

CREDENTIALS OF WALTER KUHLMANN

For Induction Into The Wisconsin Conservation Hall of Fame

“It was crystal clear to all of that in pursuing our common cause, he fully employed not just his mind but his heart as well. Only someone who fully invested his heart could possibly extend himself completely to protect the natural environment.”

- Rodger Schlickeisen, President
Defenders of Wildlife

Walter Kuhlmann was driven by a principle: the infusion of what science was telling us about the health of Wisconsin’s lands and waters into the law. In the early 1990s, one principle that was seemingly fundamental to proper ecosystem management was actually only emerging in practice. Walter pioneered the application of conservation biology—the protection of biological diversity—in Wisconsin. As a result, the practice of conservation biology, especially in forests, is beginning to make its way into ecosystem management policy in the state and across the U.S. And, he did virtually all of it as a volunteer until his untimely death in September 1998.

1. Walter Kuhlmann Had Significant Ties To The State of Wisconsin

“For Debby, Hannah, and Charlie, who see the forests with me.”

- *Wild Forests: Conservation Biology & Public Policy*
Alverson, Kuhlmann & Waller - Island Press (1994)

“Walter wore his feelings for his family on his sleeve and his actions daily proclaimed to the world his unqualified pride and love for Debby and Charlie and Hannah.”

- Rick Delacenserie, friend and former law partner

He was born December 9, 1951. In 1973, having graduated cum laude with a degree in economics from Yale University, Walter visited prospective law schools. While returning from one law school visit, he stood at a highway wayside on the Illinois-Wisconsin border and, reported to his family back east that he had fallen in love with Wisconsin’s natural beauty. That autumn he entered the University of Wisconsin Law School and never again made his home elsewhere.

Family legend is that Walter lost his first case before even becoming a lawyer. During a late night visit to do his laundry, he skipped out to do an errand, only to return finding his washed but undried clothes pulled from a washing machine and placed in a pile. Incensed, he waited for the culprit to appear. She did, and Walter's ire dampened when he recognized her, complete with smile, as a young student nurse that worked in the law library. He graduated cum laude from the University of Wisconsin in 1976 and married Debby Luchterhand, exchanging vows on her brother's Wisconsin farm, the following August.

Together they had two children, Hannah in 1980 and Charles in 1984. Their home continues to be Cross Plains, Wisconsin. Only love for his family surpassed Walter's love of nature and commitment to the protection of it.

2. Walter Kuhlmann's Work Had Statewide, National, and Global Significance

"Walter Kuhlmann was widely recognized among the environmental law community in both Wisconsin and across the U.S. as a leading thinker, strategist, and litigator."

- Diane Derouen
Madison Audubon Society

Walter was one of those rare attorneys that understood that good law recognized good science.

In the early 1990s, a new understanding was emerging that protecting nature meant protecting biological diversity, that only in protecting the balanced health of species and their habitats could all living things function interdependently and healthfully. While intimidating some at first, the protection of biological diversity—conservation biology—is now becoming commonly accepted as a pillar of the practice of ecology. Walter pioneered the use of conservation biology in law and started with Wisconsin's Chequamegon and Nicolet National Forests.

He led the effort to pass one of the first laws in the country recognizing conservation biology on state-owned lands. He helped to further the concept by proposing and holding a conference of scientists and conservation law experts in Madison in 1994. The goal of the conference was to develop guidance for protecting native ecosystems and species from excessive livestock grazing, timber harvesting, and other over-exploitive practices. His goal was never to stop these activities, but to ensure that they were done within the landscape's carrying capacity.

To help drive home the need for responsible consumptive practices, he prepared administrative appeals in the mid-1980s challenging the ten-year management plans for the Chequamegon and Nicolet National Forests. His contention was simple: the U.S. Forest Service was not protecting biological diversity in its national forests despite a requirement in the 1976 National Forest Management Act that management plans address biodiversity.

The appeals became federal lawsuits. While ultimately losing the litigation battle despite strong supporting scientific evidence and the testimony of some of the nation's leading conservation biologists, Walter's litigation challenged the agency to recognize conservation biology. This recognition is now occurring across the country.

3. Walter Embodied the Spirit of Volunteerism

"This was a lawyer, friends recalled, who did countless hours of pro bono work for [conservation] organizations."

- Wisconsin State Journal
October 4, 1998

While making a living by providing legal counsel to municipalities, much of Walter's work extended beyond his professional contributions.

He contributed more than \$100,000 in pro bono legal assistance to state organizations, such as the Sierra Club, the Wisconsin Audubon Council and the Wisconsin Forest Conservation Task Force to press for forest management policy changes. Because of his service, in 1988, he was named Madison Audubon's Environmentalist of the Year.

He volunteered as part of the original steering committee that led to the creation of 1000 Friends of Wisconsin, now considered the state's premier advocacy group for sound land use practices.

He began his tenure with Defenders of Wildlife by serving on its litigation committee. His skills and commitment propelled him, at the behest of others, to become the chairman of Defenders' Program Policy Committee and, ultimately, onto the organization's Board of Directors' Executive Committee.

His volunteer work was grounded in his passion for the outdoors. He deeply loved places like the Boundary Waters and Wisconsin's remote forests. He loved Wisconsin's Brule River watershed and so served as volunteer attorney for Friends of the Brule River & Forest.

These are only some of the organizations he helped in a direct way. He freely gave innumerable hours of his legal, policy, and strategic advice to many other organizations that asked, all in the name of protecting Wisconsin's natural resources.

4. Walter Kuhlmann's Contribution Has Affected A Wide Range Of Natural Resources and Their Use

“Walter’s vision had reach and substance, and it will be relevant to resource management far into the future.”

- George Meyer, Secretary
Wisconsin Department of Natural Resources

Though Walter is best known for his work to bring conservation biology to forest health law and policy, he in fact doggedly pursued the protection of many Wisconsin natural resources.

One tally counted him as having served on 17 separate Wisconsin DNR advisory bodies, one of which was the Technical Advisory Committee to assemble water quality standards to protect Wisconsin’s Great Lakes waters. In his time on that committee, Walter represented municipalities in a way that served their interests and the interests of the state’s resources at large. For example, he helped to show that municipalities had an interest in cutting nonpoint sources of pollution, not resisting protections against them. He led the effort to produce a White Paper that detailed how nonpoint source pollution prevention was much cheaper than municipalities having to remove silt and sedimentation once it reached their treatment plants.

He also helped to re-think urban sprawl by successfully challenging the state’s attempt to open 9 million acres to new development pressure through its “Comm 83” septic siting rules.

He helped to craft a presidential executive order to implement the International Biodiversity Treaty.

He assisted in drafting an innovative plan to introduce grizzly bears into the northern Rockies wilderness.

He helped to compel a reluctant federal government to designate critical migratory bird habitat under the Endangered Species Act.

He testified before Congress. He led a comprehensive master planning effort for over 1.3 million acres of Wisconsin DNR land. His petition to the Natural Resources Board resulted in a 5-year effort to create a new land classification system.

Walter’s lasting legacy to improved forest management was what he was best known for. But underneath it was a deep love for all wild things and wild places, especially in his state of Wisconsin.

5. Walter Kuhlmann's Contributions May Be Measured In The Context Of Past Inductees' Contributions And In The Historical Setting Of The Times Of His Efforts

“He was to the law of conservation what Aldo Leopold was to the science of conservation and what Gaylord Nelson has been to the politics of conservation.”

- Dave Cieslewicz, Executive Director
1000 Friends of Wisconsin

His views on the application of conservation biology were controversial and may remain somewhat so for some years to come. While that may be, one thing cannot be denied: he helped to forge a new way of thinking about our use of forests, waters, and lands and the policies that govern them. At one time, so many of Wisconsin's leading conservationists were once thought—and may even today be thought of as fringe thinkers. The point is not whether he pleased all interests. The point is that he cared about the health of Wisconsin's natural heritage and worked tirelessly to that end. If nothing else, he helped heighten peoples' appreciation for their role in the landscape. Many different people representing different interests have acknowledged his effect, even if they stood against his stances.

6. Walter Kuhlmann Sustained An Outstanding Contribution To Conservation In Conservation Policy, Public Leadership, Conservation-Oriented Research, And Conservation Education

“Walter was highly regarded by all he worked with. Though a tenacious advocate, his respect for and fair treatment of those with whom he disagreed gained him universal respect. People trusted him as a man of his word.”

- Carl Zichella, Director
Sierra Club Midwest Office

Perhaps more important than what he believed and worked for, was Walter's ability to bring people together to help them better understand not only the issues, but a way of working that made them more effective.

Walter's reasoned approach to resource management did not always side with traditional environmental views.

One example occurred in 1996, while serving on the Technical Advisory Committee to draft Great Lakes water quality standards. He advanced a view on a proposal for the state's antidegradation policy, designed to keep water quality from diminishing. According to Cameron

Davis, also serving on the committee on behalf of the National Wildlife Federation and Wisconsin Wildlife Federation: "I was a new attorney at the time and didn't particularly like his point, but it was so well-reasoned that it was hard to argue against. Because I respected Walter and his care for the environment, it really made me take a step back. I didn't change my end goal, but working with Walter on the committee and that exchange did more to alter my philosophy to one of constructive, solution-based advocacy than any other single event before or since."

Others, regardless of their interest had to respect Walter's demeanor. Also according to Wisconsin DNR Secretary Meyer: "At times, Walter was a critic, but always in a very thoughtful and constructive way. At times, he was an advocate well-known for sound and well-reasoned view[s] on natural resources management . . . Walter was tough on the issue, but he was fair and honest with people."

Walter Kuhlmann was feared, but respected. He was tough but respectful. He bettered the other side in negotiations but never gloated. Walter's most lasting legacy will be his work to protect Wisconsin's natural heritage. But his even-handed dealing with people, regardless of their interest in an issue, is his finest testament.

7. Walter Kuhlmann's Conservation Contributions Are Undeniable And Cannot Be Impugned

"This day I completed my thirty first year. I reflected that I had as yet done but little, very little indeed, to further the happiness of the human race, or to advance the information of the succeeding generation."

- Merriwether Lewis
August 18, 1805

Perhaps the greatest single irony of Walter Kuhlmann's life came with his death. On September 27, 1998, he succumbed to depression, taking his own life. Toward the end of his life, he lamented to one colleague that he regretted not having done enough in his life to protect Wisconsin's natural heritage. Nothing can be further from the truth.