



Ho-Chunk Nation Wins Legal Challenge Aimed at Preventing Destruction of Wetlands Monroe County Judge Rejects Meteor Timber's Request to Reinstate DNR Permit

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Madison, WI—Today, a Monroe County Circuit Court judge ruled in favor of the Ho-Chunk Nation, represented by Midwest Environmental Advocates (MEA), and Clean Wisconsin in a decision that continues to prevent the out of-state frac sand company Meteor Timber, LLC, from destroying 16 acres of globally rare wetlands in Monroe County.

In his ruling today, Judge Ziegler found that the Department of Natural Resources (DNR) violated state wetland laws when it issued a permit to Meteor Timber in 2017 to build an industrial sand processing facility and rail project in the Town of Grant in Monroe County.

The Ho-Chunk Nation, Midwest Environmental Advocates, and Clean Wisconsin successfully argued that DNR should have denied the permit based upon inadequate guarantees against significant adverse impacts to the environment. The project would destroy irreplaceable white pine-red maple wetlands that serve as habitat for threatened and endangered species and provide critical ecosystem services like flood prevention.

Today's victory comes after more than three years of legal proceedings. The Ho-Chunk Nation, MEA, and Clean Wisconsin initially challenged the wetland fill permit in an administrative hearing process that resulted in the invalidation of the permit. Hearing testimony revealed the permit had been granted by DNR managers over the objections of scientific experts within the agency. MEA subsequently defended the victory when Meteor Timber tried to persuade the DNR Secretary to reverse the independent administrative law judge's decision. Today's favorable Monroe County Circuit Court decision comes after Meteor Timber sought judicial review to reinstate the permit.

Andrea Gelatt, MEA Staff Attorney, said, "Today's ruling is a victory for the Ho-Chunk Nation, for Wisconsin, and for all those who value our natural resources and the public's role in protecting them. The decision is also a reminder that even the state's largest industries and most powerful companies must be held accountable to our environmental laws."

"The homelands of the Ho-Chunk Nation and our people are being defaced by each of these frac sand operations. Every truckload and train full of sand that comes out of Wisconsin leaves behind scars on our landscape, upon this habitat, and in our lungs," said Rep. Conroy Greendeer, Jr. (District 2). "We are relieved that the law can balance economic development and the harmful impacts of environmental exploitation."

The Ho-Chunk Nation is a federally recognized tribe. The Nation has several hundred enrolled members within the area affected by frac sand mining. The Nation's government is dedicated to protecting their people and their lands for this and future generations. The expansive and permanent destruction of the landscape, including wetlands, for industrial sand mines threatens the Nation's people, land, and cultural heritage.

Midwest Environmental Advocates is the only nonprofit environmental law center in Wisconsin providing direct legal services to people facing environmental threats in their communities. We believe that all people have the right to live in a clean and healthy environment. Learn more about Midwest Environmental Advocates on the web at midwestadvocates.org or on Facebook at facebook.com/midwestadvocates.

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