

For immediate release
September 18th, 2015

**Friends of the Sturgeon Bay Public Waterfront
Files to Defend
Public Rights to Filled Lakebed**

Friends of Sturgeon Bay Public Waterfront have filed suit against the City of Sturgeon Bay and the Waterfront Redevelopment Authority in the federal district court in Green Bay to vindicate the rights of the public in Sturgeon Bay's west waterfront. Representing the group are water law specialists Wheeler, Van Sickle & Anderson, S.C. and the public interest law firm Midwest Environmental Advocates.

In an unanswered letter addressed to Mayor Thad Birmingham and members of the Common Council dating back to June 23, 2015, MEA advised that under the State's Public Trust Doctrine enshrined in the Wisconsin Constitution, "the rights of the public extend to all lands that were submerged lakebed at the time of Wisconsin statehood." This includes artificially filled lakebed, regardless of how long the fill has existed. According to MEA, at least two-thirds of the property intended to be sold to a private hotel developer sits on filled land that is below the Ordinary High Water Mark (OHWM) and is therefore public land.

"The City has an affirmative constitutional duty to act consistently with the Public Trust Doctrine. By approving the transfer of the waterfront parcel for the Lindgren Hotel, the City is enriching one private developer at the expense of all citizens of Wisconsin." said founding member Shawn Fairchild. Added Fairchild, "No one relishes the idea of a lawsuit, but we feel that we have no other recourse. The City has chosen, thus far, to be uncommunicative, unresponsive and nontransparent."

Friends of the Sturgeon Bay Public Waterfront are accepting contributions to offset the legal fees. ...

Contact information:

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Attorney Mary Beth Peranteau, Wheeler, Van Sickle & Anderson, S.C., plaintiffs' counsel ...