the Milwaukee Journal Sentinel on May 7, 2016, By Lee Bergquist: “.....In an added statement, Jim Richerson, group director of golf at Kohler, said: "Kohler Co. has owned this land for more than 75 years, and this project will help us learn about those who came before us and our state's rich history. ...**This is an important historical opportunity for education and discovery that could have remained unknown without our project.**" Kohler and his marketing promoters just want to take credit for everything, however the burial mounds were clearly mapped and then published in 1920 (see Wisconsin Archeologist (Aug. 1920) Vol. 19, published by Wisconsin Archeological Society). **Local residents and trail hikers have known about the artifacts even long before the maps were published, so Jim Richerson’s statement “...that could have remained unknown without the project,” IS JUST MORE HYPE - TO ‘PAT THEMSELVES ON THEIR BACKS.’**

Also the proposed entry is through State Land should not be given away lightly. This is the peoples’ land to use, not big greedy corporations’ that very few of the public can afford to visit. Please stop Kohler from filling, defiling and destroying OUR beautiful portion of Park Land, as well as the Kohler land.

I would like to sincerely request that the DNR to do your job by protecting the environment and our resources, while making sound decisions which are truly backed by science-based studies, and please stop using Wisconsin taxpayers’ money for a project that has no applications on file.

I ask you to please ‘work with the people to understand each other’s views,’ and ‘to carry out the public will,’ ONLY IF IT COMPLIES with ‘protect and enhance our Natural Resources.’

“You cannot get through a single day without having an impact on the world around you. What you do makes a difference, and you have to decide what kind of difference you want to make.” Jane Goodall

Kohler has been destroying the world one piece at a time. I WANT THE WORLD TO BE RESTORED.

Please do not cave in to favoritism, power, money, or the ‘minimalist’ marketing strategies that Kohler has presented to you. A ‘pay for play’ government is unacceptable to me on any town, county, state, or federal level. I will not support any proposed project until qualified professionals submit completely verifiable data, which accurately addresses ALL ecological and economic impacts, and that all study results can be reviewed by the ‘common and ordinary citizen’ without redaction.

If this Kohler project is actually approved, I would like to request that the State Park rangers, employees, and/or volunteers, be required to collect daily park visitor fees from each and every vehicle or person entering and/or crossing any and all portions of State Park land, and that absolutely NO free visitor passes be granted to anyone.

Sincerely,

Wendy J. Honold

Wendy J. Honold

From: [Jim and Kathy Buchholz](#)
To: [DNR Kohler Proposal](#)
Subject: Comments on the DNR EIS for Kohler's Proposed 18-hole Golf Course
Date: Saturday, July 23, 2016 2:17:40 PM

I am strongly opposed to the development of the proposed 18-hole golf course in the Town of Wilson by the Kohler Company. I also feel the DNR's proposed Environmental Impact Statement (EIS) is flawed and incomplete for the following reasons:

- The Dept. of Natural Resources has no right and nor any responsibility to "give away" 4-plus acres of publicly-owned state park land to anyone, especially to a "for-profit" business or person for the purpose of increasing the revenue of such business or to increase the income of any person or corporation. Kohler-Andare State Park's land acquisition was supported by Federal LAWCON funding. As such the conversion of these public lands to a private person or corporation is NOT justified to accommodate their financial interests and is not permitted except in very rare circumstances.
- The EIS document map shows a total of over 19 acres that are being considered for Kohler's development with no detail as to the actual footprint of the development. The EIS mentions the size of maintenance building to be constructed on state park lands but does not state the size of the paved parking lot that would need to service the proposed maintenance building. The area listed for conversion is listed as "lightly used"... as if it doesn't matter if the land is given away or not. This is far from the truth. The area may not be used as heavily as the park's beach and picnic areas but this was by design by park management. Hiking trails, boardwalks, restrooms, etc. were left out of this area to keep it in its natural sand dune state to protect this rare ecosystem as mandated by the Kohler-Andrae State Park Master Plan.
- The DNR's EIS states that permitting the transfer of public land for Kohler's own private use and the development of roads, shop buildings and parking areas on these fragile and rare sand dune lands would "not set a precedent" My question and that of anyone else reading this EIS is how could it not?

If this is approved for Kohler, "I" would like to request and expect approval for my own 4 acres so I could set up my own business, perhaps a hotdog stand. Of course, like Kohler, I would have to ban park visitors from ever setting foot on my part of their public land again (unless they purchase one of my hotdogs of course).

This land transfer for private use should not be allowed regardless of the political involvement, DNR appointments and pressure from the Governor's office. The DNR is supposed to represent the preservation and protections of all public lands. Park visitors should not have to be denied access to their public lands just to appease a large corporate donor to a particular party or person. If so, all confidence is lost for this agency now and into the future. The EIS hints at what is already known in that the DNR intends to "alter" the existing property master plan in order to give away this part of the park to a corporation. The Kohler-Andrae Master Plan was developed over several years of local and statewide

public input and was approved by the Wis. Natural Resource Board. It cannot be altered without permission and approval of the natural resource board “and” without new local and statewide public debate/hearings.

- The EIS does not include the acreage necessary and loss of sand dune habitat needed to construct the proposed “roundabout” at the park’s office area. The design shown in the document would be way too small to accommodate all the heavy traffic and especially the larger delivery semi and panel trucks that would be entering and exiting the state park and the golf course on a regular basis. It would not even accommodate most of the larger RV’s and longer camping trailers that would need to maneuver through this small roundabout. A much larger roundabout would be needed which would require at least an acre of land (sand dune habitat) and create even more lost public land and habitat.
- The traffic system LOS (Level of Service) calculations were incomplete and as stated in the DNR EIS report, did not occur during the heaviest use times for traffic on weekends. With more than 400,000 visitors a year the Kohler-Andrae entrance is already burdened by way too many vehicles, RV’s and trailers. Backups all the way out to the Co. Hwy V have regularly occurred during busy times and even during the evening hours if special event are held in the park. The addition of even more heavy traffic due to Kohler’s golf course and their proposed clubhouse/restaurant by cars, delivery trucks and most likely buses from their own hotels, would certainly cause traffic jams and confusion for all, especially since their highest use period would “also” be on weekends. Visitors to both the state park and the golf course will be frustrated by this unnecessary traffic congestion. It would also hamper all police, fire and rescue emergency calls. According to Kohler’s plan for the course it would host some high profile events as well. If so, “where” would all these people park and how would they all access the golf course at the same time of year that the state park has so much incoming and outgoing traffic?
- “If” Kohler receives a positive DNR EIS report it should only be approved without the loss of publicly-owned state park land for their entrance road, roundabout, shop building and parking lots. There is no convincing need to use state park lands to accomplish their project other than it is the “cheapest” way to go for the Kohler company. This should not be a consideration for the DNR to give away state park lands. The alternative D-3 of the EIS is the correct route to go and should be selected by the DNR’s EIS as the only course to take. The D-3 version allows Kohler to make use of their own existing entrance off of Co. Hwy V (12th Street) north of the state park with a direct eastern access to their property. Yes, this would mean the construction of an expensive bridge over the Black River and additional road building on their property but again, this is the Kohler company’s concern and not the DNR’s. There is no logical reason why the golf course shop building and parking lots could not be built on their own property adjacent to the existing state park shop building as was originally planned. There is no reason to take away public state park land and destroy rare sand dune formations and habitat for Kohler’s shop building and parking area development when they have 247 acres of their own property to work with.
- The EIS does mention a few negative effects of Kohler’s plan to deforest 50 or more acres of

mature timber but there are many more. This unique forest, dune and wetland area is an extension of the rare sand dune ecosystem that is currently protected and managed by the DNR on the Kohler-Andrae State Park property. Clear cutting, pulling stumps, and bulldozing these areas for the purpose of installing golf course greens will forever destroy a fragile landscape and ecosystem that has evolved in its present state since the last ice age over 14,000 years ago. Unfortunately the Kohler company does not see any problem with destroying this very unique and rare Great Lakes sand dune area for the purpose of building a golf course for their wealthy clients. The EIS does mention that there are “several rare species” that will be destroyed by Kohler’s development. A few are listed but not all. Some are Federally threatened species such as the [REDACTED] plus state threatened species including most of the [REDACTED] [REDACTED] and many others. Many of these are only found growing on Great Lakes sand dunes and nowhere else in the world.

- Bird, mammal, reptile, amphibian and insect life (some rare/threatened) that have adapted to both the wooded and open dune habitat would also be displaced or destroyed by the Kohler development. The combination of the state park and Kohler forested area has long been known as an “Important Bird Area” (IBA) for migratory birds along Lake Michigan. Throughout the entire history of the DNR and the Conservation Commission before that, staff managers, biologists and scientists have supported and strived to protect these areas at all costs. The EIS should make a strong statement against the destruction and fragmentation of this important IBA and Great Lakes dunes habitat. It should be noted also that an active bald eagle nesting site is located only a short distance to the north of the Kohler property which most likely will be negatively affected by the massive tree removal, development and increase in public use of this area.
- The EIS also mentions several “globally rare” wetlands that will be lost in the construction of the golf course. The DNR’s own Bureau of Endangered Species has termed these rare wetlands [REDACTED] as the rarest, most irreplaceable habitat/ecosystems in the state of Wisconsin. If the DNR doesn’t protest the irreversible/permanent destruction of this important and threatened ecosystem who will? Wetland replacement mitigation was mentioned as a possible replacement of these lost wetlands but it must be very clear to all reading the EIS or least the DNR staff themselves that these rare [REDACTED] wetlands cannot be reproduced artificially elsewhere. The EIS should make this clear to all readers in addition to explaining why these wetlands and surrounding dune formations should be protected from development.
- The effects of groundwater well water drawdown due to the proposed high capacity wells usage is listed in the EIS as “uncertain”. This uncertain designation is not appropriate and should be studied in more detail by someone other than the Kohler Company. Their estimate of using 15-25 million gallons a year (just to water their golf course) plus about 2 million more of potable water usage seems low. These estimates were all based on water usage at Kohler’s other golf courses. This reasoning fails to take into account that none of the other courses were built on 247 acres of nearly pure dry sand with little or no water holding capacity.

- There was mention that the high capacity wells located within Kohler-Andrae State Park have not caused any problems to the surrounding landowners but obviously the park doesn't use 15-25 million gallons of water for irrigation/watering lawns. In fact, the park doesn't water any of its lawns and never has. The park only uses well water for flush toilets, water fountains, two small fill towers at the dump station for campers and to provide water at few shower stalls and sinks for campers. Kohler's only advise for local neighbors who will run out of water when their wells run dry is to contact them for help and "they" will determine if they believe their water drawn down are at fault or not. This information (clearly written directly by Kohler staff) does NOT belong in a DNR EIS document in my opinion and is of no help to local citizens who will be effected by the massive water use for the golf course. In addition, the state park itself may have water issues with its own wells due to the high draw of ground water aquifers which will affect all state park visitors and campers.
- Overall, I feel the DNR's EIS is incomplete, lacks scientific analysis and study, and depends way too heavily on the Kohler Company's own very slanted studies and papers. Much of the EIS document seems to be a rehash of Kohler's EIR report from March of 2015. At that time citizens were asked to submit questions and concerns about that document as did the DNR itself. To date very few answers or responses have been given by the Kohler company to those concerns and are clearly NOT covered in the proposed EIS. It would seem impossible to complete a DNR EIS without that data and lots of other very important "missing" information about the golf course and related facility/roads development plans. Unfortunately as a result of this missing documentation and lack of detailed construction and road/parking lot placement plans it is really not possible for citizens to comment fully on Kohler's proposal or the DNR's current EIS.

James Buchholz
(retired superintendent of Kohler-Andrae State Park)
Sheboygan County Resident
Plymouth, WI

From: [Glory Adams](#)
To: [DNR Kohler Proposal](#)
Subject: Comments re: Kohler's Proposal
Date: Saturday, July 02, 2016 4:28:51 PM

Please consider the following points in opposition to Kohler's planned golf course near Sheboygan. Thank you.

1. Using an easement of a state park to allow use by a private, for profit entity is unacceptable. State parks are owned by state citizens as a whole. They are not for the benefit of one wealthy person or a for-profit project.
2. Wetlands to be filled are rare natural community types on both the Kohler-Andrae property and the Kohler property. Such wetlands have fewer invasives and more flora diversity. They are critical to groundwater recharge and storage of water. These wetlands cannot be mitigated with the expectation that their rare nature can simply be relocated. Mitigation itself does not have a stellar record.
3. The extensive clearing of trees, loss of wetlands, human intrusions will definitely affect habitat for wildlife, especially for critters that are not as mobile as others.
4. The loss of forest cover, use of high capacity wells, the type of soil involved, the manipulation of environment are all going to change the ground and surface water system in that area. There will be impacts to other wells and changes to surface waters. A very complete evaluation of this is required.
5. Golf courses typically use a quantity of herbicides and pesticides. Too much of the chemicals end up in the water. The easily leached soils and proximity to Lake Michigan will be conducive to these pollutants entering the surface and groundwater systems.
6. The consequences of more impervious surfaces, traffic, and roadways will have negative effects on surface waters. A highway analysis would have to be done, too.
7. Prior to this hearing I would hope the federal analysis is complete along with an evaluation from tribal members.
8. The naturally created swales should not be destroyed. They are protections as the water level in the lake rises and a characteristic of that particular area that is not found in many other places.
9. The NRCS has indicated that the soils on site are not necessarily conducive to the plans Kohler has.
10. Due to Sheboygan being in an area of air "nonattainment" there needs to be a more specific study done of the impact of cutting portions of the forest and the use of diesel and fossil fuels onsite.
11. As I read through this report, there are assumptions being made

indicative of incomplete planning and what the effects will be (eg. how many high capacity wells will be on site.)

12. Floodplains are affected by sediment and silt. When land cover and the lay of the land is disturbed, silt is released. Removing trees and shrubbery enables silt to flow more freely, in this case into the Black River.

13. The area is highly rated as a bird stopover during migration. Although it is said this plan would not affect the stopovers, the sheer presence of additional humans is bound to cause change.

This is obviously a project geared for the wealthy. It will not be an average golf course. Consequently, the benefit will be for a few with carbon holding losses, habitat loss, potential water contamination, and loss of rare wetlands. The wealth contained in this natural area far exceeds any wealth to be gained from a golf course.

Glory Adams

1216 S Farwell St

Eau Claire, WI 54701

715-834-8796

This email has been checked for viruses by Avast antivirus software.

<https://www.avast.com/antivirus>

From: [charlie ll. hoehnen](mailto:charlie.ll.hoehnen)
To: [DNR Kohler Proposal](#)
Subject: Concerned
Date: Friday, July 29, 2016 12:46:37 PM

I'm a Milwaukee, WI resident, living with my wife for the past 15 years in the country. I'm extremely concerned about the proposal to sell portions of Kohler-Andrae to Kohler in the interest of easing golf course development. This is a shocking idea if true.

Allowing the purchase of a State Park - or even parts - creates a dangerous precedent of privatizing public lands in WI, nibbling at the edges of land that belongs to all of us and form a point of civic pride locally and around the state.

Please do not sell state lands to private companies in the interest of private development.

--

Charles Ll. Hoehnen
hoehnen.blogspot.com

From: Dave Gruber
To: DNR Kohler Proposal
Subject: DNR Kohler Proposal
Date: Tuesday, July 19, 2016 8:09:22 AM

Jay Schiefelbein
Environmental Analysis and Review Specialist
Wisconsin Department of Natural Resources
2984 Shawano Avenue
Green Bay, WI 54313-6727

Dear Mr. Schiefelbein,

I would like to voice my concerns on some of the information contained in the draft Environmental Impact Statement (EIS) concerning the proposed golf course on Kohler property in the Town of Wilson, Wisconsin. I have read the draft EIS as it pertains to the property, and my brief comments on the EIS follow:

1.2 **Project Purpose**Sheboygan is already a “world class” golf destination with Blackwolf Run, Whistling Straits, and the Bull. Both Blackwolf Run and Whistling Straits are beyond the affordability of most golfers, and I am an avid golfer who speaks as one person who can afford it (but still wouldn't). Both Kohler courses are affluent courses, and this one as described will be the same, if not even more over the top. This is an activity that offers participatory weather conditions for most for only 4-5 months of the year.

2.0 **Authorities and Approvals**are test wells not of the construction phase? It would seem permitting would be required of any test wells on the property. I would not be allowed to drill a well on my property without the appropriate governing bodies' approval. Were permits taken? Was the Township approached for its various permits?

3.1 **Course Layout**.....removal of 50% of the trees. A travesty on one of the most pristine properties on Lake Michigan. The State of Wisconsin historically erred in major proportions by not securing the land when it had the chance.

Clubhouse/Restaurant.....the small size for such a huge undertaking speaks to the exclusivity of the course and its clientele. A world class course serving only 60 guests inside and a banquet room for 70? Frankly, my local A&W serves more.

Entrance Road.....The easement and use of State land should not be allowed. The current attractive natural entrance to the State Park should not be dual-purposed for the commercial development of this course and the State Park.

Utilities.....Conventional septic field systems??? Where will these massive mounds be placed? How will they be monitored? This should be a major concern for the EIS and the DNR.

3.32 **Special Events**..... “Additionally, management of large crowds and coordination of traffic and emergency response to the Kohler and Kohler-Andrae Properties have not been discussed to date.” Well, it should be discussed. I have been to the events described in the EIS, including the recent PGA event at Whistling Straits, and the strain on the area of the proposed site will be intense and a major drain/inconvenience on the citizens of the area.

3.3.3 **Land Management/Pest Management/Water Use**..... The first two subjects take up only one page each of the EIS and provide little specific information on the maintenance of the course ecosystem. The crux of this whole EIS is to persuade the State of Wisconsin and the Town of Wilson that the land management procedures implemented by the course will prevent the damage to a pristine ecosystem, and in the larger scope, damage to the aquifer and surface waters of the area. By my reading it has a long way to go. Evidence should be shown that damage has not occurred to surrounding communities from other analog golf courses of this scope and lithology in residential areas. Please keep in mind that this is intended to be a “world class” course and no chemicals or water withdrawals will be spared to make it that way.

4.2 **No Build Alternatives**.....Based on political action and review thus far, and the ability of Kohler to move in any direction it seems to want, why would this paragraph be stated any different? How about the EIS not being approved? Is that not why the EIS is put out there or is this just an exercise to placate the masses?

4.3 **Build Alternatives**..... “The views of the dunes, grasses, forest and Lake Michigan *which contribute to the proposed golf course's unique design, worldwide interest, and economic development potential* would be difficult to replicate at another location.” Take out the words in red italics and it says it all. As a state that prides itself in resources, the preservation or land use designation of this property should take precedence.

Some Other Type of Development.....Was the approval to develop an upscale camping facility a ruse and the golf course always the original intent? Was the township misled? Likely the case as evidenced from statements later in this report that refer to such things as water testing conducted at four locations on the site from as far back as 2010. This has been a clandestine operation since day one, and not transparent to the township government or its citizens.

5.1.1 **Geology and Soils**.....if I understand this narrative, to make this a world class course, topsoil will need to be brought in for the entire course to make it suitable for play. The EIS should discuss how this action will change and impact the proposed project area.

5.1.3 **Surface Waters**.....as a member of the public, I would like to see an OHWM defined and drawn on the EIS. Should this course proceed, the public should be allowed to maintain public access to the beach without interference of riprap or any other man made deterrent.

5.14 **Groundwater Resources**.....perhaps the major concern of surrounding township residents. The draft EIS states that “It is assumed that the other wells would also be constructed in the Silurian dolomite and their pumping capacities would be much less than that of the irrigation well.” **PLEASE** don't assume anything. This information needs to be spelled out in detail on what will actually be done, and perhaps further study with problematic analogs need to be provided to substantiate that no harm will occur to the major water supply of the area. The fact the Kohler is developing a plan to present to the Town of Wilson to mitigate any aquifer damages while prudent, is also worrisome to me as a nearby resident. The one mile radius provision (in the Town of Mosel letter) does not seem adequate as stated/dictated to the Whistling Straits Town of Mosel residents. I refer to “hear-say” statements that local residents are having well problems surrounding the Whistling Straits course. More disturbing is the fact that Kohler is responsible for determining whether a complaint is valid and whether they will rectify the situation. Where have you gone State of Wisconsin our public protector??On another subject....Is it normal for the Department staff to work for Kohler as stated on page 26 of the EIS? Is this typical and done with all EIS's? This process is of concern to the integrity of the EIS process in my mind. Was Kohler billed for the water study? Isn't it up to Kohler to provide the analysis and for the State to test the validity? That would seem the normal process.

5.2.11 **Visual and Aesthetic Resources**..... “Kohler places a high value on landscape integrity and aesthetics: landscape variation and interspersed of native vegetation, long views within the Kohler Property and to the lakeshore vista, and natural-appearing topography. Some of these values may be difficult to achieve given the slopes and the current canopy of the site and the elevation of the primary dune in relation to the areas to the west.” That being the case and to preserve the maximum natural beachfront, should the DNR ultimately approve this unnecessary and destructive project, the DNR should opt for the least obtrusive lakefront Alternative, that being Alternative B-1 or B-2 by the Figures --- and for that matter, insist on even less obtrusion to the lakefront. These Alternatives would require park access via their second option or possibly through their own residential development but after all, if you're going to cut down half of a pristine forest, what's a little river crossing going to matter. Sure it might be more bucks for Kohler, but the environmental impact of the river crossing will disappear in short order and at least the view from the shore will be somewhat preserved.

6.2 **Environmental Effect**.....The points stated by the DNR are self-explanatory and provide enough ammunition as stated to deny this request. Further investigation will likely expose even more concern for area residents and the environment. Be mindful that tourists primarily come to Wisconsin to enjoy its wildlife, forests and lakes. Witness the adjacent park. It is my opinion that few if any in the area regard the “economic impact” of the project as real or meaningful to the local community.

All that said, my opinion which I voiced over a year ago to the State of Wisconsin has not changed. I have included it below for your reference and once again, thoughtful consideration.

June 25, 2015,
Gentlemen,

This communication is regard to the proposed 18-hole golf course on Kohler owned land which would require a 4 acre easement from the State to make the project happen. I currently reside in Michigan but was born and raised in the Black River area and still own a home there. So, my tenure has been one of 65 years in the area. My family has a long list of community involvement in the area, my dad serving many years as its Fire Chief, and my mother and dad with the Black River Advancement Association and Boy Scout organization, with siblings still contributing in a similar fashion

today. My initial comment is that the State of Wisconsin should have long ago secured this property when it had the chance. It is one of the very few remaining properties like it on both the Michigan and Wisconsin shoreline surrounding Lake Michigan. Living in Michigan I can attest to the realization that nowhere in Michigan can one walk a coastline such as the one which includes the Kohler property and the Kohler Andre State park. For that reason alone, the DNR should consider denying the request for development, but pollution concerns also potentially weigh heavily on the local area. From my personal aspect, I golf 2-3 times per week, but see absolutely no need for this course in this area given the world class and other fine courses that already exist in the local area.

I am under no delusion however. This is private Kohler property, although I feel the State should make every effort to make it their own or prevent as able, further development on this stretch of coastline. Through my own career I have read and written many environmental impact statements and know that the statement can be written in such a fashion to make most projects happen. I assume Kohler will prevail in this quest as well. So, I would like the DNR to do one simple task. The old saying goes that a picture is worth a thousand words. Bring up Google Earth as take a good look at the property and the impact on this ecosystem in this area.

<https://www.google.com/maps/place/326+Pioneer+Rd,+Sheboygan,+WI+53081/@43.69987,-87.6931742,6845m/data=!3m1!1e3!4m2!3m1!1s0x8804a607ea9e36810x2d727dd7494ddb216m1!1e1>

Note the following:

- 1) The wetlands and river course of the Black River from beginning to end. The biologic activity in this river, especially the fish population, has almost disappeared from my youth.
- 2) The power plant to the north of the area. Particulate emissions from what was once a small power plant and now massive at the mouth of the river, are present/visible over most of the homes in the area and into the subject area – already stressing the environment.
- 3) The presence of Riverdale Country Club, an 18 hole course less than a mile from the proposed site provides unnecessary duplication by this project. This course already flows runoff nutrients into a tributary of the Black River. Not a sole cause, but with the area as a whole, including residential developments, and agricultural development a contributing factor.
- 4) The obvious proximity to the existing State Park land, and the obvious need for the state to secure this land for future generations.

The financial might and political influence of the Kohler family is not lost on us. However, I would ask the DNR to look at the "Forest for the Trees" and make a concerted effort to consider this parcel as a jewel in its state park system if possible. As a second option, a private activity less stressful (if any) on the area should be recommended. All in all, this proposed project is a common sense issue. Thank you for your time, thought and consideration.

Dave Gruber
1552 Tomlinson Road
Mason Michigan 48854

326 Pioneer Road
Sheboygan Wisconsin 53081

From: [David B](#)
To: [DNR Kohler Proposal](#)
Subject: DNR Kohler Proposal
Date: Friday, July 22, 2016 8:28:09 PM

July 22, 2016

I am completely opposed to the Kohler Golf Course Proposal for numerous reasons.

I am opposed to the use in any way, or the granting of an easement of the State Park property to Kohler for the purpose of their profit.

I object to what must accurately be termed destruction and obliteration of rare wetlands. The wetlands within this site are without doubt "globally rare" and cannot and must not be allowed to be mitigated because they can't be duplicated elsewhere due to their uniqueness and rarity. It is my understanding that rare plants and animal species are also present within the project boundary and I feel that this environment / ecosystem must be protected for future generations, as is the DNR's mission.

I feel there will be unintended negative consequences for residents of the Town of Wilson, Sheboygan County, as well as other Wisconsin residents and, in general, anyone who uses Kohler-Andrae State Park, should this project be allowed to happen. I believe that there will be a disruption to traffic flow and the general peaceful ambiance of Kohler-Andrae State Park if the proposed golf course would hold a major event, as well as damage to flora and fauna from too many people visiting the area in too concentrated of a period of time.

I believe that, as noted in the draft EIS, golf as a sport is in a downtrend and fewer young people are taking up the sport. And I believe that the numbers provided by Kohler estimating the number of rounds of golf that might be played will simply result in fewer rounds of golf played at wherever these golfers would have played otherwise. While the local economy might get a boost, it would be at the expense of the economy of a different area. It is generally recognized that the local Sheboygan County economy is doing well and I share the opinion of many others in that there isn't any clear economic need for this project. Additionally I believe that "economic values" don't equal "environmental values" and if this project is allowed to happen it will be looked at from the future as a huge mistake that should have never been allowed to happen, but unfortunately cannot be restored to the way it was.

I have an objection to the seeming incompleteness of the Draft EIS in regard to wells. A statement on page 25 especially concerns me, "Additional wells... will be needed, but the proposed location, capacity and number of wells has yet to be determined." I am aware that research has been provided to the DNR showing the amount of water that could be drawn by this proposed golf course would not be without environmental risk to other water users as well as the long-term health of the aquifer itself.

In summary, there are more than enough negative consequences to this proposed project that it must not be approved by the WDNR.

Thank you for your consideration.

David Bruggink
231 Beach Court
Sheboygan, WI 53081

From: [Marty Carney](#)
To: [DNR Kohler Proposal](#)
Subject: Do Not Allow Golf Course to be built next to Kohler-Andrae State Park!
Date: Thursday, July 28, 2016 9:52:06 AM

To Whom It May Concern,

Please do not allow the Kohler Company to build their proposed golf course and thus to threaten the integrity of and the nature protected by the Kohler-Andrae State Park

Thank you for using your influence for good.

Sincerely,

Rev. Dr. Martin Carney
2002 N 11th Street
Sheboygan, Wisconsin

From: [Georgeanne Matranga](#)
To: [DNR Kohler Proposal](#)
Cc: [DNR SECRETARY](#); [Thiede, Kurt A - DNR](#); [Ross, Laurie J - DNR](#)
Subject: Do NOT approve Kohler company's plan for a golf course on public state land!
Date: Wednesday, July 27, 2016 5:04:50 AM

Dear Wisconsin DNR Officials,

I oppose any easement through Wisconsin lands for Kohler's proposed golf course. No public lands should be sold or used for private profit. This easement would cut across State trails that are heavily used by the public. Our environment is not here to serve the 1%.

I am asking the DNR to DENY the Kohler Company's request to build a private maintenance shed on over 12 acres of public land. The DNR must tell the Kohler Company that they can NOT destroy wetlands, bulldoze rare dunes along the Lake Michigan shoreline, clear cut over 125 acres of forest and use public lands for a private, for-profit, golf course. The DNR must NOT set a precedent of stealing land from Wisconsin residents and giving it to the highest bidder. I am requesting that the Wisconsin DNR PROTECT OUR ENVIRONMENT AND PRESERVE WISCONSIN'S PUBLIC LANDS.

Thank you for your attention to my profoundly grave concerns.

Sincerely,

Georgeanne Matranga
140 Village Green Drive
Port Jefferson Station, New York 11776
DTPORGE@aol.com

From: sfschneider@aol.com
To: [DNR Kohler Proposal](#)
Subject: Do not give/sell Kohler any public land
Date: Tuesday, July 19, 2016 3:06:08 PM

DNR:

I am very upset by the attempted takeover of four acres of Kohler State Park land for a private golf course, and I am appalled by the DNR's favoritism and illegal attempts to ensure that the deal goes through. The DNR should not be working as a private contractor for the Kohler Company.

The devastating environmental impacts of destroying rare dunes, filling fragile wetlands, and clear cutting 150 acres cannot be ignored. The ecosystem will be destroyed forever. And why is this being done? So that a private company can make money. The Environmental Impact Study needs to use real scientific data to see how bad this project is.

Please do your job and protect the environment. The people of Wisconsin expect you to preserve our lands and parks, especially from private businesses who are only interested in making a profit.

Thank you,

Sue Schneider

The Draft Kohler Environmental Impact Study recently released by the DNR is being challenged by the group Friends of the Black River Forest (FBRF) for what it calls an unscientific, inaccurate work for a business which has yet to apply to the agency. "An EIS is mandated to provide impact information so the public can make informed comment. This report deprives the public of its right to make informed comments as it gives virtually no scientific information," states Mary Faydash, an FBRF spokesperson.

The group is alerting the public to attend the public hearing on the Draft, July 20 in Sheboygan Falls and oppose the lack of science and the favoritism given to the Kohler Company over a more than 3 year period.

Claudia Bricks, of FBRF, objects to the DNR using taxpayer money and over 36 employees in 2015 to work with the Kohler Company. "The DNR cannot enact the Clean Water Act because it says it is short staffed and yet we, the taxpayers, have paid for the DNR to act as a private contractor for Kohler. This is wrong and it has to stop."

The Kohler Company is asking the DNR for 4 acres of Kohler State Park land and the permission to change the Park entrance into a rotary to facilitate entry

to the proposed course. The DNR in an action opposed by FBRF will help Kohler get public Park land purchased with Federal funds (LAWCON) converted to private land for the Company's private profit. It will also need to work with the Natural Resources Board to change the Kohler-Andrae Park Master Plan.

The group has been publishing information for two years on the serious environmental impacts of clear cutting and reconstructing 247 acres adjacent to Kohler-Andrae on the shore of Lake Michigan. "Once you level rare dunes and fill rare wetlands, deforest 150 of 247 acres, the ecosystem is destroyed and it can never come back. We need people to speak out against the Kohler Company's lack of environmental concern, and the DNR's favoritism.

From: [Paul Noeldner](#)
To: [DNR Kohler Proposal](#)
Subject: DO NOT SELL PARK LAND! KEEP KOHLER INTACT!
Date: Friday, July 29, 2016 10:22:26 PM

As citizens we are all shareholders in our Wisconsin corporation. We all own and enjoy our shared public lands.

Do not sell off public lands and in particular natural areas critical for the long term health of our world, for short term profits and for personal gain by some at the expense of others. Business needs to play by the rules. Entrepreneurs have plenty of ways to make money without taking shortcuts or trashing public assets.

Public ethics and fairness to all - including our birds and wildlife - must trump personal values and profits in public decisions. Keep our public lands intact!

From: [Jimmy Pautz](#)
To: [DNR Kohler Proposal](#)
Subject: Don't give away protected land and destroy natural resources
Date: Wednesday, July 27, 2016 1:26:20 PM

The DNR is supposed to protect our resources, not give them away to for-profit corporations. The impact on the wildlife, birds, dunes, and forest are not worth the small amount of convenience for Kohler. There are plenty of other places to build a golf course that have a much smaller impact on our natural resources. The DNR should never give away state park land.

I've camped at Kohler-Andrae and very much appreciate how they've protected that area, while still allowing public use. The Kohler golf course would destroy that mission.

Jimmy Pautz
944 6th Ave
Grafton, WI 53024

From: sfschneider@aol.com
To: [DNR Kohler Proposal](#)
Subject: Don't give Kohler any public lands
Date: Wednesday, July 20, 2016 4:30:40 PM

Is the DNR trying to deceive Wisconsin citizens? The talk had been that Kohler would be given 4 acres, but now it is 20? How can you say you are working for the people of Wisconsin and protecting Wisconsin natural resources. Do not give any private company public lands. Do not sell out our natural resources!

From: [Bret S](#)
To: [DNR Kohler Proposal](#)
Subject: Don't let Kohler develop Black River
Date: Wednesday, July 20, 2016 4:00:54 PM

Dear DNR, I live on the south side of Sheboygan about 3 miles from the Black River Forest where Kohler Co. wants to build a golf course. I am against this and most citizens of this community are.

1. We have already seen that previous golf courses in our area bring no economic benefits into the community, only back to the company and the village of Kohler.
2. Our taxes go up, we have to pay for more roads and law enforcement, but the golfers get right back on the interstate and spend no money here.
3. This property is one of the last remaining unspoiled woodlands on the western shore of Lake Michigan. Once it's gone, it's gone.
4. The wildlife and wetland displacement will be massive and you know it.
5. This large development will change the Town of Wilson greatly and no one wants it here.
6. It is well documented that all the previous generations of the Kohler family intended for this property to remain a woodland, they remained steadfast for decades. It's the ambition of Herb to leave a legacy for himself. It's not about money. It's about a man with failing health trying to achieve immortality by building huge projects. We don't need another golf course here. There are many alternative sites he could develop.
7. We know the laws and even though this is private property it is within the power of local and state government to stop this project due to its huge environmental impact. Not to mention I've personally seen Indian Mounds there!

Bret Smith
2412 S. 7th St.
SHEBOYGAN, WI 53081

From: [James C. Congdon](#)
To: [DNR Kohler Proposal](#)
Subject: Draft EIA for Kohler Andre Park Land Sale
Date: Wednesday, July 27, 2016 10:13:32 AM

I am strongly opposed to the sale and development of Kohler Andre State Park Lands to the Kohler Company for a golf course. The Draft EIA is inadequate and does not sufficiently identify and address the significant impacts the proposed development will have on the habitats contained in the affected land. It is unacceptable to sell lands purchased with LAWCON funds for protection and public use to private parties for private use and profit.

James Congdon (retired WDNR biologist and Watershed Supervisor)
N7991 Schwarze Road
Horicon, WI 53032

From: [Erin O'Brien](#)
To: [DNR Kohler Proposal](#)
Subject: Draft EIS Comments
Date: Friday, August 26, 2016 4:01:56 PM
Attachments: [WWA Kohler Golf Course Draft EIS Comments.pdf](#)

Greetings,

Wisconsin Wetlands Association's comments on the draft EIS for the proposed Kohler golf course are attached.

Thanks,
Erin O'Brien

--

Policy Director
Wisconsin Wetlands Association
214 North Hamilton Street, Suite 201
Madison, WI 53703
[608-250-9971](tel:608-250-9971)



214 N. Hamilton St. #201 Madison, WI 53703
Phone 608-250-9971 Fax 608-287-1179
www.wisconsinwetlands.org

August 26, 2016

Jay Schiefelbein
2984 Shawano Avenue
Green Bay, WI 54313-6727

Re: Comment on the Draft EIS for proposed Kohler Golf Course, Town of Wilson, Sheboygan County

We appreciate the opportunity to provide input on the Draft Environmental Impact Statement (DEIS) for the above-referenced project. Wisconsin Wetlands Association (WWA) is dedicated to the protection, restoration, and enjoyment of wetlands and associated ecosystems through science-based programs, education, and advocacy.

While it is rare for us to weigh in on project-specific proposals, we do so in cases where the proposed project poses a threat to rare or exceptionally high quality wetland resources or when the decision will establish a precedent for how the state implements existing wetland protection laws. We chose to respond to this project because it has the potential to do both.

The [REDACTED] wetlands located on the proposed development site are rare, with only 10 known examples in Wisconsin and small acreages present at each site. This, combined with the fact that these wetlands developed over hundreds if not thousands of years, in response to unique lake shore conditions, suggests that they are not a type of wetland that can be re-established elsewhere through mitigation.

The DEIS is largely silent to the fact that the proposed and potential direct, indirect, secondary, and cumulative impacts will degrade or destroy wetlands that are essentially irreplaceable. As described in more detail below, this is one of several significant deficiencies in the content of the document.

We offer the following comments and recommendations on the content, findings, and adequacy of the DEIS:

1. The DEIS fails to disclose critical project details that are relevant to the assessment of environmental risks and impacts.

The DEIS presents a conceptual overview of the proposed project, but lacks the level of detail needed to adequately evaluate and disclose environmental concerns. Examples of missing project details that have the potential to affect site topography, hydrology, and wetland function include but are not limited to:

- a. the dimensions and locations of cart paths;

- b. whether or where excavation of Adrian muck and Granby soils will be needed;
- c. the extent and location of all proposed grading, particularly grading of dunes and wetlands;
- d. details on the location and operation of non-irrigation wells;
- e. details on the extent and location of tree clearing.

2. *The DEIS fails to include basic analyses of environmental concerns.*

While the incomplete site plan makes it difficult to evaluate the full extent of direct and potential impacts to wetlands and other sensitive resources, it also failed to ask, let alone assess, fundamental questions on the likely and potential impacts from project activities. For example the DEIS did not fully evaluate or disclose:

- a. How wetlands on site receive and/or process surface and groundwater.
- b. The amount of wetland fill, conversion, or degradation associated with site grading and or installation of cart paths.
- c. The impacts of extensive tree clearing on wetlands and/or site hydrology.
- e. The potential for shallow groundwater pumping to cause a drawdown in wetland water levels.
- f. The potential for curbs and gutters along fairways near wetlands to disconnect wetlands from their water source.

Answering these and similar questions will require a detailed understanding of both site topography and hydrology. The most cost effective way to gather detailed and accurate information on site topography and surface water flow-paths is through photo-interpretation of LiDar imagery (available through Sheboygan County). For somewhere between \$2,000 - \$5,000 you could have an experienced wetland photo-interpreter assess drainage patterns and evaluate potential indirect impacts of proposed activities in or near wetlands. Due to the specialized expertise required, we recommend requiring Kohler to subcontract with the GeoSpatial Services Center (<http://www.geospatialservices.org/>) at St. Mary's University of Minnesota to perform this analysis.

3. *The proposed project purpose is too broad and the need for the project is not well supported.*

The basic project purpose is to build a golf course. Proximity to the lake front is desired, but is not germane to the basic project purpose.

While aspects of the design appear to be driven by an intent to host professional golf tournaments, the DEIS does not include evidence of a demand for additional PGA tournament sites. Further, it fails to describe what design elements are required to meet PGA standards (i.e., fairway length and width, topography, visitor facilities, etc.).

This information should be disclosed as it is relevant to the project need and the sponsor's ability to modify the site plans to avoid or minimize impacts to wetlands and other sensitive resources.

4. The decision to initiate the WEPA review without federal NEPA coordination is atypical and inefficient for the applicant, the coordinating agencies, and the concerned public.

Projects of this magnitude generally trigger a joint environmental review between state and federal agencies. The scoping and drafting for the environmental impact statement typically does not begin until *after* submission of a relatively complete application. The benefits of this approach are that all agencies with jurisdiction have the ability to review a project plan and to request information that can be reviewed in decision making and disclosed to the public.

The public benefits from the disclosure of the technical questions and comments produced by professional agency staff. Wisconsin Wetlands Association tends to rely heavily on correspondence between agencies and applicants to inform our response to controversial projects. The absence of these materials in the project record increased our workload and the difficulty of our DEIS review.

The decision to move forward with a public comment period prior to completion of a federally led archaeological review and tribal coordination is also non-conventional and inefficient as the findings are likely to result in additional, and potentially significant, changes to site design.

For all of the reasons stated above, we find the DEIS for the proposed Kohler golf course to be highly deficient.

We respectfully request that the Wisconsin Department of Natural Resources require the project sponsor to submit extensive additional site plan information and to pay for additional analysis to be completed by independent contractor(s). We ask that these requests for information be coordinated with federal agencies and released in a Supplemental DEIS with a full 60-day comment period.

Given the many financial constraints of the Department, we also strongly suggest that no additional review or analysis be completed unless or until the project sponsor submits a complete application to both the Wisconsin DNR and the U.S. Army Corps of Engineers, and that all future work be fully coordinated between the two agencies.

We thank you for your consideration of these comments on the Draft EIS for this proposed project.

Regards,



Erin O'Brien
Policy Director

From: [Edward B. Mueller](#)
To: [DNR Kohler Proposal](#)
Subject: Draft EIS for Kohler golf course
Date: Thursday, August 18, 2016 2:24:16 PM

Dear DNR representatives:

In addition to re-stating our concerns previously expressed about the poor location for the entrance to the proposed Kohler golf course and the admitted impairment of the water table (see my email below, and prior confirming letter), my family and I would like to comment on the location of the proposed 22,000 square foot maintenance facility on State Park property.

The maintenance facility is very near our property at 216 Beach Park Lane (shown as private ownership on your maps). Starting their machinery at 5 a.m. as the draft EIS says, and handling “herbicides, pesticides, and fertilizers” in that location would create a public nuisance and render our bucolic vacation cottage a noisy work zone where people will not be able to sleep. Add to this the fact that our shallow water table will probably be interrupted if we read the report right, and it would be a disaster.

Thanks.

Ed Mueller

From: Edward B. Mueller
Sent: Monday, July 20, 2015 6:59 AM
To: 'DNRKohlerProposal@wisconsin.gov'
Subject: Kohler golf course

Dear DNR representatives:

Our family’s cottage at 610 Beach Park Lane is about 700 feet south of the proposed 16th fairway and our access to the cottage is through the entrance to Kohler-Andrae State Park. We are the “private parcel” on the materials provided before the UW-Sheboygan forum on July 14. I would like to address just two of the shortcomings of the most recent plan, the impact on water availability and the location of the entrance to the proposed course.

An insurance fund would not compensate people if the water runs out as it did for some property owners near Whistling Straights. My family often entertains at our cottage – if the water runs out when we or any of our neighbors to the north of the proposed course have a house full of guests, what good is an insurance policy? How will campers or day visitors to Kohler-Andrae State Park be compensated if there is no running water? As you know, “showers, flush toilet and laundry facilities are available in the family campground” (per the Kohler-Andrae/DNR web-site).

Insurance claims periods are often long and insurance funds themselves can run dry. Would it take a month to process a claim and then dig a new well? Will the insurance fund or Kohler pay for us and our guests to stay at the American Club, for each day or part of a day when we have no water? If the

course is going to use wells, rather than water straight from the lake which was a plan mentioned by Kohler representatives at a meeting last year, the hydrology must be investigated thoroughly and relief provided to people with shallow wells before Kohler builds his course. The public needs an unconditional opinion from a licensed hydrologist that residents' water source will not be interrupted – and there must be recourse against Kohler himself if the wells nevertheless run dry.

Here is another quote from your web-site:

Water resources are the foundation for Wisconsin's economy, environment and quality of life. Managing, conserving and restoring them for the benefit of Wisconsin citizens now and in the future is a big job, and one that DNR staff share with local governments, citizens and businesses.

As to the entrance, entering off County V/12th Street at a spot where there are no driveways and no public hiking trails that would be disrupted is far better than coming through the park. The busy times for golfers are the exact times when the park is most busy. The park was at full capacity over the week-end of July 4th. Imagine what it will be like if and when Kohler lands a Major, his stated goal. The U.S. Open is in June, and the PGA in August. How are hundreds of thousands of spectators going to get into the course, and what will that do to traffic on roads used by campers at Kohler-Andrae and used by my family and guests to get to our cottage?

We were guaranteed access to our property by the DNR when it moved the entrance to the park from the south and closed and then destroyed the old V Road east of the "new" entrance to the park, which had been our public access. We cannot be made to wait in lines created by golf professionals or tournament spectators – that is not what we agreed. The entrance should be moved to a spot along the V Road (12th Street) that will have as little impact on any hiking trails as possible. If there is nowhere to put the entrance that does not dissect hiking trails, which seems unlikely, let Kohler build an underpass or overpass for any hikers to get past his driveway, or use stop signs and caution signs where the trail crosses his driveway. It appears that the entrance off 12th Street could easily be south of the current parking lot and trail head(s). Or, north of the parking lot for that matter. A quick visual drive-by will confirm that this is plausible and is better than tying up the park entrance that my family and our guests use for the access to our cottage, and obviously better for the public using Kohler-Andrae State Park – who as you know pay a fee to do so.

Focusing on these two points does not reflect a lack of concern for the opinions of, as I recall, two professional ornithologists, a geologist, a hydraulics engineer, various people with environmental credentials, and all the homeowners/taxpayers from Black River that were voiced at UW-Sheboygan on July 14, and in other venues, much less the other deleterious impacts that a golf course would have on the Black River forest and surrounding DNR-owned wilderness areas and wildlife refuges.

Ed Mueller

From: [Duane Bigelow](#)
To: [DNR Kohler Proposal](#)
Subject: Draft EIS for Kohler Golf Course Proposal
Date: Friday, July 22, 2016 4:59:13 PM

Atten : Jay Schiefelbein

Dear Mr . Schiefelbein -

I wish to express the following concerns about the Draft EIS for the proposed Kohler golf course:

- 1). Like many who attended the recent public hearing in Sheboygan Falls , I fail to understand why the DNR would issue a draft EIS prior to ALL of the Kohler - proposed alterations to the site have been finalized and submitted . How can an EIS have credibility and rigor if key aspects of the project have yet to be submitted for proper vetting ? As additional information about the project becomes available from Kohler will additional EIS's be forthcoming ? Does DNR have a true commitment to conducting a thorough evaluation based on all that is envisioned by Kohler Company for this project ?
- 2.) The environmental implications of launching a major commercial development immediately proximate to the state park do not appear to have been fully considered . Not only should the park itself be protected but the environs should be , at the very least , non-threatening to the environmental integrity of the park itself . Currently , low density housing and the occasional farm would not appear to appreciably compromise the environmental integrity of the park . But what about a park neighbor who proposes to install high capacity wells and trigger major drawdown ? What about a neighbor who plans to use large quantities of chemical fertilizer , herbicides , and pesticides . What about a neighbor who would dramatically increase traffic volume and potentially trigger collateral commercial development in the form of gas stations , hotels , restaurants and retailers ? Why would it not make sense to not only protect parks themselves over which the DNR has statutory responsibilities , but also safeguard the environs of parks to prevent significant and destructive encroachment ?
- 3.) As a property owner located approximately 3 miles from the park , what if I sustain well problems and live beyond the Kohler imposed 1 mile radius ? How would I get redress ? What , if any state - sponsored mechanisms would come into play to ensure I am treated fairly by Kohler Company ? I live in close proximity to Black River . What if chemical run - off pollutes the river ? What does that do to my property value ?
- 4.) I am not an environmental/EIS expert but what about the sacrifice of the carbon sequestration capabilities lost by clearing half the trees ? Per CNN , world temperatures have hit highs for 14 months in a row. This is unprecedented since temperature records began being kept in 1880 . Is the benefit of profits to the Kohler Company , and the luxury of wealthy people being able to play golf on an exclusive course worth adding to climate change ?

There is more to say and I am already rehashing some things which have already been said by those with far more expertise and insights than I have . But as a resident of Black River and a property owner - just like the Kohlers - I deserve to have state agencies such as the DNR be responsive to my rights and my needs and the rights and needs of future generations as well .

Sincerely ,

Duane Bigelow
322 West Evergreen Drive
Sheboygan , WI
53081

Sent from my iPad

From: [Edward B. Mueller](#)
To: [DNR Kohler Proposal](#)
Subject: Draft EIS for Kohler golf course
Date: Wednesday, August 24, 2016 4:03:14 PM
Attachments: [Map w two entrances not impacting Park operations or any trails.pdf](#)

Dear DNR Representatives:

Our family owns the property at 610 Beach Park Lane, inside the KohlerAndrae state park shown on your maps as "Private Parcel" or "Camp Taswood", Tax Parcel Number 59030458260.

There is no reason to use the Park Entrance Road to get into Kohler's proposed golf course, if the course is approved. Attached is a drawing showing two entrances that would not impact traffic to the park or to our private property, and would not interfere with any paths used by hikers. These entrances would be well away from the trails and trail head further North on County V. If you drive out to the site of the proposed course, you can see that no private parcels or driveways would be anywhere near these proposed entrances. Kohler can build a new bridge over the Black River to spare wear and tear on the historic old bridge on the V Road by the Park entrance, which bridge is used by bikers and hikers as well as by cars getting into the park and into our property (My 71 year old sister fell into the Black River or was pushed by my cousin when she was about 5 years old, falling from the supports for this very bridge – but that is another story).

Any maintenance shed should be as far from the Park and from our property as possible and far away from other private properties. Per the draft EIS, operations start at 5 a.m., with heavy machinery, etc. Kohler's engineers are placing the maintenance shed near our property so that golfers and clubhouse users will not have to see it and hear the engines and suffer any pesticide spills! The shed should be conveniently located in the center of his property, away from the private houses on the north and our cottage on the south, near the proposed driving range and near the new club house. Let the noise and chemical pollution at least take place on the property of the polluter!

To reiterate another point made by many others, anticipated problems with water wells have to be fixed in advance. The draft EIS admits that there will be an effect on the water table for shallow wells, like ours. We cannot have water service interrupted. It is callous to think that this problem can be fixed by someone coming out a few weeks later and drilling a deeper well.

Please take these comments into consideration. This letter is not in any way supporting the new course, but if it is approved, steps should be taken to limit the damage to private properties and public parkland from the callous and indifferent plan that Kohler's advisors have proposed.

Thanks.

Ed Mueller

8.1 Figure 1

ENVIRONMENTAL IMPACT REPORT
PROPOSED GOLF COURSE - TOWN OF WILSON - KOHLER COMPANY

Figure 1 Proposed Golf Course Plan



Two Alternate
Entrances Off
V Rd./12th St. -
NO IMPACT ON
PARK OR EXIST-
ING TRAILS!!

→

OR

→

From: [Mary Faydash](#)
To: [DNR Kohler Proposal](#)
Subject: Draft EIS for proposed Kohler Golf Course
Date: Thursday, August 25, 2016 5:33:42 PM
Attachments: [Comments on Draft EIS --Mary.docx](#)

Please see attached comments from Friends of the Black River Forest

To: Jay Schefelbein
DNR Kohler proposal
From: Mary Faydash, co-spokesperson Friends of the Black River Forest

The DNR has written a Draft Environmental Impact Statement which you admit is not complete. It does not include credible scientific information on impacts which many citizens and experts presented during the Scoping meeting a year ago. Kohler never completed information needed for its Environmental Impact Report. Without credible and complete information the public is being deprived of our right to make informed comment on a project that will have a profound impact on our lives and resources. Therefore we are asking that you re-write the Draft EIS and post another hearing date.

An EIS is triggered by government action which means when a permit is applied for, the DNR begins to study the impacts and an EIS is written. No government action has been triggered here as the Kohler Company has no application on file So why have you written this Draft EIS?

This agency has been cited for its inaction on enforcing permits and disastrous results have occurred in Wisconsin. Secretary Stepp cites lack of staff to carry out enforcement. In 2015, over 36 DNR staff members worked on the Kohler project without the Company having applied to the agency. The taxpayers have footed the bill.

Business leaders will stress the tremendous positive economic impact to the County and the State. However, Jim Richerson of Kohler won't release the data used, the jobs or salaries. He says this will aid their competitors. So those business people have not verified this report.

This is a Draft Environmental Impact Statement. Neither you nor Kohler have spoken of positive environmental impacts. It is clear from reading the DEIS that there are none. This Draft environmental Impact Statement is a cut and paste from the Kohler Environmental Impact Report given to you last year.

This Statement describes an assault on every part of the environment and does so saying, "probably," "most likely", "a septic system could work," "Can't avoid adverse effects." You didn't publish the septic or floodplain report. Mr. Thompson has told us that Kohler hasn't given them to you yet. A septic system on a shallow water table is a huge public health risk.

What other health risks? Pesticides cause cancer, period. The Kohler Pest Management System you describe comes from an article. We would expect their practices to be verified.

Your well draw down charts are incorrect as we are on a fractured aquifer. All bets are off as to what wells will be affected, but we know they will be. We will

have to jump through hoops to get Kohler to pay for new wells as the Company will determine if its water usage is responsible or not for well impacts.

Groundwater pollution and well contamination have reached crisis levels in parts of the state. And it started ladies and gentleman with one permit and multiplied with lack of enforcement.

Where will you be when the cladophora piles up on the shore and Kohler – Andrae beaches are unusable? When permits are being violated? The State Park forest will be affected by the loss of 150 acres of trees adjacent to it. Where will you be when the effects of deforestation begin to show themselves? When wildlife is significantly diminished? When the reconstruction of forests, wetlands and dunes change water flow and affect surrounding residents? You are asking us to trade ours and our children's health, resources and the resting place of thousands of years of early people's for 227 jobs and the profit of the Kohler Company. This destruction is not minimal. This is not what a steward of the environment does.

We request that you rewrite the Draft EIS with all the information that should be included incorporating the expert information you have received from Friends of the Black River Forest.

From: [Jane Kettler](#)
To: [DNR Kohler Proposal](#)
Subject: easement for private golf course unnecessary and sets poor precedent and is wrong
Date: Saturday, August 27, 2016 9:13:10 AM

An easement through, or sale of, public lands for the purpose of accessing private lands is unnecessary for the proposed Kohler golf course. Mr. Kohler, Kohler Company, or other companies owned by Mr. Kohler, Kohler Company, or other related entities ***already own sufficient land which can be used to access the property proposed for the golf course.*** Access can be made off S. 12th Street, through the subdivision to the north of the public land. I suspect Mr. Kohler does not want to use these lands he already owns because he thinks the lots will finally sell once the course is developed.

Even if he did not already own these properties through one of his companies, he would be free to purchase them from any current owners. That is what us "common folk" would have to do.

Since the public lands in question were acquired with Federal Funds, this is a national issue and affects every US citizen, many of whom are not aware of the situation so will not be commenting. ***Using public lands for the benefit of a privileged few is unfair and wrong.***

I strongly oppose the use of public lands for anything other than public use.

Jane Kettler
1503 Terry Court
Sheboygan, Wi 53081

920-627-6641

From: meeekomystic@gmail.com on behalf of [Carla Rollins](#)
To: [DNR Kohler Proposal](#)
Subject: EIS for Kohler Company Golf Course and Easement
Date: Friday, August 26, 2016 4:27:06 PM

Dear Mr. Schiefelbein,

I am a former Wisconsin resident who has visited Kohler-Andrae park several times, both in the distant and recent past. I am in the unique position of being both a biologist and a Florida licensed land surveyor so I can understand this issue from both sides of the equation.

From a development standpoint, going through the public lands is the quickest, easiest and cheapest solution and would benefit the Kohler company greatly. They could maximize their profits and minimize their expenditures.

From a biological standpoint, the actions are devastating and irreversible.

As your own mission statement proclaims, "The mission of the WDNR is to protect and enhance the natural resources of Wisconsin and to provide a healthy, sustainable environment within the state for current and future generations." The installation of the requested Kohler amenities would be in direct juxtaposition to your goals. Please consider other options to the intrusion of Kohler's business onto state lands.

Sincerely,

Carla J. Rollins

Professional Surveyor and Mapper

Florida License #6564

3221 SW Crumpacker Street

Port St. Lucie, FL 34953

From: [Ted Thieme](#)
To: [DNR Kohler Proposal](#)
Subject: eis proposal
Date: Tuesday, July 19, 2016 11:20:24 AM

To whom it may concern,

I understand that there will be a public hearing regarding a draft environmental impact statement for the proposed Kohler golf course on July 20th. I will be unable to attend, but would like to state firmly and clearly that I am OPPOSED to this development. I have reviewed the proposal and can not see how this will not have negative impact on our state's natural resources. Thank you for this opportunity to express my opinion.
Sincerely,

Ted Thieme
509 Ontario Ave.
Sheboygan, WI 53081

From: [Lois Otten](#)
To: [DNR Kohler Proposal](#)
Subject: EIS
Date: Sunday, July 24, 2016 3:14:01 PM
Attachments: [dnr-watch-whistlingstraits.pdf](#)

Dear Mr. Schiefelbein,

On July 20, 2016, I attended the public hearing on the DNR Draft Environmental Impact Statement. I would like to make a comment on that meeting, the proposal timeline, and the **DRAFT** Environmental Impact Statement.

#1 The Meeting

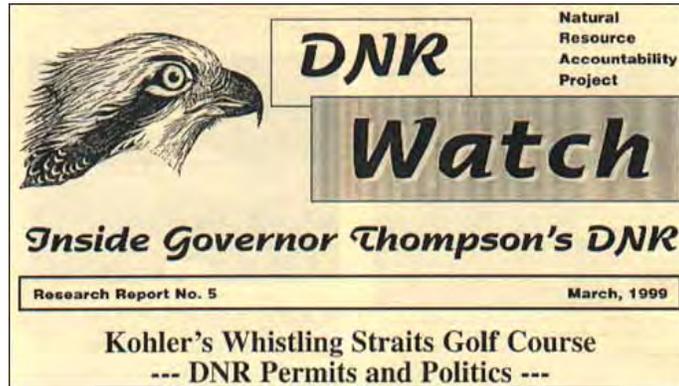
As I listened to the speakers who addressed the DNR representatives, I noticed that those who spoke *in favor* of the Kohler proposal were employees of Kohler or were business/development leaders who urged acceptance of the proposal on the basis of its **economic** benefit to the county and state. Furthermore, they based much of that support on the reputation that Kohler has had as a business in Sheboygan County and the success of Kohler's other golf ventures, particularly Whistling Straits. **I would ask that you strike all those comments from the record since they do NOT address the ENVIRONMENTAL IMPACT!** No one who spoke in favor of the project put forth any credible **scientific evidence** that the proposed project would not harm the environment. In fact, we heard time and again from those *opposed* to the project of the irreparable harm the project would cause: from the destruction of a major migratory bird stop over, to the run off/seepage of harmful herbicides and pesticides (especially the speaker who pointed out that **herbicides and pesticides do not disappear! They "go somewhere". They cannot be contained because Mr. Kohler does not control the wind and the rain**) to the strain on the aquifer that supplies the wells of the homeowners in the Town of Wilson, to the loss of the quality of life that drew the residents to this area: the quiet; the wildlife; the forest; the State Park. All of these irreparable impacts are both short and long term.

#2 The Proposal/EIS Timeline

As was expressed by numerous others: HOW AND WHY can the DNR make even a DRAFT EIS without a formal permit application? Based on Mr. Kohler's "word" or "intentions"? Can this be trusted? Can he not come back with plans that are very different from those you are preparing a report for? What is the precedent for this? Mr. Kohler has shown disregard for DNR regulations in the past and I don't think his word can be trusted. See the attached DNR Watch Report. I also understand that your office has been requested to state another such instance when an EIS was drafted without a formal permit proposal and that such an instance has yet to be forthcoming.

WEDNESDAY, JULY 20, 2016

WI DNR not forwarding records on projects DNR



<http://www.wsn.org/issues/DNRWatchrpt5contents.html>

Summary <http://www.wsn.org/issues/DNRWatchrpt5.html>

This report analyzes the permit process involved in the construction of the Whistling Straits Golf Course and apparent permit violations by the Kohler Company. It seeks to examine the DNR's performance relative to the enforcement of their own permits as well as the DNR's oversight responsibility for the enforcement of Sheboygan County's Shoreland Zoning Regulations and the Town of Mosel's Conditional Use Permit.

Introduction

In 1995, the Kohler Company began construction of a links-style golf course in the Town of Mosel in Sheboygan County. The site of this course consists of more than 600 acres and includes two miles of Lake Michigan shoreline. After the requisite public meetings, certain permits were granted to the Kohler Company by the Township, the County and the DNR. Almost immediately these Permits began to be violated seriously and systematically. For nearly two years citizens complained to the DNR that Kohler was in violation of every permit they held. George Meyer's response in April of 1997 was that "My staff are not aware of any current violations of the permits issued." 1

One of the preceding statements is patently false. This report will lay out the facts in an attempt to find the truth.

The Purpose of this Report

[This is the fifth](#) in a series of reports discussing Governor Thompson's political control over Wisconsin's Department of Natural Resources.

The Governor has now appointed all seven of the citizen members of the Natural Resources Board, which sets policy for the DNR. In the 1995 state biennial budget, the Governor also made the DNR Secretary a political appointment of the Governor, making the Department the subject of serious political influence. In the same budget, the Governor eliminated the Wisconsin Public Intervenor Office which advocated for public rights in natural resources and served as watchdog over the DNR and other government agencies. Subsequent to the Governor gaining this control in 1995, many negative changes have occurred in the DNR.

Each report in this series explores a specific example of these negative changes.

Discussion <http://www.wsn.org/issues/DNRWatchrpt5discuss.html>

In 1995 Kohler began construction. The Approved Grading Plan allowed for the construction of a number of screening berms around the course. Kohler constructed one berm at the north end of the course which was not on the Approved Plan. The berm in question is 800' long and approximately 15' high and includes a concrete bunker-style toilet building.

Obstructed Public View --- The northern terminus of this berm comes within several feet of the top of a 60' high, actively-eroding bluff on Lake Michigan at a point where Kohler's property adjoins the neighbor to the north and County Highway LS. The purpose of this berm (it's utility) is to screen the golf course from the highway.(6) This it does. It also obstructs the view of several neighbors as well as obstructing what was one of the most spectacular public vistas on this side of the lake.

Violated Set-Back Rules --- This berm and the construction of beach revetments on the lakeshore appear to violate conditions outlined in the DNR's permit #3-SE-95-0445 which said that "Unless specifically authorized, all buildings and other structures must be set back at least 225' from the OHWM (Ordinary High Water Mark) of the lake. A structure is defined as something with shape, form and utility..." (Emphasis is DNR's).

Altered Work Without Approval ---This same document clearly states "This permit does not authorize any work other than what you specifically describe in your application and plans...If you wish to alter the project or permit conditions, you must first obtain written approval of the Department."

The project was altered substantially without prior written approval being sought or given. In May of 1996, DNR Southeast District Director Gloria McCutcheon wrote that the berm "Was not on Kohler's original plan."

Conditional Use Permit Violated --- The Town of Mosel issued a Conditional Use Permit which also appears to have been violated. This permit "allows construction of only the golf course itself; plans for structures must be approved by the Town Board and a building permit obtained." No such permit was sought or obtained for the building of this berm.

Destabilized Bluff --- This permit also stated that "Kohler will stabilize the lake bank along the northern portion of its property near the curve in County Highway LS where the golf course proper meets the property to the north which is not part of the course itself." Shortly after this berm was built Kohler Company's own engineers declared that the bluff had been destabilized at this location.⁷ In an internal DNR memo by DNR Engineer Lynn Torgerson, she concurs that the bluff "is in the state of impending failure and ... is expected to fail and is unacceptable."³ A week later, DNR Southeast District Director Gloria McCutcheon writes that "Our staff does not believe that construction of this berm significantly threatens bluff stability..."⁴

Obstructed Public Beach --- The Town's permit goes on to say that "Kohler Company will not place any obstructions over the now existing beach area along the Lake Michigan shore which would prohibit or impede passage." Kohler almost immediately placed enormous boulders directly on the beach right to the water's edge which made passage impossible.

Violated County Zoning --- Sheboygan County's Chapter 72 is their Shoreland-Floodplain Ordinance. It requires that "All structures...shall be set back...225 feet from the ordinary high water mark." This 800 foot long berm does not meet this setback requirement.

The Town and County permits are mentioned here because the DNR has oversight enforcement authority. No municipality may create a regulation which is less restrictive than Statewide Shoreland Zoning Regulations. And, "The Department is required by law to oversee the Sheboygan County Zoning ordinance implementation."⁹

When construction of this berm was challenged as being in violation of these permits as well as a possible threat to the stability of the adjacent public highway the DNR required Kohler to do a bluff stability analysis. This was done by Woodward-Clyde Consultants of Middleton, WI and dated 10/18/95. It says in part that the Minimum Factor of Safety (Fs) against shallow slides before berm construction was 1.0 and after berm construction went down to 0.99.

An internal DNR memo dated 11/30/95 written by DNR engineer Lynn Torgerson states in part that "the shallow results may be reason for alarm....Textbooks describe an acceptable Fs as 1.5 or greater, but in the Department's practice we have been using 2.0 in the evaluation of dams and embankments. Fs=1.0 is a slope in the state of impending failure and anything less than 1.0 is expected to fail and is unacceptable."

Highway Threatened --- Still the DNR refused to take action against Kohler and on 12/4/95 Gloria McCutcheon, DNR's Southeast District Director wrote "Our staff does not believe that construction of this berm significantly threatens bluff stability..."⁴ The key word here is "significantly". If you accept Woodward-Clyde's analysis of a drop from Fs=1.0 to Fs=0.99, the reduction in safety may not seem significant. But when you begin with the fact that the DNR's benchmark

for stability for these structures is 2.0, and the bluff was at half that number to begin with, the issue takes on a different significance entirely. The berm has increased the rate of erosion on Kohler's property and on the adjacent property to the north to the point of causing fresh slides on both properties in 1998. These slides are hastening the undermining of Highway LS.

Kohler's defense is that the berm is not a structure and therefore is not covered under the County's Shoreland Zoning Ordinance. This is an important point and deserves some scrutiny. It has not yet been determined in Wisconsin courts whether or not a berm is a structure, however, 'structure' is defined in several places and the definitions seem to be consistent. NR116.07 (45) defines a structure as "...any man-made object with form, shape and utility, either permanently or temporarily attached to or placed upon the ground..". The DNR's Permit #3-SE-95-0445 says "A structure is defined as something with shape, form and utility..." (emphasis is DNR's).

Sheboygan County's Shoreland Zoning Ordinance defines structure as "Anything constructed, erected, or to be moved from other premises, the use of which requires a permanent or temporary location on or in the ground...". The Town of Mosel's Zoning Regulations define a structure as "Anything constructed or erected, the use of which requires a permanent location on the ground or attached to something having a permanent location on the ground." An Attorney General's opinion from 1950 says that "a structure is a human-made object with shape, form and utility" and is subject to the regulations in shoreland zoning unless it is specifically exempted in NR 115.

And finally, a fundamental rule of legal interpretation is that words used in statutes and ordinances, if not otherwise defined, are to be given their commonly understood meaning. Structure comes from the Latin root *structus* pp. of *struere* which means "to heap together". By any of these definitions this berm qualifies as a structure.

However, Sheboygan County Planning Director Mark Leider took it upon himself to determine that this berm is not a structure as that term is described in their ordinance (see above definition).

Furthermore, no municipality may adopt any Shore- land Zoning regulation which is less restrictive than the DNR's and the DNR's definition in their permit is clear.

DNR District Director Gloria McCutcheon admits in her letters that the berm "was not on Kohler's original plan." Therefore, it is outside the permit. But later she wrote that "Sheboygan County zoning staff ruled that this berm is not a structure, and therefore, is not subject to setback requirements of their ordinance." and "To date, we believe that the Kohler Company has complied with all permit conditions..." 5

Lack of Enforcement --- The above evidence makes it clear that this berm is an illegal construction. It has never been approved by any government agency. It is forbidden by the permits. It should not be DNR enforcement policy to look the other way when mandatory permit conditions are violated.

Public Beach Access Blocked --- Another flagrant violation of these permits involves the revetments (huge boulder piles) which Kohler placed along the shore of Lake Michigan. Again Kohler and the DNR went through the motions of the approval process. Approval was granted for the construction of numerous revetments separated by stretches of natural beach. 10 One very important condition was that Kohler was allowed to excavate their bluff and place the huge rock revetments landward of the Ordinary High Water Mark (OHWM). The permits also forbid any changes to this plan without prior written approval from the DNR. "The idea behind this shore protection design is not to interfere with the littoral drift process by keeping structural elements landward of the existing toe of the bluff." 12

The revetments which were built bear no resemblance to the ones which were approved. In fact, instead of revetments separated by segments of natural beach, Kohler piled enormous boulders continuously along the shoreline at the north end of their beach, covering the existing beach and making it impassable to the public. Instead of excavating and placing these revetments landward of the OHWM as required, Kohler placed these huge piles of boulders directly on the public beach. That is to say between the waterline and the OHWM. This was undoubtedly done as a cost saving measure for Kohler, and perhaps to keep spectators off the beach.

The result is the unlawful appropriation of a public beach by a private company. Again the DNR refused to take action to bring Kohler into compliance with the conditions of their permits. The Town of Mosel's Conditional Use Permit

specifically forbids this i.e. “Kohler will not place any obstruction over the now existing beach area along the Lake Michigan shore which would prohibit or impede passage.”

The public has a constitutional right under the Public Trust Doctrine to have access to this public beach. Neither the Town, the County nor the DNR can give this right away to any private citizen or company. The DNR has abrogated its responsibility to protect the public’s interest in this matter.

Private Citizens Burdened --- This is an issue custom-made for the former Public Intervenor Office. Without this essential office acting as a watchdog on the DNR it is left to private citizens to sue to regain this public beach. The minimum cost of such a suit has been estimated at \$100,000 and could be twice that amount. If Kohler can use its influence so that DNR ignores its permits, then only an individual or group with very deep pockets can challenge them. So far none have stepped forward.

Fishing Access Severely Limited --- Another improper item is included in the Town’s Conditional Use Permit: “Kohler Company will provide access to the mouth of Seven Mile Creek during the smelt fishing season for Town of Mosel residents and immediate family members for the purpose of fishing. Kohler Company will be responsible for monitoring access and may limit the number of people fishing at any time to a reasonable number.”

Is it possible that public fishing rights enjoyed by all citizens since the time of settlement can be parceled out by a township, excluding all members of the public but the ones named? Is it proper to give a private company responsibility for monitoring access? And what is a “reasonable number?” Could the company say to the public that “anglers interfere with golfers, therefore a reasonable fishing access number is zero?”

No Public Access Points --- State law requires that a developer must provide one public access to the shore for every half-mile of shoreline owned. Kohler owns two miles of shoreline but somehow managed to provide only one public access at the southern extremity of its property --- which it has now blocked with a chain and a No Trespassing sign. In fact, two previously existing public access roads were abandoned by the Township at Kohler’s request.

DNR Allowed Inexperienced Inspectors --- It may also be of interest to examine how the DNR monitors compliance with its permits. This is spelled out in Permit # 3-SE-95-0445, Condition I: “The Kohler Company is required to hire a DNR-approved independent construction inspector to be on site during construction.”... Who was this person? What were this person’s professional credentials? Was this person on-site? And did this person allow changes to be made in the field? (This would have been allowed under the Permit.)

DNR Secretary George Meyer wrote in a letter dated 4/28/97 that “Department staff realized the need for intensive construction management and oversight of this project.”¹ Consequently the DNR allowed Kohler to hire two college students from the UW-Madison to fill this critical position. These students were not on-site during construction, but did visit the site from time to time. They had no professional credentials at the time they performed this job. Mr. Meyer said in the letter mentioned above that “this arrangement has worked well, and the students derived meaningful educational benefits from being involved...” If this does not violate the letter of the permit, it certainly seems to violate the intent of the permit.

Money Power <http://www.wsn.org/issues/DNRWatchrpt5money.html>

The evidence suggests that DNR permit and enforcement decisions at Whistling Straits Golf Course could be linked to the political power of campaign donations from Kohler family members, and officials and employees of interlocking business enterprises owned by the Kohler family in Sheboygan and Kohler, Wisconsin.

The Kohler family alone donated \$67,918 to Wisconsin candidates during an eight year period in the 1990s. When combined with close business associates’ donations, the total rises to over \$88,569, with \$27,100 of this total going to election campaigns for Gov. Thompson and Lt. Gov. McCallum specifically.

Gov. Thompson now controls DNR decision-making; therefore, Kohler’s financing of Thompson’s campaigns and Thompson legislative allies’ campaigns is significant.

The law firm Quarles and Brady was included in the legislative totals because one of its lawyers, Anthony Earl, served as lobbyist and legal consultant for the Kohler Company in 1995, during the period when the Whistling Straits project was getting underway and DNR permits were being requested. Earl is a former Wisconsin Governor and former Secretary of the DNR.

The law firm DeWitt, Ross & Stevens was included because one of its lawyers, Peter Peshek, was also hired as a lobbyist for Kohler Company during the same time period. Peshek is a former Wisconsin Public Intervenor, skilled at natural resource law and politics. James Klauser, who for years served as Thompson's most powerful staff as Secretary of the Dept. of Administration, also works now as a private attorney in this same lawfirm --- another link to Thompson.

Both law firms were major contributors to Gov. Thompson's election campaigns, which makes their lobbyists particularly effective.

The Milwaukee Journal Sentinel reported on August 9, 1996 that "Kohler Co. officials and family members have contributed heavily to Gov. Tommy Thompson's campaigns since 1987, donating at least \$35,855." This is a different time period than presented in this report, which shows that the pattern of donations extends back to earlier times.

Terry and Mary Kohler have also been major donors in national politics (which Gov. Thompson is also very interested in). Through Windway Capital Corporation, they were the top national contributors to Newt Gingrich's re-election campaigns and his political action committee GOPAC, giving \$816,107 over 10 years.¹⁴ In other words, the Kohlers exert significant power in political circles.

Conclusion

The DNR is a government agency. Its job, indeed its reason to exist, is the protection of the environment in defense of the public good.

The permits issued for this project seem to be well written with an eye to protecting the public good. The overarching problem here is not in the content of the permits; it is in the enforcement. The DNR says: "Attached is a copy of your permit which lists the conditions which must be followed."¹¹ These are not suggestions, they are conditions. There are only a handful of citizens in this state who can defy the DNR's authority by accepting these conditions and then ignoring them. The average citizen could go to jail for these infractions or at least be required to come into compliance by undoing an illegal construction. This kind of enforcement on average citizens takes place regularly.

DNR permits have the force of law however the DNR is not required by law to enforce them. Citizens may seek to enforce these permits even if the DNR will not. In fact, a 1998 Wisconsin Supreme Court decision held that the Public Trust Doctrine enables a private citizen to bring an action against a private party when the citizen feels that the party was not sufficiently regulated by the DNR (*Gillen v. City of Neenah*). This puts the citizen in the position of doing the DNR's job. Lacking any help from a Public Intervener, this means that a citizen can buy as much enforcement as he can afford.

Recommendations

1) **Campaign Finance Reform** --- The special treatment accorded the Kohler Company by elected state officials exemplifies the need for campaign finance reform to protect Wisconsin's natural resources. Wisconsinites who value a clean, healthful environment must demand an electoral system that pays more attention to public good than it does to private donations.

2) **Restore the Public Intervenor Office** --- Before Gov. Thompson and Republicans in the legislature eliminated the Public Intervenor Office in 1995, the Intervenor spent significant time analyzing impacts of shoreline alterations on the environment and representing citizen concerns about those impacts. For decades, the Office was the statewide leader in defending public access rights to the waterfront. The Intervenor must be restored to protect Wisconsin's natural resource base, tourism industry and quality of life.

3) **Restore the Board Appointed DNR Secretary** --- This case is just another serious example of the politicization of the DNR, now that the DNR Secretary is under direct control of the Governor. Wisconsin legislators need to restore the

Department to pre-1995 budget conditions, where the DNR Secretary answered to the 7 independent citizens appointed to serve on the Natural Resources Board --- to help insulate the Department from political influence and favoritism.

4) **Enforce DNR Permits and Access Standards** --- It's clear that DNR must enforce permit conditions once they have been issued; otherwise, such permits are meaningless and make a mockery of DNR --- and of taxpayers' investment and faith in that agency.

In addition, the DNR must enforce Public Trust responsibilities and protect public access to Wisconsin waterfronts for fishing, boating and recreation.

References <http://www.wsn.org/issues/DNRWatchrpt5ref.html>

- 1 --- George Meyer, WDNR Secretary. April 28, 1997. Letter to Jeff Rochon, responding to request for permit enforcement. 2 pgs.
- 2 --- Stacy Grunwald, Mosel Town Clerk. Aug. 9, 1995. Letter to John Lillesand, Senior Vice Pres. Tech. Services, Kohler Co. "Conditional Use Permit" from Town of Mosel. 2 pgs.
- 3 --- Lynn Torgerson, WDNR Engineer. Nov. 30, 1995. Handwritten internal WDNR memo to Vic Pappas and Kathi Kramasz, re: "Whistling Straits Slope Stability Analysis." 1 pg.
- 4 --- Gloria McCutcheon, WDNR District Director. Dec. 4, 1995. Letter to Jeff Rochon re: bluff stability. 1 pg.
- 5 --- Gloria McCutcheon, WDNR District Director. May 16, 1996. Letter to State Assemblyman James R. Baumgart, responding to his constituents concerns and questions. 2 pgs.
- 6 --- Jonathan (Jay) Hoekstra, Civil Project Engineer for Kohler Co. Oct. 25, 1995. Letter to Ben Wopat, Chief, Regulatory Branch, US Army Corps of Engineers, re: "Whistling Straits Golf Course Response to Public Notice - North Berm." 2 pgs.
- 7 --- Woodward-Clyde, Kohler Co. Engineering Consultants. Oct. 18, 1995. Letter to Jay Hoekstra, re: "North End Bluff Stability Analysis Whistling Straits Golf Course, Project #5E09542, Exhibit D. 3 pgs.
- 8 --- Kathy Kramasz, WDNR Water Mgmt. Specialist, and Victor Pappas, WDNR Environ. Coordinator. Jan. 2, 1996. Letter to Marvin R. Sommer, area resident, responding to concerns. 2 pgs.
- 9 --- Kathy Kramasz. July 18, 1996. Letter to Jay Hoekstra, Kohler Co., re: "North Rest Station Approval, Whistling Straits." 1 pg.
- 10 -- Woodward-Clyde, Kohler Co. Engineering Consultants. July 27, 1995. Figures 1, 4, General Layout Headland Control, and Typical Revetment Section. 4 pgs.
- 11 -- Kathy Kramasz, WDNR. Aug. 10, 1995. Letter to Jay Hoekstra, Kohler Co., and final approved DNR Permit #3-SE-95-0445 and limitations, for grading in excess of 10,000 sq. ft. on the bank of Lake Michigan, in the Town of Mosel, Sheboygan Co. 6 pgs.
- 12 -- Kathy Kramasz, WDNR. Oct. 2, 1995. Letter to Fred Bolgert, Vice Pres. Sheboygan Rifle and Pistol Club, re: "Notice of Proposed Grading, Whistling Straits Golf Course." 1 pg.
- 13 -- Kohler Company Homepage: www.kohlerco.com
- 14 -- Jonathan D. Salant. Sept. 9, 1998. "Group: Congressional Leaders Help Their Patrons." Associated Press. 2 online pgs. www.foxnews.com/national/features/election98/o_0909.sml
- 15 -- Mike Dries. Nov. 4, 1996. "Soft Money, Big Business." The Business Journal of Milwaukee. 4 online pgs. www.amcity.com/milwaukee/stories/1996/11/04/story2.html
- 16 -- Common Cause -- www.motherjones.com/...ngress/eye_on_newt
- 17 -- Center for Responsive Politics --- www.crp.org/candidates/os96/topdonors/H2IL20042.htm
www.crp.org/1998elect/dist_contrib/98OH13contrib.htm
- 18 -- Associated Press. Oct. 11, 1996. "Proposition 209 Supporters Outpace Foes in Fund Raising." 1 online page. http://sddt.com/files/librarywire/96wire...nes/10_96/DN96_10_11/DN96_10_11_cah.html
- 19 -- San Francisco Building and Construction Trades Council. "Proposition 226: Political Contributions by Employees, Union Members, Foreign Entities" www.igc.org/sfbctc/prop226pre.htm
- 20 -- Homepage: <http://www.c-com.net/~prosocs/fcf.html>

Notes

Information for this report was gathered from the Whistling Straits Project File in the Sheboygan County Courthouse and from the Project File at the DNR's Southeast District Headquarters in Milwaukee, including permits, engineering reports, e-mail and other correspondence of citizens and regulators.

Campaign contributions were tallied using the Wisconsin Cooperative Campaign Finance Database, a joint project of Wis. Democracy Campaign and Wis. Citizen Action, funded by the Joyce Foundation. Data were accessed thru individual names and through donors' employers listed on campaign contribution reporting forms.

The campaign finance tables underestimate actual campaign contributions, because of limitations in reporting requirements and alternative methods for funding campaigns. All figures included in this document relating to political contributions should be considered minimal estimates and the actual monetary contributions and political influence may be much greater. Specific data limitations include:

1. **Small Donors** --- Donations of less than \$100 were generally not included, because small donors aren't required to disclose their employers' names.
2. **Unknowns** --- Some donors' links to the Kohler Company couldn't be made, so they weren't included.
3. **Spouses** --- Kohler Company executives may have listed contributions under the spouse's occupation, which would obscure the Kohler Company connection.
4. **Team Approaches** --- Other types of businesses may team up with Kohler Company leaders, and make large parallel contributions when mutual interests benefit. These could include banking, finance, insurance, suppliers, and trucking industries linked with Kohler Co.
5. **Parties** --- Industry leaders can funnel money through the funds of political parties to help specific candidates.
6. **Independent Money** --- The Kohler Company can also spend large amounts of money for "issue campaigns" which benefit specific candidates --- but these "independent expenditures" are not identified in state records as campaign contributions.

For example, in the 1996 state legislative campaign, Wisconsin Manufacturer's and Commerce (WMC) spent \$413,000 attacking six Democratic candidates. WMC refused to name the source of the money, but some of the money could easily have come from companies like Kohler or Vollrath, or Windway Capital. Ordinarily, it is illegal for corporations to donate money directly to Wisconsin candidates. All funds are supposed to come from individuals, parties or PACs and the source of funds must be disclosed. "Issue campaigns" by WMC are a loophole in those rules.

Other Examples of Kohler Influence --- Terry Kohler also gave \$82,500 in 1993-9416 and \$145,000 in 1995-9615 election cycles to the national Republican party organization, and several thousand dollars to specific congressional races in other states.¹⁷ Windway Capitol also gave \$100,000 to support Proposition 209 in California to prohibit affirmative action programs in public hiring, contracting and education,¹⁸ and \$10,000 to support Proposition 226 in California for "paycheck protection" which limits the ability of labor unions to raise funds for campaign contributions.¹⁹

The Kohlers also participate in and donate undisclosed amounts of money to several conservative non-governmental organizations which are politically active through the Free Congress Foundation²⁰ and the Progress & Freedom Foundation.¹⁶

Natural Resource Accountability Project:

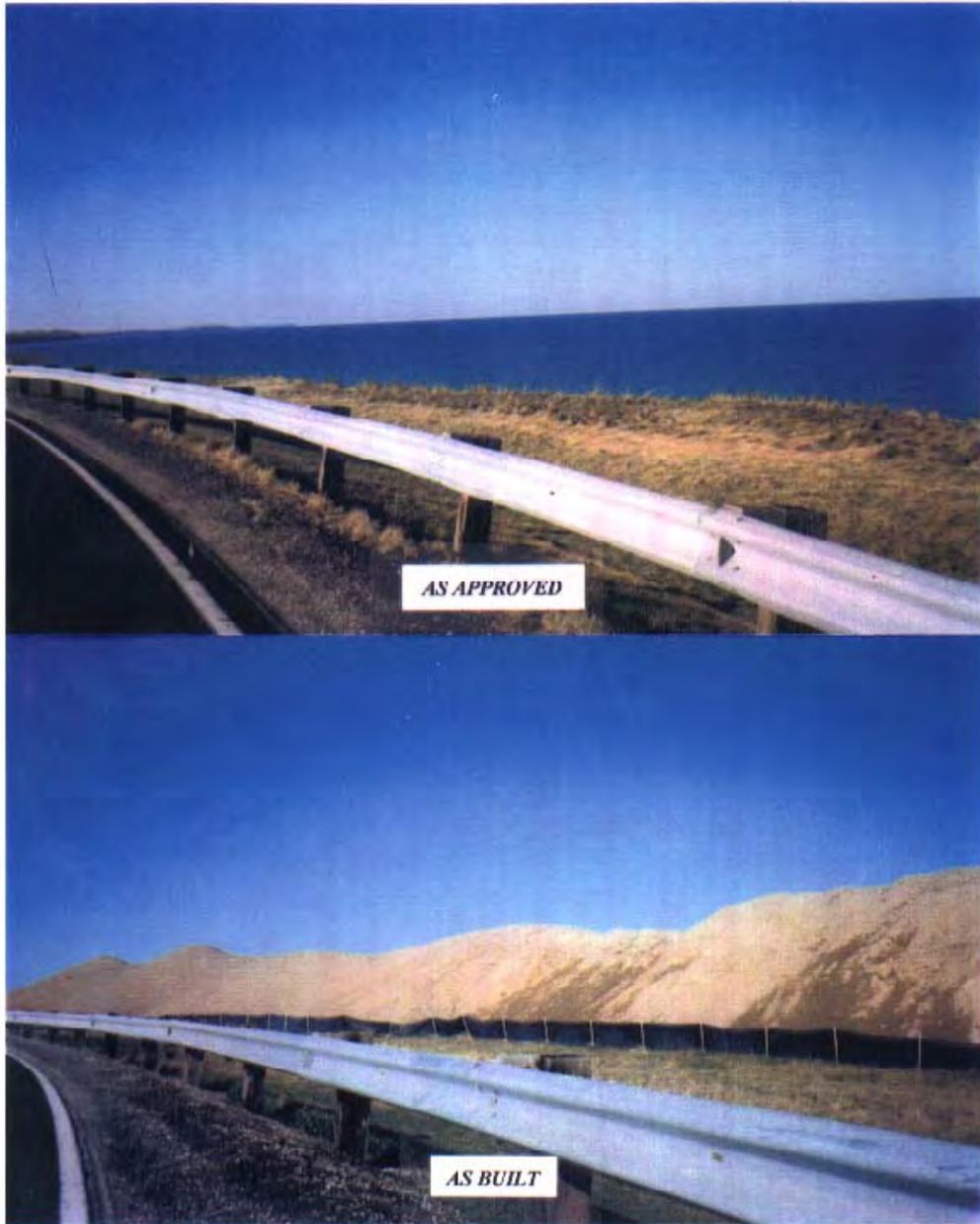
[Citizens for a Better Environment](#)
[Clean Water Action Council](#)
[Environmentally Concerned Citizens of Lakeland Areas \(ECCOLA\)](#)
[Northern Thunder](#)
[Sierra Club - John Muir Chapter](#)

The following two groups also support this issue of DNR Watch:

Lakeshore Fishermen's Club
Wisconsin Fishing Council, Photograph <http://www.wsn.org/issues/DNRWatchrpt5photo2.html>

Before and After - Northern End of Kohler Gold Course before and after construction of the 800 foot long berm obstructing the view of Lake Michigan from Highway LS.

*NORTHERN END OF KOHLER GOLF COURSE AT HAVEN, WISCONSIN
REF: PERMIT # 3-SE-95-0445 (AND OTHERS)*



Photograph <http://www.wsn.org/issues/DNRWatchrpt5photo6.html>

This month [March 1999], the only public beach access was blocked with a chain and a sign: "NO TRESPASSING - violators will be prosecuted under Wisconsin Statute (#?) Occupant - Kohler Company."



Table - Kohler Family Donations <http://www.wsn.org/issues/DNRWatchrpt5Kohler.html>

Kohler Family Donations	
<i>The following people all contributed to Governor, Lt. Governor, and state Legislative campaigns between 1/1/90 and 10/15/98. (These donations are part of the totals given in the previous table, under the various business connections.) Presented as listed on contributions forms, but duplicate names may represent the same person or couple.</i>	
Kohler, Charlotte M	500
Kohler, Charlotte N	100
Kohler, Frederic	250
Kohler, Herbert	400
Kohler, Herbert Jr.	1,800
Kohler, Herbert V	900
Kohler, Herbert V Jr.	13,600
Kohler, K. David	150
Kohler, Mary	11,380
Kohler, Mary S.	12,780
Kohler, Mary Stewart	100
Kohler, Mr. & Mrs. Terry J.	495
Kohler, Nancy	1,168
Kohler, Pete & Nancy	100
Kohler, Peter	1,300
Kohler, Terry	12,020
Kohler, Terry J.	9,095
Kohler, Terry/Mary	1,000
Kohler, Walter & Mary	30
Kohler, Walter J III	750
TOTAL	67,918
Source: the Wisconsin Cooperative Campaign Finance Database a joint project of Wisconsin Democracy Campaign and Wisconsin Citizen Action, funded by the Joyce Foundation.	

Table - Spreading Influence <http://www.wsn.org/issues/DNRWatchrpt5spread.html>

Spreading Influence --- Campaign Donations to Wisconsin Legislative Candidates
Recipients of contributions greater than \$100 from officials or employees of these companies, 1/1/93 thru 8/24/98

CANDIDATES	Vollrath Company	Kohler Company	Kohler General	Windway Capital Corp.	Realities (N. Kohler)	Quarles & Brady Lawfirm	DeWitt, Ross & Stevens Lawfirm	TOTAL
Nos (R)	800	1,533		2,700	600			5,633
Rosenzweig (R)	2,000			2,150		900		5,050
Barry (R)	1,000		450	1,000		950		3,400
Zen (R)	1,000			2,000				3,000
Laseo, A. (R)	1,000		300	1,450				2,750
Doyle, D. (R)	600	350	500	880	375			2,705
Leibham (R)	700	500	500	1,275	193			2,668
Griggs (R)		250		2,200		100	100	2,650
Schultz, Dale (R)	1,000			1,000		400		2,400
Missale (R)	1,000			1,000		200		2,200
Heliman (R)	1,000			1,000		100		2,100
Skindirad (R)	495	400		995		123		2,013
Rozar (R)	1,000			1,000				2,000
Kilian (R)	500		300	500		325		1,625
Metcalf (R)				1,100			300	1,400
Anderson, J. (R)		400		995				1,395
Welch (R)				1,150				1,150
Leyanetz (R)				1,100				1,100
Walker (R)				1,000				1,000
Laufenberg (R)	495			495		110		1,100
Drzewiecki (R)	500	500					100	1,500
Seatti (R)	500							1,000
Silbaugh (R)		400		500		100		1,000
Van de Water (R)				1,000				1,000
Sykora (R)				935				935
Schafer (R)		400		500				900
Hahn (R)		400		500				900
Moore (R)				685		125		810
Carson (R)				770				770
Otte (R)		100	100	400		100		700
Prunzer (R)	100			100		300	200	700
Stope (R)		100		500				600
Lazich (R)		100				475		575
Sudler (R)				500			75	575
Petak (R)				100		450		550
Schultz, Dave (R)				500				500
Ralsum (R)				500				500
Bluhm (R)				500				500
Huebsch (R)				500				500
Kesrff (R)		100		250				350
Kelso (R)	100			100				200
Handrick (R)				100				100
Larriuz (D)				100				100
TOTAL	13,290	5,533	2,150	34,470	1,168	4,758	775	61,469

Source: Wisconsin Cooperative Campaign Finance Database, a project of Wisconsin Democracy Campaign and Wisconsin Citizen Action, funded by Joyce Foundation.

Table - Linking the Links <http://www.wsn.org/issues/DNRWatchrpt5links.html>

Linking the Links
Contributions greater than \$100 from officials or employees of these companies, for political election campaigns. Legislative donations --- 1/1/93 thru 8/24/98. Gov. & Lt. Gov. donations --- 1/1/90 thru 10/19/98

	to Thompson and McCallum	to other candidates
Kohler Company	17,900	5,533
Kohler General		2,150
Realities (Nancy Kohler)		1,168
Windway Capital	5,350	34,470
Vollrath Company	3,850	13,290
TOTAL	27,100	56,611

Source: the Wisconsin Cooperative Campaign Finance Database, a joint project of Wisconsin Democracy Campaign and Wisconsin Citizen Action, funded by the Joyce Foundation.

referenced

There is a major public meeting in Sheboygan this evening to discuss **the release of a draft Environmental Impact Statement on the controversial Kohler golf course** proposed to be carved into a nature preserve along Lake Michigan - -



- - and opponents (below) said today they have discovered the plan now includes an increase to 20 acres from four to be taken from an adjacent state park - - and when the DNR released the draft EIS without having received a formal proposal from the developers, **a DNR official said publicly there had been other projects given similar, cart-before-the-horse treatment:**

I hope you noticed that **a DNR official has said other projects have received such treatment:**

Mike Thompson, environmental analysis team

supervisor, cautioned that the document is a draft and could be changed, based on comments from the public, and as other information becomes available.

Thompson said there have been instances when the DNR has moved ahead with the environmental impact report before receiving a formal application. He said the company did not ask for the analysis to be done before it filed an application.

I can't remember such a sequence - - an EIS draft released before, not following, an application for a project's permit - - and several experts to whom I posed the question have said they do not recall this sequence, either.

So on July 5th I sent the DNR an Open Records request for links to, or citations for, such projects and their no-permit-application-first draft EIS.

The DNR responded on July 6th that my request was received and has been forwarded to the right people.

it will be interesting to see what, if anything, surfaces, and if there are prior examples which also rise to the level of controversy associated with the Kohler golf course.

I'll share the results of the request with blog readers when I receive a response.

Fifteen days have gone by - - and **despite the well-publicized director fro Gov. Scott Walker to agencies to streamline the process** - - I have not received the record(s).

So asked I the agency's communications director today by email what was happening, and was told he was looking into it.

This is from thepolitcalenvironment.blogspot.com

#3 The Draft EIS

The DNR should not approve the permit, if and when a formal application for this project is presented, because there are SEVERE environmental concerns as stated on the following pages of the EIS

page 18-19 THE SOIL IS NOT SUITABLE FOR THE PROJECT.

pages 25-28 THE UNCERTAINTY, BUT VERY POSSIBLE WELL DRAWN DOWN DUE TO IRRIGATION

page 33 GLOBALLY RARE WETLANDS WILL BE FILLED this, in and of itself, is enough to warrant disapproval of the project

page 38 WILDLIFE SPECIES INHABITING THIS AREA WOULD BE PERMANENTLY IMPACTED BY LOSS OF HABITAT (this is not "minimalist" as Mr. Kohler maintains)

page 40 THIS AREA IS AN IMPORTANT BIRD AREA Deforestation to the magnitude "proposed" will affect bird population. Already the monarch butterfly populations are way down, due in part to the loss of their habitat. We can not afford the same to happen to the birds.

page 42 PRESENCE OF RARE AND THREATENED ANIMAL/PLANT SPECIES ON THE PROPERTY

Page 58-62 BY YOUR OWN ANALYSIS, THIS PROJECT HAS

SIGNIFICANT NEGATIVE NATURAL AND HUMAN
ENVIRONMENT AFFECTS AS OUTLINED IN THESE PAGES.

**Therefore, I strongly urge you to deny any permits to the Kohler
company for the construction of a golf course on the property
owned by Mr. Kohler in the Town of Wilson.**

sincerely

Lois A. Otten

6102 S. 12th St.

Sheboygan, Wisconsin, 53081

From: [John Bayley](#)
To: [DNR Kohler Proposal](#)
Subject: Forest and wetland destruction
Date: Monday, August 22, 2016 8:19:12 AM

I find it hard to believe that as we witness the forests of our land being destroyed by huge fires that we would even consider deliberately destroying even more. Arsonists go to prison so where should the citizens of Wisconsin be confined if we let this happen? And wetland destruction and five high capacity wells? And all this next to a unique State Park?

And for a golf course? What? Please stop this nonsense!

Sincerely

John Bayley

From: [DNR SECRETARY](#)
To: [DNR Kohler Proposal](#)
Subject: FW: letter attached
Date: Tuesday, July 26, 2016 3:34:50 PM
Attachments: [2016 July 18-Letter to DNR-Jay Schiefelbein.docx](#)

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Julia Mimier

Phone: (608) 266-0865

Julia.Mimier@Wisconsin.gov

From: Wendy Honold [mailto:wendyhonold@yahoo.com]
Sent: Sunday, July 24, 2016 6:33 PM
To: DNR SECRETARY
Subject: letter attached

Wendy J. Honold
5146 Evergreen Drive
Sheboygan, WI 53081

July 18, 2016

“Justice will not be served until the unaffected are as outraged as those who are.” Benjamin Franklin

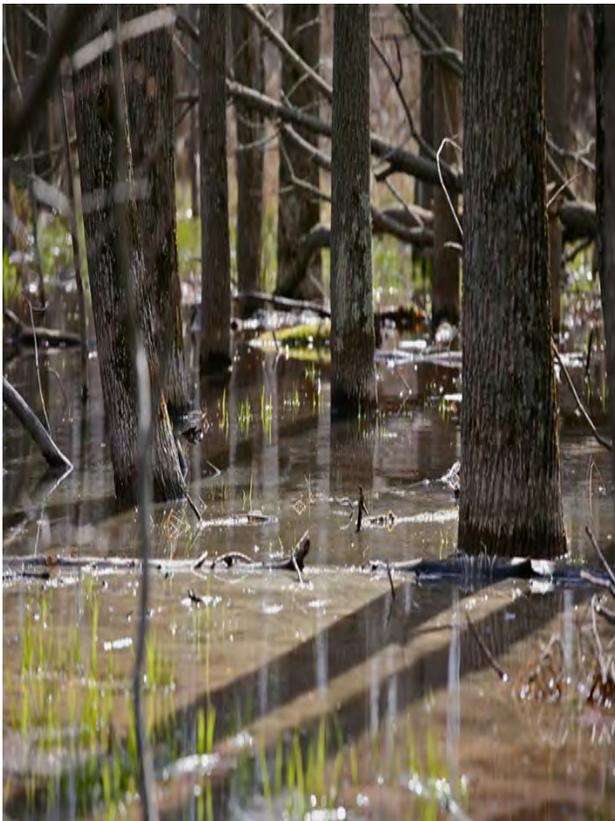
Jay Schiefelbein
Wisconsin Department of Natural Resources
2984 Shawano Avenue
Green Bay, WI 54313-6727

Re: Kohler Golf Course Project

Mr. Jay Schiefelbein:

Your Mission, should you choose to accept it, is posted on the DNR’s website.

Perhaps all DNR staff could benefit from repeating this mission daily, like the Pledge of Allegiance, which might inspire daily motivational reminders of your sworn duties:



To protect and enhance our natural resources:

our air, land and water;
our wildlife, fish and forests
and the ecosystems that sustain all life.

To provide a healthy, sustainable environment
and a full range of outdoor opportunities.

To ensure the right of all people
to use and enjoy these resources
in their work and leisure.

To work with people
to understand each other's views
and to carry out the public will.

And in this partnership
consider the future
and generations to follow.

<http://dnr.wi.gov/about/mission.html>

I would like to sincerely request that the DNR to do your job by protecting the environment and our resources, while making sound decisions which are truly backed by science-based studies.

The FIRST on the list is to protect and enhance our natural resources: our air, land and water; our wildlife, fish and forests and the ecosystems that sustain all life.

Why is the DNR wasting Wisconsin taxpayers' money, working as a private contractor for Kohler for over 2 years now, on a project that as yet has no permit applications of any kind on file, such as: CUP (Conditional Use Permit) application; FEMA floodplain permit application, which involves 195 acres with prehistoric artifacts, that will be negatively impacted by changing the elevation of the land?

When questioned by the Natural Resources Board on the DNR's lack of action against polluters, Secretary Stepp cited lack of staff to carry out the necessary mandates, yet she has allowed 36 employees (paid for by taxpayers) to work for a non-applicant in 2015. Is the DNR truly understaffed, or is this just one more situation where 'crap rolls downhill' and the staff take the blame for following Scott Walker's 'dictatorial' directives?

There is no way, that the effect on both the environment, and our quality of life will be 'minimal' with Kohler's plan.

The DNR has pushed through Kohler's EIS that did not include science-based impact data, which I feel is incomplete and unacceptable, especially when the natural filtration of wetlands and forests will be decimated. Rare dunes will be eliminated and foreign materials will layer over top of the once natural terrain. This is NOT a minimalist approach, as 'marketed' by Kohler. An EIS is mandated to present impacts to the public about the proposed Kohler Golf Course project. It is supposed to contain thoughtful and carefully derived scientific data. There are very few scientific facts in the EIS to back up Kohler's claims. I believe that the true total impact of this project has been overly minimalized, glossed over, and/or just plain ignored. This needs to be seriously addressed before the entire ecosystem is destroyed. The public cannot make informed comments on the impacts of a project that is theoretical, hypothetical, and unscientific. The report uses a few citations saying what 'might happen' if things were managed in a textbook fashion. The DNR, by issuing this incomplete study of a non-applicant's proposal, has deprived 'we the people' of our right to know the impacts, thus depriving the public to be able to make meaningful comments. Quentin J. Carpenter Ph. D., a professor who teaches how to write and grade EIRs, has submitted several communications to the DNR that contain the finest details of all of the issues that are really lame about Kohler's EIR submission. The DNR should review Professor Carpenter's submissions multiple times, until all EIR submissions are thorough and complete before processing.

Why is so much information 'confidential' when 'we the people' have a right to know what's going on with 'OUR' public land? Even more is being hidden from us, such as these redacted documents: July 29, 2015, File No. 193703078, submitted by Stantec Consulting Services, Inc.; and the Botanical Survey Memo dated October 28, 2105, also submitted by Stantec Consulting Services, Inc. Yet I have also been informed that all of the information submitted to the DNR by environmental activists was not redacted (blackout all private information) as required, prior to being released to Kohler.

In addition to the above, I feel that the DNR is in violation of LAWCON and the Deeded Land by allowing any access at all through or across our public owned land for Kohler's profit. By accepting the Deed, which is a contract, the State of Wisconsin accepted all directives therein, which were then 'set in stone,' including but not limited to: never allowing any of the public owned land to be used for private/personal/business use; and that the directives of the deed shall not be altered or changed in any way. Yet in a 'Land Use Agreement' issued by the DNR as effective beginning March 2016, Kohler is allowed access through this land, thereby violating LAWCON, and the Land Deed stipulations as initially and completely accepted by the State of Wisconsin. I feel that the DNR is in violation of the contractual law, as set forth in the Land Deed.

The EIS report cites Lee Trotta, who went to the Madison hearing. It does not seem to mention specifics of any other professionals who weighed in at the Scoping meeting.

The well section of the EIS report says that in order for any resident, whose well goes dry, must rely on the Kohler Company and go through many hoops to prove that the dry well problem was a result of the high capacity wells. **Meanwhile, no water for people, pets, farm animals, and/or crops. Yet, what good will result from having our well water restored, when there are many more concerns that should be considered that may increase the environmental impact as well as negatively impact our health, which may result from Kohler's high capacity wells.**

A similar comparison could be like the crisis and cover-up in Flint Michigan, when nothing came to public knowledge until AFTER the damage was done to so many people. I BELIEVE THAT DNR's REVIEW PROCESS SHOULD INCLUDE STUDIES BY QUALIFIED, AND UNBIASED, PROFESSIONAL GEOLOGISTS AND HYDROLOGISTS, FOR THE FOLLOWING ADDITIONAL REASONS:

- To my knowledge there have been no studies done in Sheboygan County for fractures in the bedrock of the deeper aquifer that is contaminated with radium. If there are fractures in this aquifer, as there are in NE Wisconsin, then Kohler's high-capacity wells will just cause a suction of pressure to refill itself from any natural surrounding source. **There are 38 isotopes of radium (all of which are radioactive), yet only 2 of the isotopes are required for testing in municipal water by the EPA.** All radium turns to lead when its radioactive life is over. The evaporated gas from radium is radon. Source:
http://gonuke.org/ComprehensiveTeachingToolkits/Radiation%20Protection/ChSCC_RP/Columbia%20Basin%20RPT-111/Supplementary%20materials/natural-decay-series.pdf
- "When ingested into the body from drinking water, radium can accumulate in the bones; just like calcium does from milk." Source: <http://dnr.wi.gov/files/pdf/pubs/dg/dg0008.pdf>
- "Exposure to radium over long periods of time can increase the risk of cancer. Radium can enter the body in drinking water, food, or inhaled dust particles that contain radium. **It can be stored in the body because it behaves similarly to calcium and can replace calcium in tissues, particularly bone.** Long-term internal exposure to radium increases the risk of developing diseases such as bone and sinus cancer, lymphoma, and leukemia. Because radium readily accumulates in the body, it is considered to pose a greater cancer risk than most other radioactive elements. Radiation exposure from radium received externally through washing, showering, or other uses of water...." Source: http://water.usgs.gov/nawqa/trace/radium/Ra_FAQ.html

The EIS is mandated to study impacts and inform the public. This EIS report provides only theoretical "maybe's". Because of the theoretical and incomplete EIS report, we are being deprived of our rights to make completely informed comments. Now the EIS report will have to be rewritten to fulfill the mandate to inform the public, and Wisconsin taxpayers will pay for this also. And again, Cathy Stepp told the Natural Resources Board, that the DNR couldn't do its job because it is short-staffed. Will this lack of efficiency continue?

I also don't think that giving an easement to allow Timberlake residents (approximately 27 homes), access to the lakefront, while taking away State Park land from hundreds of thousands of people, is a very good trade off.

Why did the DNR allow bulldozing and heavy equipment to enter the land even prior to studies for historical artifacts and Native American burial mounds? The DNR was alerted, by the public, to these issues and more from the very start.

How did Kohler get approval, on the Whistling Straits golf course, for polluted surface water to go through professionally installed pipe drains that go directly into Lake Michigan? Was this approved by the DNR and/or the EPA, or did Kohler have all of this done without your full knowledge and/or approval?

If the fertilizer, pesticides and herbicides pollute surface water runoff, for the current Kohler golf course project, it will go into Black River (which is already over-contaminated). The runoff will still pollute Lake Michigan, because Black River flows into Lake Michigan. Pollution of Lake Michigan at this site will also impact the beachfront and lake water quality for State Park visitors, as the ugly and smelly rotting Cladophora algae just gets 'piled higher and deeper' year after year, which is the result of too much phosphorus from fertilizers. I'd be willing to bet that the contaminated runoff from Kohler's Whistling Straits golf course since 1998, which drains directly into Lake Michigan, has continuously increased the problems with our beachfront quality. If I were a park visitor, I'd rather be nauseated by the stench of rotting algae, rather than swim in the lake and have the poisons and toxins absorbed into my skin from the pesticides and herbicides. Below are just of few of the problems that are based on medical studies.

"Agrochemicals could be causing chronic illness in your family." Source:

<http://www.healthfreedoms.org/what-are-pesticides-destroying-in-your-body/>

"Pesticides are designed to kill, although the mode of action they use to put the stranglehold on pests varies. Whether it's nerve gas-like neurological disruption, the unbalancing of key hormones, or the stunting of a plant's ability to absorb life-sustaining trace minerals from the soil, none of the chemical interventions seems all that appetizing, especially considering that chemical residues routinely wind up on and even inside of the food we eat everyday. Pesticides are also blamed for diminishing mineral levels in foods."

"Agrochemical supporters tend to fall back on a "the dose makes the poison" theory, assuming that small exposures aren't harmful. Increasingly, though, independent scientists are debunking that belief, even proving that incredibly tiny doses could set a person up for health problems later in life."

Here are 10 health problems associated with pesticide-based agrochemicals:

1. Food allergies: Chlorine and Dichlorophenol- a breakdown product of the herbicide 2,4-D
2. Memory loss: Organophosphate
3. Diabetes: Tolyfluanid and Organochlorine
4. Cancer: More than 260 studies link pesticides to various cancers
5. Autism & other developmental diseases: Bug killing insecticides such as Organophosphate effectively kill bugs by throwing off normal neurological functioning
6. Obesity: More than 50 pesticides are classified as hormone disruptors
7. Parkinson's disease: Association is strongest for weed- and bug-killing chemical exposures over a long period of time,
8. Infertility: Carbaryl, chlorpyrifos, and atrazine, a common chemical weed killer used heavily in the Midwest...on golf courses, has been detected in tap water.
9. Birth defects: Atrazine and chlorpyrifos
10. Alzheimer's disease: DDT (DDE)

The DNR draft of the EIS on Kohler's project does not identify the list of pesticides that Kohler will use at the proposed golf course location. The report only states that Kohler has a 'good pest management plan.' This is neither scientific, nor competent. I feel it is more of a 'deceptive plan' similar to the ingeniously concealed drain pipes at Whistling Straits that are contaminating Lake Michigan.

Fertilizer, pesticide and herbicide polluted surface water will severely impact the Town wells, plants, wildlife, and have a significantly damaging environmental impact on what 'minimal' portions of the natural habitat may remain.

Why is Kohler being allowed to have a septic system where the water table is very high? A septic system is planned with no information on the type, or contingencies for failure. All other Town of Wilson businesses and residents are required to be connected to the City of Sheboygan Sanitary District sewer system. I feel that the Sanitary District has far better government approved equipment and management techniques to properly process waste water.

There are NUMEROUS and HUGE IMPACTS with regard to Kohler's current project. Kohler continues to market a 'minimalist plan,' for construction of the golf course, which respects the existing ecosystem. This is absolutely impossible, and the incomplete EIR report clearly shows the folly of Kohler's 'marketing strategies.'

To date, this is what I understand of what may be forthcoming. Disappointedly, I hope I am wrong, but this seems to be the patterned plan ahead:

1. That the State currently plans:
 - To continue to waste taxpayer's money on a non-applicant.
 - To coordinate with the National Park Service to arrange for the conversion of 4 acres of State Land, which was purchased for the State Park with federal funds (LAWCON), to become private land so that Kohler can use the land for its own profit.
 - The State Department will ignore the rare Natural Resources, and work with Kohler to justify the mandate for 'public recreational use of the land' by saying 'the public' can 'play golf' and that the restaurant can be 'used by the public.' Kohler doesn't mention that the average person will not be able to afford the recreational fees.
 - At Kohler's request, the State will work with the National Park Service to change the Kohler-Andrae Master Plan. Kohler-Andrae State Park entrance will be reconstructed into a roundabout for the golf course at the main entrance to Kohler-Andrae State Park to facilitate entry into Kohler's land. LAWCON requires the land converted be used for the public's recreational benefit. The Kohler Company says a restaurant and golfing will mitigate that requirement for 'recreational use.' And as stated above, Kohler doesn't mention that the average person will not be able to afford the recreational fees, and
 - Construction will impair all of the camping and visiting activities of the second most visited State Park for almost 3 years.
2. 50-60% of the forest will be removed and the rarest wetlands filled in. This changes the entire hydrology of the area by destroying 'natural' filters for agricultural and pesticide runoff that will go directly into Lake Michigan.

3. 195 acres will be bulldozed and covered with foreign materials where historically valuable prehistoric Native American cultural heritage artifacts and burial mound remains have been discovered, which date back to 1200 B.C. It has been recommended by the Army Corps of Engineers, that this land should be recognized as a Historic Place in the National Registry.
4. Dunes which took 5000 years to create will be decimated by graded leveling. Adding denser materials on top of the dunes will also block filtration. This exists now near Whistling Straits at Hika Bay. There is also a dead zone at Green Bay.
5. Residents' wells will be drawn down, and will only be remediated by Kohler if each property owner can prove to the Kohler Company that Kohler's high-capacity pumping is responsible. Kohler's high-capacity wells will draw millions of gallons of water from the same fractured bedrock aquifer that we all share.
6. Critical habitat will be destroyed for numerous native rare, unique, and endangered species, including shorebirds, like the endangered Piping Plover.
7. This area is a Tier 4 - Important Migratory Bird Route. The presence of birds and other wildlife will be severely diminished because of loss of habitat.
8. Kohler-Andrae Park shares the same contiguous ecosystem. With the elimination of the natural habitat, Kohler Andrae Park rangers and visitors will see the same significant drop or disappearance of the same once flourishing animal and coastal bird populations, as well the impact from the destruction of the important bird migratory route in this very significant coastal bird area.
9. Traffic congestion, safety, and noise during all major golf tournaments.
10. Loss of Public beach access and impacts of fencing boundaries on the State Park.
11. Once you level rare dunes and fill rare wetlands, deforest 150 of 247 acres, the ecosystem is permanently destroyed and it can never come back.
12. **And there is much, much more to be concerned about.**
 - I wonder where the favors start that have given us a 'pay for play' government. The Sheboygan County Economic Development Corporation (SCEDC), which received at least \$39,900 last year from Kohler, believes in Kohler's golf course project. Is this why Kohler is listed with the SCEDC as a Gold Sponsor? I am are disappointed that the SCEDC would follow a developer blindly without verification, as presented by Dane Checolinski, Director of the SCEDC, in his news release dated March 24, 2015.
 - While the Sheboygan County Economic Development Corporation (SCEDC) has contributed to Sheboygan's business development in many ways, those businesses to date have not destroyed ecosystems. The SCEDC is not invested in Smart Growth, which has been a practice in operation in many cities for years. The SCEDC should value an integrated approach to development, where the environment, health and quality of life are as important as dollars.

- In July, 2105, the SCEDC Chairman wrote a letter to the DNR, where he stated: "We were asked to support the project but would not do so until a full economic and ecological impact presentation was given to our board. After the presentation our board gave unanimous approval to support the project." The SCEDC accepted the Kohler Economic Report without verification. This is not done in the City of Sheboygan development.

In conclusion: NO DEVASTATION KOHLER!

Please completely adhere to your mission to 'protect and enhance our natural resources.' The quality of 'air, land, and water' are vital for the sustenance of all lifeforms on the entire planet. All natural ecosystems support the health and quality of life for humans, as well as wildlife, fish and forests. Everything is being destroyed at increasingly horrific rates all over the planet. To promote big money for personal/corporate profit, goes beyond just the 'economy.'

History has shown that all of these destructive measures which pollute and deplete natural resources, have been approved all over the world (and Wisconsin too), such as fracking (fracturing of bedrock for mining), poor quality disposal of polluted waste, and so much more, which will continue to negatively affect 'the future and generations to follow.' All the above and more have been promoted as economically beneficial, and all of the 'approved' global destructive is, and has been, caused by the human race. Species are going extinct, not just from illegal poaching, but from completely decimating habitats and migratory pathways necessary for their survival.

We (the current generations) have had to clean up and/or try to remediate the mess that former generations left behind, such as: asbestos; lead gasoline; lead newspaper printer ink; and lead water mains/fittings/solder (which were banned in 1971 for future plumbing); and so much more. Yet while we complain about what they left behind for us to live with, we continue to follow in their footsteps by approving even more damaging projects.

I understand 'the right of all people to use and enjoy these resources in their work and leisure,' but the resources cannot be enjoyed once they are decimated and covered with fake fill-in materials. The mission statement should be amended to say 'to use and enjoy these untouched, pristine Natural Resources,' as the untouched resources are the only REAL and ORIGINAL 'Natural Resources' that can be enjoyed by future generations.

I have been a resident in the Town of Wilson for many decades. As mentioned above, and in many previous communications with the DNR, I vehemently oppose building of a golf course on this site in the Black River forest area. I feel the 'short-staffed' DNR is extremely one-sided and obviously slanted towards Kohler's ultimate goals of destroying this natural habitat for profit, based on the incomplete EIS report submitted by the Kohler Company. This golf course will destroy our ecosystem, pollute our Great Lake and Black River with toxic runoff, and effect local wells from the over-pumping of approximately 30 million gallons of water per year. The deforestation of 150 acres will destroy the pristine wildlife habitat and disrupt a major migratory corridor along the lakeshore. The adverse impact this golf course will have on our environment greatly outweighs any jobs or profits it will create. This is a very rare site with

ancient artifacts and Native American burial mounds. **This beautiful land should be registered and preserved as a historical site.**

- As published in the Milwaukee Journal Sentinel on May 7, 2016, By Lee Bergquist: “.....In an added statement, Jim Richerson, group director of golf at Kohler, said: "Kohler Co. has owned this land for more than 75 years, and this project will help us learn about those who came before us and our state's rich history. ...**This is an important historical opportunity for education and discovery that could have remained unknown without our project.**" Kohler and his marketing promoters just want to take credit for everything, however the burial mounds were clearly mapped and then published in 1920 (see Wisconsin Archeologist (Aug. 1920) Vol. 19, published by Wisconsin Archeological Society). **Local residents and trail hikers have known about the artifacts even long before the maps were published, so Jim Richerson’s statement “...that could have remained unknown without the project,” IS JUST MORE HYPE - TO ‘PAT THEMSELVES ON THEIR BACKS.’**

Also the proposed entry is through State Land should not be given away lightly. This is the peoples’ land to use, not big greedy corporations’ that very few of the public can afford to visit. Please stop Kohler from filling, defiling and destroying OUR beautiful portion of Park Land, as well as the Kohler land.

I would like to sincerely request that the DNR to do your job by protecting the environment and our resources, while making sound decisions which are truly backed by science-based studies, and please stop using Wisconsin taxpayers’ money for a project that has no applications on file.

I ask you to please ‘work with the people to understand each other’s views,’ and ‘to carry out the public will,’ ONLY IF IT COMPLIES with ‘protect and enhance our Natural Resources.’

“You cannot get through a single day without having an impact on the world around you. What you do makes a difference, and you have to decide what kind of difference you want to make.” Jane Goodall

Kohler has been destroying the world one piece at a time. I WANT THE WORLD TO BE RESTORED.

Please do not cave in to favoritism, power, money, or the ‘minimalist’ marketing strategies that Kohler has presented to you. A ‘pay for play’ government is unacceptable to me on any town, county, state, or federal level. I will not support any proposed project until qualified professionals submit completely verifiable data, which accurately addresses ALL ecological and economic impacts, and that all study results can be reviewed by the ‘common and ordinary citizen’ without redaction.

If this Kohler project is actually approved, I would like to request that the State Park rangers, employees, and/or volunteers, be required to collect daily park visitor fees from each and every vehicle or person entering and/or crossing any and all portions of State Park land, and that absolutely NO free visitor passes be granted to anyone.

Sincerely,

Wendy J. Honold

Wendy J. Honold

From: [Gloria Misiaszek](#)
To: [DNR Kohler Proposal](#)
Cc: [Jeff Crawford](#); [Aaron Loomis](#); [Sara Drescher](#)
Subject: FW: WDNR Draft EIS - Kohler Golf Course - Public Input Opportunity - Forest County Potawatomi Community
Date: Friday, August 26, 2016 11:09:58 AM
Attachments: [00525222.pdf](#)

Dear Mr. Schiefelbein,

Attached is a copy of Forest County Potawatomi Community's comments on the Wisconsin Department of Natural Resource's draft Environmental Impact Statement with respect to the proposed Kohler golf course. If you have any questions please contact Sara Drescher.

Thank you.

Gloria

Gloria A. Misiaszek, Paralegal
Legal Department
Forest County Potawatomi Community
313 North 13th Street
Milwaukee, WI 53233
Phone: (414) 847-7750 Direct Dial: (414) 847-7811
Email: Gloria.Misiaszek@fcpotawatomi-nsn.gov

**This is a transmission from the Forest County Potawatomi Community Legal Department and may contain information which is privileged, confidential, and protected by the attorney-client or attorney work product privileges. If you are not the addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you received this transmission in error, please destroy it and notify us immediately at our telephone number (414) 847-7750.

Think Green. Please consider the environment before printing this message. Thank you.



FOREST COUNTY POTAWATOMI COMMUNITY

Legal Department

Jeffrey A. Crawford
Jo Swamp
Aaron Loomis

Douglas W. Huck
Sara M. Drescher
Marybeth Herbst-Flagstad

Kimberly M. Vele
Michael B. Wacker
Danielle Wu

August 26, 2016

Via Email DNRKOHLEPROPOSAL@wisconsin.gov

Jay Schiefelbein
Environmental Analysis and Review Specialist
Wisconsin Department of Natural Resources
2984 Shawano Avenue
Green Bay, Wisconsin 54313-6727

Re: WDNR's Draft Environmental Impact Statement
For Proposed Kohler Golf Course, Town of Wilson, Sheboygan County
June 2016

Dear Mr. Schiefelbein:

Please accept these comments on the Wisconsin Department of Natural Resources ("DNR") Draft Environmental Impact Statement ("DEIS") for the proposed Kohler Golf Course ("Proposed Project") on behalf of the Forest County Potawatomi Community ("FCPC" or "Tribe") a federally recognized Indian tribe. The DEIS prepared under the Wisconsin Environmental Policy Act ("WEPA") is intended to evaluate alternatives to and the impacts of the Proposed Project.

In accordance with Wis. Stat. §1.11 and NR Ch. 150, FCPC respectfully requests that DNR consider these comments in light of the Tribe's special expertise and that these comments be made part of the public record. FCPC specifically reserves all future rights to comment and all legal rights and remedies available under State and Federal law, regulation and policy.

I. Background of Potawatomi Generally and of FCPC

The Potawatomi are Algonquin, a European term based on linguistics, and Neshnabek, a Potawatomi word that means "original people." Centuries ago, the Potawatomi people numbered more than 10,000 and occupied and controlled almost 30 million acres in the Great Lakes basin. At the time of first contact by the Europeans, the Potawatomi people were living in what is today lower Michigan, Ohio, Indiana, Illinois and Wisconsin. From 1789 to 1867, the Potawatomi, through a series of treaties entered into under duress, ceded all lands between Wisconsin and

313 North 13th Street ■ Milwaukee, WI 53233 ■ 414-847-7750 TEL ■ 414-847-7721 FAX
P.O. Box 340 ■ Crandon, WI 54520 ■ 715-478-7258 TEL ■ 715-478-7266 FAX

{00519364.2}

Ohio. The 1833 Treaty of Chicago alone ceded five million acres of the Potawatomi estate (including the land where the Proposed Project is located), after which most of the Potawatomi people were forcibly removed from tribal lands.

The core Potawatomi communities along the western shore of Lake Michigan, being associated with places such as Milwaukee, Sheboygan, Manitowoc, Kewaunee, Washington Island and Horicon Marsh, flatly refused to remove west. These Potawatomi maintained their communities on the ceded territory during the remainder of the 1800s much as they did prior to the 1830 removals by hunting, fishing, gathering, and planting in the traditional 'seasonal round' of movements across the old Potawatomi estate. The Wisconsin bands and families associated with Sheboygan County in the 1830s, 40s and 50s would, by the end of the 1860s, be among those Potawatomi who had never moved west, but were finding themselves being pushed out of the ceded territory and into the northern parts of Wisconsin.

Many settled in northern Wisconsin near the present day communities of Blackwell, Wabeno, Carter, and Crandon (also known as Stone Lake), and have lived in these areas since. In 1913, the United States Congress determined that these Wisconsin Potawatomi, which became FCPC, were due money promised to them in earlier treaties for their land cessions. Congress allocated money to be used to purchase and hold in trust lands in Wisconsin. A total of 11,786 acres of such lands were acquired by federal purchase.

FCPC, which has a current membership of more than 1,400 people, is formally organized under the Indian Reorganization Act of 1934. The Tribe exercises governmental authority under a Constitution last adopted in 1982.

II. Potawatomi History in the Proposed Project Location

The Tribe's presence along the Wisconsin shore of Lake Michigan is well established. Potawatomi villages, burial grounds and culturally significant sites have been identified from Northern Illinois through Door County. Specifically, the Wisconsin Archaeological Society noted that there was a line of Potawatomi villages and camps from Door County to Chicago along Lake Michigan and the rivers feeding to it.¹ The Tribe's presence along Lake Michigan was based, in part, on its heavy dependence for fishing, hunting and gathering opportunities in support of the Tribe's subsistence lifestyle. FCPC's use and occupancy of their historic territory and associated natural resources is documented by over forty treaties, many of which specifically reserve rights to the ceded lands.

Potawatomi presence in Sheboygan County and Wilson Township is well documented through Tribal, State, and other materials. Local articles dating in the 1920s also note the historic value of the sites.² Although there are several historic villages and areas of interest in Sheboygan County, the Wilson Township Black River Village sites merit specific discussion noting that

¹ See Lawson, Publius V., "The Potawatomi". The Wisconsin Archeologist, Vol. 19 April, 1920.

² See "Earth Yields Indian Remains of Historic Value" Sheboygan Press, Friday April 29, 1927.

these sites include some of the best preserved artifacts in the area.³ The Black River Village was inhabited until approximately 1877 and has been considered a significant archaeological interest and important cultural location. Writing for the Wisconsin Archeologist, Alphonse Gerend notes that “[a] full description of the archeological features of this [Wilson] township would require a volume.”⁴ Thus, the available documentation indicates the significance and importance of the area as a cultural and historical resource.

The Black River Village sites were located directly in the area of the Proposed Project. The area between the dunes of Lake Michigan and the sand banks of the Black River includes some of the best mound groups in the County, if not the state.⁵ As the landscape has changed and interest in the area grew, Indian remains, tools, copper beads, stone implements, awls and countless other artifacts have been discovered. Gerend noted in 1920 that “[i]f the various specimens of pottery now in two Sheboygan collections were deposited together they would comprise the largest collections of Northern U.S. prehistoric pottery in the country.”⁶ Furthermore, the significance of the Black River Village and its associated mounds has been noted since at least 1920 when Gerend stated “[b]eing situated near a large city in a region rich in Indian history every effort should be made to permanently preserve it.”⁷

The cultural significance of the area to the Potawatomi is undeniable. As such, the comments of FCPC should be afforded broad consideration and incorporated into the EIS. FCPC has unique insight and expertise with respect to Tribal cultural properties. FCPC, as well as other Wisconsin tribes, have an interest in preserving their heritage, cultural and historical resources.

III. Legal Standard

WEPA was adopted by the State in 1971 to “encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; and to enrich the understanding of the important ecological systems and natural resources.”⁸ To carry out this purpose, it is the obligation of the State to;

- a. “fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
- b. Assure safe, healthful, productive and aesthetically and culturally pleasing surroundings; and,

³ *Id.*

⁴ Gerend, Alphonse, “Sheboygan County”. The Wisconsin Archeologist, Vol. 19 August, 1920.

⁵ *Id.*

⁶ *Id.* at 154.

⁷ *Id.* at 162.

⁸ Chapter 274, laws of 1971 section 1.

- c. Attain the widest range of beneficial uses of the environment while attempting to minimize degradation, risk to health or safety, or other undesirable and unintended consequences...”

Additionally, the state recognized “that each person has a responsibility to contribute to the preservation and enhancement of the environment.”⁹

Analysis of the environmental impacts of a proposed action must include;

- a. “Any adverse environmental effects.”
- b. “Alternatives to the proposed action.”
- c. “The relationship between local short-term uses of man’s environment and the maintenance and enhancement of long-term productivity.”
- d. “Any irreversible and irretrievable commitments of resources that would be involved in the proposed action should it be implemented.”¹⁰

Wisconsin case law supports that WEPA “constitutes a clear legislative declaration that protection of the environment is among the essential considerations of state policy....”¹¹ An EIS is intended to promote reasoned decision making by providing appropriate and necessary information on a project.¹² When properly followed, the process should protect against “uninformed” decisions by an agency.¹³ Uninformed decisions are avoided when agencies “acquire and consider *all relevant environmental information before they commit resources to a project.*” (Emphasis added.)¹⁴

Notably, these analyses must be performed in accordance with State law and the National Environmental Policy Act (“NEPA”) as well as “substantially following the guidelines issued by the United States council on environmental quality.”¹⁵

Wisconsin case law also supports the use of NEPA policy and jurisprudence as guidance in state decisions. In *Clean Wisconsin, Inc. v. Public Service Commission of Wisconsin*, the court notes that “[b]ecause WEPA was patterned on the National Environmental Policy Act...NEPA is persuasive authority.”¹⁶ Federal case law has been considered “an essential source of guidance regarding the proper implementation of WEPA, constituting highly relevant persuasive authority.”¹⁷

⁹ *Id.*

¹⁰ Wis. Stat. §1.11(2).

¹¹ *Town of Centerville v. Department of Natural Resources*, 142 Wis.2d 240, 244 (1987).

¹² *Clean Wisconsin Inc. v. Public Service Commission*, 282 Wis. 2d 250 (2005).

¹³ *Larsen v. Munz Corporation*, 167 Wis. 2d 583 (1992).

¹⁴ *Wisconsin’s Environmental Decade, Inc. v. DNR*, 94 Wis.2d 263, 271 (1979).

¹⁵ *Id.* at §1.11 (2)(c).

¹⁶ 700 N.W.2d 768 at 829.

¹⁷ *Id.* at 857.

Through the application of Wisconsin law, regulations and case law, as well as the consideration of federal authority, it is clear that the DEIS is deficient in several respects. The DEIS fails to consider all relevant information and does not provide a basis for reasoned decision making. More specifically, the DEIS improperly limits the analysis to only the preferred alternative without any discussion, other than description, of reasonable alternatives. Second, the DEIS provides conclusory statements and no discussion of several resource areas, most notably cultural and archaeological resources, or the impacts to such resources. Third, the DEIS fails to consider mitigation measures.

IV. FCPC's Initial Comments on the DEIS

A. DNR Improperly Limits its Analyses to the Preferred Alternative.

DNR is required to independently evaluate the Proposed Project and all reasonable alternatives including the purpose and need for the Proposed Project. NEPA and WEPA case law and regulations clearly indicate a need for all reasonable alternatives to be evaluated. The analysis cannot be limited to solely the interests of the applicant. For example, in Simmons v. U.S. Army Corps of Engineers, the 7th circuit notes that an agency cannot restrict its analysis of alternatives to only those that would result in the applicant's goal but must evaluate all reasonable alternatives regardless of whether the applicant desires a particular alternative. DNR's analysis should not be skewed to presuppose project approval of the Applicant's preferred approach.

Furthermore, as indicated by Chapter NR 150, "[t]he purpose of the analysis is to inform decision makers and the public of alternative course of action and the anticipated effects of those alternatives on the quality of the human environment."¹⁸ The alternatives analysis must "consider the alternatives and environmental effects in a dispassionate manner and may not advocate a particular position about alternatives."¹⁹ Ultimately, DNR's charge is to provide unbiased information to decision makers and the public with respect to the project and its anticipated effects.

DNR's failure to adequately consider alternatives, including a no action alternative, scale back to a 9-hole course, design options or other alternatives provides no basis for appropriate decision making and fails to provide even minimally necessary information to the public. Similarly, contrary to State and Federal legal requirements, DNR's analysis does not include any description of preventive or mitigation measures that may be included as alternatives to the Proposed Project.

WEPA's mandate to evaluate the Proposed Project in light of the Council on Environmental Quality ("CEQ") guidelines provides further support for the expectation that DNR perform an independent, unbiased review of alternatives to the Proposed Project without limiting its review

¹⁸ NR 150.10(3)(a).

¹⁹ NR 150.10(3)(b).

to those alternatives that are desirable from the applicant's standpoint.²⁰ As identified by CEQ, the range of alternatives subject to review includes all reasonable alternatives "...which must be rigorously explored and objectively evaluated..."²¹ Thus, DNR's failure to objectively evaluate any of the proposed alternatives, regardless of whether desirable from the applicant's standpoint is contradictory to the law and policy for environmental reviews. The DEIS is inadequate and should be revised to carefully review and consider alternatives to the Proposed Project. Such analyses may not be performed by presupposing the approval of the Proposed Project but must be an independent analysis of the alternatives to and associated impacts of the Proposed Project.

As currently drafted, the DEIS lists alternatives but does not provide any analysis of them. As NEPA case law has consistently established, consideration of alternatives "is the heart of the EIS" and agencies should "rigorously explore options" and "present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decision maker and the public."²²

B. DNR fails to Provide Independent Analysis or Meaningful Analysis of Effects of the Proposed Project.

The DEIS fails to provide any analysis of the potential effects of the Proposed Project on several resource areas described within the DEIS. As a general comment, DNR should carefully consider sections such as Surface Waters, Emergency Services, Education, Recreation and others that provide conclusory statements without any analysis of impacts to the resources. For example, with respect to Emergency Services, the DEIS states the departments in the area that provide services but includes no discussion related to the scope of services, any strain on services that the Proposed Project may have or needed additions. DNR states only, "[e]mergency services in the area may be impacted as a result of the Project..."²³ A reasoned decision cannot be made without a discussion of what those impacts might be, the costs associated with additional services, any mitigation measures such as financial commitments on the part of the project owner or other factors.

Throughout the DEIS there are similar examples of DNR's lack of consideration of impacts. In several instances there are conclusory statements but no discussion related to direct, indirect or cumulative project impacts on resource areas. Additionally, in many instances DNR relies entirely on the Kohler Company's Environmental Impact Report and does not provide independent analysis of the information or potential effects. In accordance with CEQ regulations, while an agency may use information from the applicant or other sources it is solely responsible for an independent evaluation of the information.²⁴ DNR must evaluate the

²⁰ *Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act*, 46 Fed. Reg. 18026 as amended by 51 Fed. Reg. 151618.

²¹ *Id.* at Question 1a.

²² *Sierra Club v. Marsh*, 714 F. Supp 539, 572 (1989) citing 40 CFR §1502.14.

²³ Draft Environmental Impact Statement for Proposed Kohler Golf Course Town of Wilson, Sheboygan County, June 2016, Sec. 5.2.1.

²⁴ See 40 CFR §1506.5.

information and provide reasoned analysis and discussion of impacts for each resource area to allow for informed decision making and appropriate public participation.

C. DNR Improperly Provides Conclusory Statements and No Analysis of Cultural and Archaeological resources.

Of significant importance to FCPC, the analysis of cultural and archaeological resources is improper and inadequate. Proper identification of Tribal cultural resources and a discussion of the specific impacts to those resources are necessary to provide a basis for any decision making. Furthermore, based on the extensive histories of FCPC and other Tribes in the area of the Proposed Project, a review of cultural and archaeological resources consistent with the requirements of WEPA and NEPA, the National Historic Preservation Act and Wisconsin statutes is necessary in order to protect tribal historic properties and produce an EIS that promotes meaningful comment. As noted in Section II above, FCPC's historical Black River Village lies directly within the land slated for potential development.

Cultural and archaeological resource review lies fully within the scope of WEPA and NEPA analysis. WEPA was created to promote careful consideration of environmental impacts. In *Wisconsin's Environmental Decade v. DNR*, the court indicates the importance of a thorough analysis under both WEPA and NEPA stating that "both direct and indirect effects must be considered..." and "WEPA was intended to require cognizance of environmental consequences to the fullest extent possible."²⁵ The DEIS fails to consider any direct, indirect or cumulative effects to cultural and archaeological resources. Instead, DNR makes only a conclusory statement to the effect that even if the properties are included in the National Register of Historic Places ("NRHP") development may not be prohibited.

Section 5.2.13 of the DEIS fails to provide any information upon which meaningful analysis of the impacts to archaeological and historical resources can occur. Although the section notes that Kohler undertook cultural resource investigations the DEIS does not discuss the scope of those investigations, outcomes, importance of the resources or potential interplay between a National Historic Preservation Agency ("NHPA") review and certain protection measures applicable to private projects, any direct impacts based on specific development plans, indirect or cumulative impacts.

Rather than including any thorough analysis, DNR states only that it "has a tribal consultation policy if proposed actions would invoke (sic) the need for such consultation."²⁶ Contrary to established law, DNR fails to provide sufficient details of the resource or potential impacts.²⁷ Similarly, DNR offers no discussion of the parameters applicable in the instance adverse effects on cultural resources are determined.

²⁵ 340 N.W.2d 722 at 728 (1983).

²⁶ Draft Environmental Impact Statement for Proposed Kohler Golf Course Town of Wilson, Sheboygan County, June 2016, Sec. 5.2.13 p. 57.

²⁷ See e.g. *Sierra Club v Froehlke*, 486 F.2d 946 (7th Cir. 1973).

Although DNR notes that NHPA is likely applicable, it does not offer any discussion of the impacts of its application. Under NHPA, an agency is required to “exercise caution to assure the physical integrity of those properties that appear to qualify for inclusion on the National Register.”²⁸ The NHPA statutes and related code requirements apply to both public and private property and are to be applied by the Advisory Council on Historic Preservation (“Council”) in conjunction with the State program. The purpose of the program is “to take into account the effects of their [agencies] undertakings on historic properties and afford the Council a reasonable opportunity to comment on such undertakings.”²⁹

The Council and State Historic Preservation Officer (“SHPO”) must review “all properties that may possess any historical, architectural, archeological or cultural value located within the area of the undertaking’s potential environmental impact.”³⁰ In accordance with the regulations, when an effect is found, the Council and SHPO are required to determine if the effect is adverse. Regulations provide that “[a]n adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling or association.”³¹

While the DEIS correctly describes the process as an undertaking of the Council and SHPO it fails to offer any discussion of the resources and therefore does not provide any information for a decision maker or the public to review. The DEIS should at least identify the resources and provide background as well as known impacts based on plans for the Proposed Project. Arguably, the DEIS should be redrafted when the Council and SHPO review is complete so that DNR can provide an adequate discussion of the resources, effects on the resources and potential mitigation measures. As currently drafted, contrary to well established law, DNR has made no independent evaluation of the information provided by Kohler’s Environmental Impact Report dated April 9, 2015.³²

D. DNR Fails to Discuss Mitigation Measures

An EIS must contain a discussion of “adverse environmental effects of the project, including...proposed preventive and mitigating measures”.³³ As currently drafted, the DEIS fails to specifically highlight many potential adverse environmental effects and also fails to discuss any preventive or mitigating measures for those effects. DNR does not discuss any mitigation measures and as discussed above, all environmental effects of a project must be reviewed and mitigation measures must be developed to address those effects.

²⁸ *Colorado River Indian Tribes v. Marsh*, 605 F. Supp1425 (Dist. Ct. Cen. Calif., 1985).

²⁹ 36 CFR §800.1.

³⁰ 36 CFR §800.4.

³¹ 36 CFR §800.5(1).

³² *Sierra Club v. Marsh*, 714 F.Supp. 539 (1989).

³³ NR §150.30 (2)(e).

In accordance with CEQ guidance, mitigation measures must be developed and considered for all adverse effects, even those that independently might not be significant.³⁴ Given the scope of the Proposed Project it is undeniable that adverse effects will occur. CEQ 40 Questions guidance provides that in the event a project is considered to have significant effects, all of the effects must be considered and mitigation measures developed.³⁵

A discussion of mitigation measures is necessary in light of the importance of these measures to the project and the need for the measures to result in commitments by the developer. “An EIS is not complete unless it contains a reasonably complete discussion of possible mitigation measures.”³⁶ Therefore, mitigation measures are an essential component of a project and public input regarding the types of measures and the effects intended to be protected against are necessary for full consideration of the Proposed Project.³⁷ In *Kern v. U.S. Bureau of Land Mgmt.*, the court found that “shorthand reference” to mitigation measures is not sufficient to provide an opportunity for review and consideration of measures.³⁸

DNR should review the DEIS and provide appropriate discussion of mitigation measures for all aspects of the Proposed Project. Without such a discussion, the DEIS is insufficient and does not provide a basis for appropriate decision making.

E. DNR Fails to Appropriately Evaluate Impacts to Surface Waters, Water Drawdown and Wetlands

In accordance with Federal law, and as discussed above, DNR has a responsibility to independently analyze information associated with the Proposed Project. Additionally, DNR must provide meaningful discussion of impacts associated with a Proposed Project. DNR’s wetland analysis fails to discuss, in a meaningful manner, the delineation of wetlands, wetland functional values, potential mitigation measures, minimization of impacts, wetland hydrology between nearby, regional and adjacent wetlands, obstruction of fish passage, bird breeding, species migration or the preservation of endangered or threatened species. Rather, DNR notes that several acres of rare wetlands and globally distinguished wetlands would be directly impacted and may experience further impacts from secondary measures such as tree clearing.

In accordance with state law, DNR requires an analysis of practicable alternatives during consideration of wetland permits.³⁹ Similarly, DNR must address whether a proposed project “represents the least environmentally damaging practicable alternative...,” whether “all practicable measures to minimize adverse impacts to wetland functional values will be taken,”

³⁴ CEQ Forty Questions, 46 Fed. Reg. 18026, 18031.

³⁵ *Id.*

³⁶ *Okanogan Highlands Alliance v. Williams*, 236 F.3d 468, 477 (9th Cir. 2000).

³⁷ *See e.g. Bronx Committee for Toxic Free Schools v. New York City School Construction Authority*, 981 N.E.2d 766 (2012).

³⁸ 284 F.3d 1062, 1074 (2002).

³⁹ *See Wis. Stat. §281.36(3m).*

and whether “the proposed project will not result in significant adverse impact to wetland functional values, in significant adverse impact to water quality, or in other significant adverse environmental consequences.”⁴⁰

Although it is not required that DNR perform the full permit analysis at the DEIS stage, it is not possible to have meaningful analysis without reference to the legal requirements associated with the permit process. DNR also fails to consider mitigation requirements that may be necessary given the rare and special nature of the wetlands within the area of the Proposed Project. Without discussion of these aspects, meaningful consideration of the Proposed Project and associated impacts cannot occur.

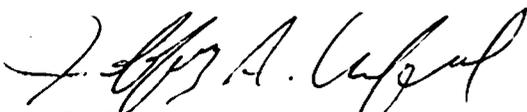
DNR’s discussion of surface waters is also lacking a detailed analysis that encourages meaningful project review and participation of interested parties. For example, although DNR recognizes the proximity of surface waters and potential impacts associated with pesticides, herbicides and fertilizers, it provides no analysis of those impacts as related to surface water quality, impacts to fish and other wildlife, impacts to human health or recreation. DNR assumes that certain management practices will be instituted but does not discuss the viability of those mechanisms or whether legally binding standards or agreements will ensure compliance. DNR also fails to consider the potential cumulative and long term impacts associated with the interrelated nature of the hydrologic system.

While DNR has highlighted certain resource areas it has effectively limited its scope to discussion of only those aspects raised by the applicant and has not independently evaluated any of the information, legal standards, controls, alternatives or impacts associated with water resources and the Proposed Project. This approach limits the value of the DEIS and the potential for meaningful participation by interested parties.

V. Conclusion

The Tribe appreciates the opportunity to provide comments on the DEIS. It recognizes the significant effort necessary to prepare an informative EIS and provides these comments to encourage the inclusion of necessary information so that informed decisions can be made regarding the Proposed Project. FCPC welcomes the opportunity to discuss these comments with DNR.

Sincerely,



Jeffrey A. Crawford, Attorney General
Forest County Potawatomi Community

⁴⁰ *Id.*

From: [Stacey Bahr](#)
To: [DNR Kohler Proposal](#)
Subject: Fwd: Opposition to use of Mr. Kohler's property as a golf course, and to use of State Park land as an entrance
Date: Tuesday, August 30, 2016 1:42:55 PM

Sending again for the third time because I don't think it went through when originally sent on 8/26 (see below).

Begin forwarded message:

From: Stacey Rajchel-Bahr <bahrn2B@hotmail.com>
Subject: **Opposition to use of Mr. Kohler's property as a golf course, and to use of State Park land as an entrance**
Date: August 26, 2016 at 2:32:17 PM CDT
To: DNRKOHLERPROPOSAL@wisconsin.gov

I will start with the obvious – the draft EIS is deficient in adequate information so as to allow the public to make fully informed comment. By your own admission numerous times in the draft EIS, additional details are needed. That being said, the adverse impacts are of significant concern, even without all the information.

Personally, the drawdown of water levels in nearby existing wells is of great concern to me, as it is likely to affect my neighbors and me directly. However, on an environmental level, how can one close a blind eye to the types and amounts of the effects of the proposed golf course? From the loss of rare invertebrate/mammal habitat, the changes to bird habitat and flight ways, the increased potential for pesticides and fertilizers to leach into the aquifer, the loss of rare wetlands, the irreverence for known burial mounds and tens of thousands of artifacts, and so on and so on... The cumulative effect has the ability to be devastating to the environment. Though, aside from the well drawdown, which WILL happen according to the EIS (we just don't know how bad it will be), I probably won't see the long-term effects in my lifetime.

The documentary movie "A Dangerous Game" paints a realistic picture of what we, and the rest of the world, face. Yes, some will say the impact in the Town of Mosel was not that great (aside from the townspeople of course), yet the Town of Wilson is different... more people/homes (i.e. more wells), more diverse habitats, etc. And what about Kohler-Andrae State Park? It is a proven source of income for the Town of Wilson, with over 400,000 visitors a year. Has anyone stopped to think about whether or not as many people will want to visit its natural wonders if it is attached to an elite golf course? It somewhat takes the joy out of camping.

In the book, *Rogue Primate*, John Livingston says, "Nature thrives on diversity and variety. Anything that tends to reduce the normal complexity of interrelationships is biologically destructive." What price do we put on our environment, and preserving it for our future? Is yet another golf course worth it? Is the proposed golf course not in direct opposition to the policy of the DNR to promote efforts that will prevent or eliminate damage to the environment? Honestly, I am ashamed that Mr. Kohler would even consider using his power to damage ecosystems, rather than finding a greater duty in protecting them.

I close with words from Rachel Carson (1907-1964)... "The pleasures, the values of contact with the natural world are not reserved for the scientist. They are available to anyone who will place himself under the influence of a lonely mountain top – or the sea – or the stillness of a forest; or who will stop to think about so small a thing as the mystery of a growing seed."

I sincerely thank you for your efforts and hope you remain undauntedly committed to protecting the environment.

Stacey A. Rajchel-Bahr
6225 Moenning Road
Sheboygan, WI 53081
(Town of Wilson resident for 17 years)

From: [Mike and Judy Howden](#)
To: [DNR Kohler Proposal](#)
Subject: Giving land to Kohler
Date: Thursday, July 21, 2016 9:13:47 AM

Don't do it
Mike and Judy Howden
4277 W. Highland Blvd
Milw 53208

From: [Stachowiak Leslie](#)
To: [DNR Kohler Proposal](#)
Subject: Golf Business Magazine - Kohler Co. Proposed Golf Course
Date: Friday, July 22, 2016 10:46:24 AM

Dear Mr. Schiefelbein,

I am submitting a recent article that appeared in *Golf Business* on Kohler Co. and our golf courses and request that it be included in the public comments section related to the company's proposed golf course. As full disclosure, I work within Corporate Communications at Kohler Co., and believe this article accurately depicts the successful golf operations, meticulous care/work ethic and philosophy as to why our golf courses are highly respected and environmentally sensitive. I am confident that the proposed golf course in the Town of Wilson – our fifth golf course – will be operated in the same manner and enhance Sheboygan County's economics and reputation as a highly sought after tourism destination.

My regards,

Leslie Stachowiak
Kohler Co.

Golf Business
July 2016
"Divine Destination"

[http://www.golfbusiness.com/article.aspx?id=3514&bq=6yfv%5Eg433\\$](http://www.golfbusiness.com/article.aspx?id=3514&bq=6yfv%5Eg433$)

By David Gould

You can imagine a New York City consultant visiting the glacier-scraped panoramas of Sheboygan, Wisconsin, and knitting his brow at certain details of Destination Kohler's golf operation, made up of two 36-hole meccas, Blackwolf Run and Whistling Straits.

Should the latter's renowned Straits and Irish courses, for example, really have sheep roaming loose on them? And aren't motorized golf carts a better bet than caddies for maxing-out revenue at these public-access courses? Then there's director of golf Dirk Willis, serving as coach of the Kohler High School golf team for the past decade. Has he got time for that?

Jim Richerson, who is general manager of golf for the Kohler Companies, can answer such queries in more than satisfactory fashion. Of course, Richerson assumes you know that Herb Kohler, Jr., chairman of the 143-year-old plumbing products maker (along with its famed hospitality subsidiary) is likely better educated—the Choate School, Yale University—than our hypothetical consultant. And that, over 30-plus years, basically every important decision he has made about the building of Destination Kohler has hit the bull's-eye, beginning in 1981 with the astounding renovation and reinvention of The American Club hotel. So, yeah, there's a track record.

"We have a responsibility to every guest who comes here looking for Midwestern hospitality, beautiful lodgings and amenities, great golf and, most importantly, the chance to forget what's stressing them and recharge," says Richerson. "We have our particular way of doing that, and it's been working for us."

Herb Kohler is a man you partner with on any kind of project, if you can, and the PGA of America has done that in spades. Whistling Straits, specifically the Straits 18, hosted the PGA Championship for the third time in 11 years in 2015 (previously in 2004 and 2010), and in 2020 it will host the PGA's other crown jewel, the Ryder Cup. There

was also a U.S. Senior Open in 2007 on the Straits course. For its part, Blackwolf Run has hosted two U.S. Women's Opens. All four courses are designed by Pete Dye, with considerable input from Herb Kohler—who also had the inspiration to craft the lyrical name, Whistling Straits—a fine piece of branding right there.

Within Destination Kohler, Whistling Straits is the asset that drives international as well as North American fly-in customers. "There's a big branch of our business that wouldn't be there without Whistling Straits to attract it," says Richerson, son of a former assistant football coach at the University of Wisconsin. "Of the four courses, Straits does the largest number of annual rounds and it charges the highest green fee, but all four courses have their loyal following," he says.

With smart marketing and devotion to the smallest detail, the company's golf revenues have done much more than bump along, according to Richerson. "Overall, our golf business has worked its way back to pre-2008 levels," he affirms.

Not surprisingly, corporate golf as a category pivots off the worldwide fame of the Straits layout. In general, Destination Kohler is one golf resort with a decent story to tell about this oft-elusive sales niche. Along with revenue from vacation-social bookings, the corporate spend has also returned to what it was before the Great Recession hit, with basically one hitch.

"These days, we've got to work twice as hard for the same level of corporate business as we were doing before 2008," explains Richerson. "Like other golf facilities that do well with business groups, we basically never get the full-course shotgun or the full-resort buyout we used to get. So, it takes a lot of smaller groups to add up to what the very big groups used to generate for us in the past." That said, the feel of the corporate trade has seemed solid to Richerson and his colleagues of late, which is significant. "Companies are very active entertaining clients," says Richerson, "and they're coming here with a lot of smaller internal teams and work groups for serious meetings mixed with golf."

As someone whose Midwestern boyhood included such rural experiences as playing high school golf matches on courses with sand greens, Richerson understands the region from an insider's viewpoint. Meanwhile, he's trained to study his operation through the eyes of visitors from all over. Wisconsin's advantage as a destination, he points out, is partly owing to its location in the center of the map. "We're fairly easy to get to from any major city in the United States or Canada, including cities on either coast, so with our national profile that's definitely a plus," he says. With Lake Michigan conveniently alongside, the summer air stays cooler and even drier than many arriving guests imagine, which is good for sweater sales in the golf shops.

As a former member of the PGA of America board of directors—and a would-be PGA officer now running for the association's secretary position (which tracks to the presidency)—Richerson has a great feel for how big business currently views golf. "The game has retained its appeal for corporations," he asserts. "You see it in the big tournament sponsorships—such as what Kitchenaid has just done with the Senior PGA Championship, and from there it extends to actually playing the game."

In particular, Richerson observes how much "cause marketing" and CSR (Corporate Social Responsibility) activity companies engage in, feeling that golf's intensely charitable bent, plus its standards of behavior, position the game and the industry very well. "We have to get business people learning the game and playing it competently—that's the actual missing piece," he says. "Culturally and in terms of image, we're in a good place right now."

On the subject of player-development efforts, when you're known the world over, do you still have to do the grassroots work of bringing new golfers into the game? "Absolutely," answers Richerson. "It's part of our mission to keep developing programs and keep bringing in new people. We have 230-plus juniors in programs at the four courses, combined. We also stay busy with the junior golf tournament groups, especially the Wisconsin PGA junior events."

With its 24-man contingent of players and its unusual, three-day competitive format, the Ryder Cup is a tricky event to stage, even for the Kohler and Whistling Straits managers who have navigated three PGA Championships and a Senior Open. Evidence of the unusual challenge it presents lies in the fact that PGA tournament personnel working on the 2020 Ryder Cup were holding meetings with their Kohler compatriots even before the 2015 PGA Championship took place. "Managing the gallery, the traffic and parking, the players' expectations, organizing volunteers—it's a big operation," Richerson says.

Arriving guests from far-flung locales don't visit Sheboygan only for the cool summer air and resort amenities—there's also the appeal of Midwestern manners and the down-to-earth ease of those born and bred here.

Destination Kohler's service culture is referred to in training as "gracious hospitality," built on a sincere desire to provide service plus the natural, understated friendliness that typifies people from the region. "You can't teach that mix of warmth and politeness that our service to guests is based on," says Richerson. "So we draw upon the pool of candidates who are like that by nature, and we train them in our best practices."

Operationally, Whistling Straits relies on tactics that are quite modern and high-tech, while holding fast to others that are traditional and old school. The caddies and forecaddies that guide walking golfers around the Straits course and the Irish course are holdovers from another era. For that matter, a glance at the open landscape of the Straits will also reveal flocks of Scottish blackface sheep, allowed to wander the property freely as a nod to the pastoral origins of the game.

Similarly, as Dustin Johnson's travails in the 2010 PGA Championship remind us, the course's sand bunkers are maintained in a throwback, minimalist way—smoothed mainly by the wind, rather than by those riding bunker rakes that leave their telltale swirl in the sand. It takes some independence of mind, but the team of Herb Kohler and Pete Dye has no shortage of that virtue. Indeed, at a resort company where the first "guests" to benefit from lodging and dining service were immigrant blue-collar workers brought in to manufacture valves and faucets, it only makes sense that you would still find elements of simplified, early-American folkways.

But as Richerson points out, technology deployed skillfully can also help create a good feeling during your day's round of golf—thus the digital platform that supports pace-of-play efforts at Whistling Straits. "What we've basically got," he says, "is a couple of tech programs that let us monitor all movement of groups from either a desktop, a laptop or a handheld device—using pocket send/receive units carried by caddies and forecaddies." The happy result is avoiding that circling marshal, coming around several times in silent disapproval, prior to even confronting the slow-moving group. "It's high-tech you don't see," says Richerson. If the resort can keep up a good pace of play, not only does it improve customer satisfaction, it also means guests can add other activities to their day—and thus, contribute to other revenue streams.

Like other golf and resort operations in the country's upper tier, Whistling Straits comes into some of its loveliest weather just as seasonal workers head back to their studies in high school and college, or even to their teaching jobs. Department managers start planning for this two-month squeeze in early to mid-summer, scheduling shifts creatively to make it all work. "Fortunately, we have some local colleges with which we do internships and a lot of regular hiring," says Richerson. "The kids will come back on weekends, and some will come back after their day of classes during the week. We have to patch together the schedule sheets in such a way that the guests don't notice any difference, and we're able to do that."

And, like any other golf property in the Upper Midwest, the 560-acre Whistling Straits complex faces an annual showdown with harsh winter conditions and potentially flooding early-spring rains. Affluent golfers the world over sing hosannas to this destination, but floods, snow mold and dollar spot fungus don't know if you're a five-star mecca or a lowly muni. "We get our challenges from Mother Nature," confirms Richerson, "especially when winter meltoff and big spring rainstorms coincide. When that happens, we do what every other course does—get the crews out and clean up." Led by golf maintenance chief Michael Lee, the seasoned turfgrass staff at Whistling Straits contains a lot of veterans, Lee most notably, who "always seem to spot the signs of challenging conditions before they hit," says Richerson admiringly.

The London-born author and clergyman Timothy Radcliffe once wrote that "to be a preacher "requires two apparently contradictory qualities—confidence and humility." A long look at the management mindset at Whistling Straits—and Destination Kohler in general—shows those two traits more in agreement than contradiction. The people who work there know they possess the resources to produce excellence. Likewise, they know it will take their full and sincere effort, each day, to get the job done.

David Gould is a Massachusetts-based freelance writer frequent contributor to Golf Business.

From: [Jana Kinsman](#)
To: [DNR Kohler Proposal](#)
Subject: Golf Course
Date: Monday, July 04, 2016 12:07:39 PM

To whom it may concern:

Golf courses only benefit one species: humans. To be more specific, it only benefits wealthy humans.

Natural, undeveloped spaces benefit COUNTLESS species, and as the most powerful species, it's our responsibility to give a voice for those who can't speak. We need to protect these spaces, not develop them into deserts.

Please consider including that land into the adjacent state park instead of developing it.

Thank you for listening,

Jana Kinsman

From: [Henriette McPartlin](#)
To: [DNR Kohler Proposal](#)
Subject: Golf course
Date: Sunday, July 03, 2016 8:29:03 AM

We have enough golf courses.....we do not need to spend valuable resources like water for another enterprise like this.....all the grass is killing us.....They are unsustainable in a world where resources are dwindling rather rapidly....

From: [Susan Steffen](#)
To: [DNR Kohler Proposal](#)
Subject: Golf Course!!
Date: Wednesday, August 24, 2016 4:51:09 PM

This proposal as is should never be accepted!!

Most homes that will likely have their ground water pressure negatively affected, are just outside the one mile radius range proposed by Mr. Kohler. That range should be extended by no less than two miles, and home owners should have the freedom to bring in their own qualified personnel to give an honest assessment of their wells performance.

As is, the proposal is rig against the residents of the Town of Wilson. The astronomical amount of water Mr. Kohler will use on his golf course cannot be supplied without negatively affecting the local residential areas. I am strongly opposed to the building of this golf course!!!

I am also opposed to destroying this beautiful track of land. It may be his land, but if I can't do what I please on my property; something as simple as putting two sheds on my property, why should Mr Kohler get preferential treatment and be allowed to do as he pleases?

I also think it is very wrong for the DNR to sell, lease, or give state land to private business owners, or private residence. If you are going to do that, than I would like a ten acre lot on the north end of Terry Andre State Park for the same low cost in which you share, lease, or end up giving to Mr. Kohler. A State Park is just that! A park that belongs to all the people of the state! It is not to be given, leased or sold to private parties for their own selfish gain!

Please do not approve this golf course!!! It is the wrong place for a golf course! Too many factors are negatively affected. Artifacts, homes, wildlife, wetlands, sand dunes, and much more! Please do not approve b this!!

Sincerely,
Susan Steffen

From: [TOM THEUNE](#)
To: [DNR Kohler Proposal](#)
Subject: golf course
Date: Friday, July 29, 2016 9:10:48 AM

Mr. Schiefelbein,

We have lived in Black River, Town of Wilson, for about twenty years in a cottage my grandparents owned in the twenties. The area is a beautiful place to live and recreate as evidenced by the popularity of Kohler Andrae Park. Shortly after we moved here, straight line winds knocked down many trees, making the trails unrecognizable. A landscaper cleaned up the Kohler's woods logging many valuable extra trees. Everyone was prohibited from entering. After a year or so, permits were issued to those who applied. Then permits were no longer given. It was Kohler who allowed limited access to his woods.

Through succeeding years, I have noticed many more trees blowing down than before the straight line wind. It appeared that without the protection of trees around them, they were more susceptible to uprooting and taking down adjoining trees. How will the 50% of the remaining trees survive with so much protection removed? And then there's the damage that will be done during construction from heavy equipment and all the soil that will have to be brought in to make grass that grows well on all the fairways and tees. Once these old trees are gone, they cannot be replaced.

Page 39 states that the proposed cutting is considered a land use change. What does that mean? Does the present zoning allow it? Does it change the zoning? Does it give the people who want it to remain pristine...mmm, haven't heard that word used since the Tented Forest phase of development...any new rights in opposing the golf course?

On page 44, why is Kohler Andrae linked to Kohler's property when discussing invasive plants? If the state park was given necessary funds, I'm sure they'd remove invasive species from the park. Either Kohler has not cared or known about what has been going on on his property in respect to invasive plants. We have watched them grow and spread for over 20 years. Now they talk like they're doing such a great thing by removing them when they build the course.

Though it is sated and has been repeatedly stated that Kohler is only getting 4 acres for access through the state park, it looks like a much larger area on all the maps at the end of the EIS. Roughly measuring, there appears to be about 20 acres south of the south trail which we assumed was the border of Kohler's woods.

Also the maps show Kohler's property boundary in the lake (where it probably was in the 30's). Would Kohler build a seawall or dump riprap to protect his original property? How would any protection he is allowed affect the lake's currents and subsequently the adjacent

and nearby properties? For example, the problems neighbors are having with Concordia's lake bank protection.

If what Sarah Koeper (not sure about that spelling from my hastily written notes) stated about the extreme uniqueness of this property is true, I hope both the DNR and Kohler reconsider destroying it to make another golf course.

Thank you,
JoAnn Theune

From: [Christina Klock](#)
To: [DNR Kohler Proposal](#)
Subject: Golf courses vs. public land
Date: Friday, July 29, 2016 10:46:45 AM

I am writing to let you know that I am AGAINST selling public lands to private corporations. Public lands are for all people to enjoy and need to be protected. Do the right thing.

Christina Klock
Voting citizen from Fitchburg WI

From: [TOM THEUNE](#)
To: [DNR Kohler Proposal](#)
Subject: had the wrong pic
Date: Friday, July 29, 2016 1:25:40 PM
Attachments: [733.JPG](#)



From: [Randy](#)
To: [DNR Kohler Proposal](#)
Subject: I support Kohler Company
Date: Monday, July 25, 2016 10:50:01 AM

As a bar and restaurant owner I see the positive impact a new golf course would have in the community of Sheboygan. This golf destination will create jobs and bring more tourists to our community benefitting all. I have also worked for Kohler Company for more than 20 years and know of their concern for the environment. It is their goal to preserve the nature of the area and promote it.

Thank You,
Randy Oskey
owner 8th Street Ale Haus