
Guest Opinion

WMC Statement on Lake Koshkonong Ruling

Supreme Court Limits DNR Regulatory Expansion

In a significant win for property owners and the rule of law, the Wisconsin Supreme Court Tuesday ruled that the Wisconsin Department of Natural Resources (DNR) does not have the constitutional authority to regulate non-navigable waters. WMC filed a "friend of the court" amicus brief in the case through the Great Lakes Legal Foundation.

WMC Vice President of Government Relations Scott Manley, an environmental law expert, said:

"This is an important ruling that correctly limits the DNR's regulatory authority as it relates to the public trust. The state argued for a massive expansion of the DNR's regulatory jurisdiction in a manner inconsistent with the law. The Supreme Court appropriately limited the application of public trust doctrine in the Wisconsin Constitution, and we hope today's decision is a first step toward continued clarification of this ambiguous area of Wisconsin law by the high court and the Legislature."