

Kathleen Falk

A. Interests/Activities in conservation

Kathleen's dual commitment to Wisconsin's environment and to helping the underrepresented is best understood by a review of her early years. Kathleen grew up in Waukesha County, admiring and being influenced by the work of "one of Wisconsin's most revered outdoor writers," Mel Ellis, as he was writing "Notes from Little Lakes." Ellis inspired one of Kathleen's first science projects and was her first mentor. Ellis and his wife had five daughters who they referred to as the "Rebels." In her love of Wisconsin's natural resources, Falk became a rebel in her own right.

Kathleen came from a family of modest financial means and started college at the University of Wisconsin - Waukesha. Upon her acceptance to Stanford, Kathleen was granted a full academic scholarship. She worked as a gardener at the Catholic Newman Center for room and board. With a degree from Stanford in hand, Kathleen returned to attend Law School at the University of Wisconsin; she got her law degree in 1976. As recently as 1968, the census of women at the law school was less than 5%. By 1982, it had become 50%. So, Kathleen was right in the middle of change, this time making her way as a woman in what had been, except for a few percentage points, a man's profession. And she excelled.

Upon graduating from the University of Wisconsin Law School in 1976, Kathleen went to work at the Environmental Decade for \$35 a week. By 1983, her salary had increased to \$100 a week as the group's only attorney and co-director. In a 2013 interview reflecting upon this era of her life as she brought "new eyes" to environmental advocacy, Kathleen shared these observations.

What was it like to be a woman lawyer in the '70s and '80s?

Usually, the court reporter and I were the only women in the room. I was asking courts to say things they had never said before. I wore pantsuits because it was important then not to draw attention to the fact that I was a woman.

You argued several cases of first impression to our Wisconsin Supreme Court. Tell me about the significance of those cases.

There was a new federal environmental law, and the courts had not applied it or interpreted it yet. We had to work to get the laws in place in Wisconsin and there were so many questions of interpretation of what they meant. My job was to make sure that these new laws had the breadth we thought they were intended to have.

When you make local law in Wisconsin, how does that affect the National law?

Early on I was getting the court to say that when you determine the environmental impact of an action, you not only look at immediate consequences but the long-term environmental consequences. That was very revolutionary at the time. Then courts around the country would pick up our court's cases and use them in applying the federal law.

In 1983, the Wisconsin Department of Justice approached Kathleen about becoming an Assistant Attorney General and Wisconsin Public Intervenor. Kathleen hesitated about taking the job. Was it within her own value set to be paid \$40,000 a year to protect Wisconsin's conservation ethic? She took

the job. Her advisory committee included Wisconsin's Conservation Hall of Fame members Chuck Stoddard, Martin Hanson and Ron Koshoshek. Her new eyes worked for the public on such issues as mining, wetlands, land use, transportation and public access to lakes and streams. She appeared before many decision makers including courts, legislative committees, trade associations, and the Natural Resource Board.

When asked to describe his relationship with Kathleen, one very senior attorney for the regulated community said:

"I've known Kathleen Falk for 45 years. I practiced law adverse to her. I've worked on projects with her and one thing I can say without reservation is that although Kathleen talks little, she says a lot. She is a person of unquestioned integrity who has a transcending love for, and sense of duty to protect Wisconsin's natural resources without ever losing sight of the importance of jobs. She is a throwback to the old days of developing bi-partisan, consensus policies that allow both economic activity and environmental protection."

In the early 1980's, Kathleen went before the Wisconsin Supreme Court to argue how the Department of Natural Resources and, by extension, other state agencies should evaluate a proposed super regional shopping mall on the outskirts of Appleton. Kathleen's eyes saw beyond the conventional considerations. What would be the secondary impact of the DNR's decision? What about urban sprawl and the loss of green space? It took intellectual courage to take on the biggest shopping mall developer in the United States.

Kathleen's career evolved to where she was the first woman elected as Dane County Executive and has served the longest of any (1997- 2011). In her tenure, she made numerous outstanding and sustained contributions to conservation policy formation and legislation that have served as models for other communities statewide and beyond. Intentional use of her strong management skills and public leadership led to innovative land and water protections, initiatives to help move families out of poverty, and reforms of the criminal justice system. Kathleen has mentored, both directly and indirectly, scores of environmental advocates, pragmatic problem-solvers, policymakers, leaders, and champions. She has done this in countless ways, most notably through leading by example. Perhaps Kathleen's finest and most admirable quality is her ability to bring people together around a common goal.

A tireless advocate, Kathleen accepted an appointment by President Obama as Regional Director, US Department of Health and Human Services, Region V for the 52 million residents of the six Great Lakes states. She served from 2013 to 2017. She was charged with helping to implement the Administration's agenda on a wide variety of human services issues. Of particular note was her work in bringing new health services to the many people affected by the Flint, Michigan drinking water crisis. She served as the federal government's lead official on site. Kathleen spent months in Flint and worked with all the key elected and community leaders. What made Kathleen so effective in this role were her work ethic, integrity, credibility, and her ability to build trust.

B. Types of contributions

Kathleen has always believed that perhaps the greatest impact she can have for positive change lies with her commitment to training the next generation of leaders. To that end, she has long been dedicated to the education and mentoring of future conservation leaders. Kathleen's classes and seminars reflect

several themes of her conservation service: her concern for future generations; her determination to craft effective, real world solutions for real world problems; and her ability to reach a wide range of stakeholders in any challenge. All her classes involved an in-depth focus on current issues and culminated in cooperating to create new approaches and solutions to those challenges.

While no one appreciated the value of deeply held conservation values more than Kathleen, she believes those values must be accompanied by the ability to enact those values. Her goal is always to enhance each student's ability to do so. For that reason, her teaching demands that students learn to work with one another in reproaching and addressing issues. Each of her classes focused on a specific, relevant situation unfolding as the students learned. She would assemble a wide range of stakeholders affected by the challenge and those working to address it to teach the students the vital lesson that each environmental situation is complex, that the people involved in it usually have a range of differing perspectives, and that solutions must take those complexities and perspectives into account.

Getting the students out of the classroom and into the fields, farms, countryside, and neighborhoods to see and feel the problems as they really exist is essential to the learning process. You could find Kathleen teaching the next generation of conservationists at the University of Wisconsin Gaylord Nelson Institute for Environmental Studies, Stanford University, and Vermont Law School, among others. She was also named the Douglas Costle Chair and Visiting Professor in Environmental Law at the Vermont Law School, one of the nation's most prestigious law schools.

Kathleen's contributions to policy, legislation and public leadership are many and widely varied. Of particular significance is how carefully crafted these efforts were so that other organizations could directly benefit from them beyond their original intent.

The Historic Dane County Parks and Conservation Fund: Kathleen is a strong believer that everyone should have the opportunity to enjoy nature. One of the first policy initiatives Kathleen pursued as County Executive was the Dane County Conservation Fund, a \$30 million program to forever preserve environmentally sensitive and high-quality recreational lands for the benefit of the public. Because Kathleen was adamant that the program needed to be endorsed by Dane County citizens, it was put to a county-wide referendum which was approved by an impressive 76% vote.

To this day, the Dane County Conservation Fund, conceived of and created by Kathleen, remains the largest and most expansive local conservation ballot measure ever approved in Wisconsin. It has not been politically challenged in the almost 25 years since its approval.

Kathleen's decision to pursue a referendum and then create the Conservation Fund occurred in the context of a bitter and long-lasting political dispute in Dane County. It pitted realtors, developers, and conservative policy makers against environmentalists, conservationists, and more liberal policymakers. Kathleen's genius was finding common ground among these different parties. Case in point, everyone agreed that in Dane County some land and water resources were worth preserving for the public. Kathleen then brought the parties to agree that priority areas should be mapped, that County government could appropriately buy and manage these properties with the help of conservation organizations, and that bonding was a fair funding mechanism. Ultimately, a politically diverse coalition publicly supported the referendum.

Kathleen allocated part of the Conservation Fund to local and regional conservation organizations to assist them in making purchases that fit program goals. She had promised the Conservation Fund would benefit many types of outdoor recreation and the people who enjoy them and followed through. She also predicted that the \$30 million would help generate many millions more for conservation with matching state, federal and non-profit conservation grants, and it did. The County bought an array of wild lands and trail corridors, as well as access to rivers, streams, lakes, and ponds. She worked with the Parks Commission to open many of these lands to hunting, a significant shift in County policy. The grants came in, doubling the \$30 million, especially through the Wisconsin Stewardship Fund and federal funding for the Ice Age Trail.

The Unprecedented Highway 12 Agreement: In the mid-1990's, the Wisconsin Department of Transportation was undertaking the expansion of Highway 12 between Madison and Baraboo. The project was controversial given the amount of prime farmland and scenic areas that were negatively impacted. Kathleen spearheaded negotiations with Governor Tommy Thompson, Wisconsin DOT, The Nature Conservancy and other local groups to address the issues, ultimately reaching an unprecedented agreement which provided \$15 million to help mitigate impacts of the expansion. These funds were used to preserve over 7,000 acres of exceptional habitat in the Baraboo Hills, a National Natural Landmark, and home to over 1800 species of plants, birds and wildlife. The agreement also provided funding for local governments and land trusts to assist farmers with preserving prime farmland and served as a catalyst for additional funding and collaborations that have further helped protect and enhance the Baraboo Hills for the enjoyment of generations to come.

Other noteworthy conservation achievements in Dane County Kathleen's hallmark were founded in her ability to work effectively with persons of different political views and motivations. She worked with the Governor as he sought to create two new state parks to celebrate the state's Centennial and to cap his own conservation legacy. Working together they created the Capital Springs State Recreation Area. Its creation ensured that the last remaining, undeveloped and unprotected Lake Waubesa shoreline would remain in its natural state.

Kathleen recognized the importance of efficient program administration and made tough, sometimes unpopular, decisions to improve service delivery. She merged two programs to create the Dane County Land and Water Resources Department with the aim of delivering better customer service and creating stronger conservation programs. The Department has enjoyed great success in both regards.

Dane County Manure Digester: Kathleen also successfully coalesced a diverse group of stakeholders – dairy farmers from Dane County, County supervisors and other local officials, clean water advocates, and a local utility (Madison Gas and Electric Company) to construct and operate a manure digester in Dane County. The digester is a critical resource to area farmers for manure management challenges; it protects water quality in Dane County's chain of lakes by removing tons of phosphorus laden pollutants from the watershed; and it created a source of renewable energy to boot.

C. Impact of conservation efforts at various levels (local, state, regional, national and/or international)

Even in her early years with the Environmental Decade, Kathleen had significant impact on legislation that had wide ranging implications across the country. She fearlessly argued for broad interpretation on newly enacted federal legislation that would ultimately impact Wisconsin and beyond by ensuring adequate breadth of application and attention to long term impacts beyond the immediate action.

As Assistant Attorney General and Public Intervenor, Kathleen developed a keen focus on environmentally significant issues such as mining, wetlands, land use, transportation and public access to lakes and streams that had meaningful implications statewide.

As Dane County Executive, she developed forward thinking policies that provided for expansive land protections resulting in countless outdoor recreation opportunities and served as a progressive model for land and water conservation and recreation at a time when such matters were coming to the fore in Wisconsin and beyond.

She took her skills and energy to Flint Michigan to work toward resolution of that community's water supply challenge and all its social implications and, true to form, was successful in moving matters forward through trust and determination.

And recognizing the importance of a succession plan in developing future environmental advocates, Kathleen took to teaching young people in a way that was deeply founded in unshakeable values.

D. Contributions affecting a wide range of natural resources and their use.

Kathleen created numerous programs to address varied conservation and outdoor recreation aims. She recognized it was cost effective and agreeable to many landowners to create a stream easement program that provided for permanent public access and restoration opportunities on over 25 miles of Dane County trout streams. She funded the construction of trails including the Capital City Trail that traverses the southern half of the Madison metropolitan area and connects to two other major state trails. Among the most noteworthy was the purchase of over 700 acres along the Wisconsin River north of Mazomanie that connected large DNR holdings and made possible the restoration of expansive prairies and wetlands, key habitats of this highly significant environmental corridor. Since its inception, this remarkably successful program has been extended and has preserved more than 10,000 acres of land in Dane County, creating countless recreational opportunities.

E. Indicate how nominee relates to efforts/contribution of others (including WCHF Inductees)

Like many of the women previously inducted into the Wisconsin Conservation Hall of Fame, Kathleen was bucking the trend of male dominance in the conservation world. Her deep conviction to conservation and creating a wide range of opportunities for people to engage through her contributions to higher education, environmental policy and law, and the creation of programs that others, particularly future generations, can build upon is consistent with those that have led before her.

F. Summary of major contributions to advancing conservation (justify induction into the WCHF)

Kathleen Falk has had a lifelong commitment to conservation and providing for a wide range of outdoor opportunities, especially for those who are underserved. From developing the tools to be impactful by earning her law degree, engaging in the legal system to create pathways to widely representing legislation and policies, to ultimately educating the next generation of environmental advocates so that her work and that of her peers would carry on, Kathleen has lived her life tirelessly to advocate for conservation and the environment.