

## **Text messages show Frederick Prehn sought to stay on DNR board to ensure conservative control**

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MADISON – Frederick Prehn plans to remain on the Natural Resources Board at least until the November election, and his decision to remain a holdover past the expiration of his term in May 2021 was made with the encouragement of state senators seeking to block Democratic Gov. Tony Evers' appointments, newly released text messages reveal.

The text messages filed as exhibits in an ongoing open records case against Prehn also showed the embattled board member received advice from former governor candidate Rebecca Kleefisch and, in the early months of his holdover, planned to step down but ultimately stayed in response to criticism directed at him.

The newly released text messages go further than previously released records in revealing the political nature of Prehn's decision to remain as he weighed his course of action.

In January, Prehn stepped down as chair of the board after serving the maximum of three consecutive years in the position. But he still refused to vacate his seat and allow Gov. Tony Evers' new appointee — [Sandra Dee Naas](#) — to take her place on the board.

"I'm stepping down because my term has ended as chairman. I can't run more than three years in a row," he says in a January text message. "But still remain as board member and I will effectively guarantee a conservative gets to have the chairmanship."

Other messages reveal that Prehn had conversations with state senators ahead of his decision last year to hold over, in order to ensure that there wouldn't be a majority of members appointed by Democratic Gov. Tony Evers.

"Laugh my ass off. There's no way even to put me back on but senators are asking me to stay put because there (sic) not gonna confirm anyone," Prehn said in an April 2021 message to a former DNR employee. "So I might stick around for a while. See what shakes out I'll be like a turd in water up there. Boy is it changing."

**Prehn waffled over decision to stay on**

Prehn spent much of early 2021 waffling over whether to hold over, according to messages he sent.

"Evers notified me he's not going to reappoint me," he said in an April text to board member Bill Smith. "I guess he thinks there's some pretty big agenda items that I might not agree with LOL."

He told former board member Julie Anderson, whose term expired at the same time as his, that the DNR and Evers administration were waiting until their terms were up.

"I think they assume that I'm gonna be done May 1. But I'm clearly not going to be," he said. "Bill, Terry and Kaz and even Bill Smith are asking me to stay on at least to complete my term as chairman. Administration not so much."

In the message, Prehn is referring to William Bruins, Terry Hilgenberg and Greg Kazmierski, all of whom were appointed by Walker. Smith was appointed in 2019 by Evers.

But his tone switched in May of 2021, when Prehn told now-NRB chair Kazmierski that he was planning to step down.

"Kaz I'm leaning towards chairing this next meeting and then a couple days later without any fanfare stepping down," he said in a text message. "I'm just thinking that being a stickler for state statute and process. I am being somewhat hypocritical by sitting around. I don't like Biden screw down with process that the legislators in our forefathers did with the supreme court, etc."

"Really having a difficult time with this whole situation. One side and he wants to stick it to the liberals. The other is like you know what voters, you put Evers in, this is what you get."

Kazmierski lamented the decision and asks Prehn to remain his consultant if he does decide to step down.

"I would like to say things will be fine but we both know that is not the case," Kazmierski said. "There are issues coming up that will change the course of the state for decades. The Legislature will be unable to stop them because they will never get a bill past Evers."

**Prehn changed his mind after critical opinion columns**

But Prehn abruptly changed his decision at the end of May 2021, after columns critical of his decision to remain on the board were published by the Journal Sentinel.

"Too bad I was going to step down on Wednesday afternoon but now I'm in a really stick around and make your life hell for a while," Prehn said in another message.

**Commentary:**Smith: Natural Resources Board no place for political ploys

Prehn then turned to Kleefisch, who was gearing up for a run for governor at the time, who encouraged him to stay the course.

"You know you are over the target when you're taking heavy fire, my friend," she said. "Thank you for your passion for protecting WI! You are appreciated."

She then told Prehn she had reached out to the Wisconsin Institute for Law & Liberty and the Liberty Justice Center in Chicago looking into aspects of an attorney general lawsuit to remove Prehn from the board.

In October 2021, former board member Anderson traded a series of texts with Prehn about the cancellation of the board's September 2021 meeting — a rare occurrence in the history of the board.

"I'm waiting to see if they keep refusing to staff the meetings, forcing more cancellations," she said. "So many timely issues simply cannot wait, and what's going on is hard to believe but captivating to watch and follow."

Previously, Prehn and the DNR said the meeting was canceled due to a lack of agenda items for the month.

**Digital firm audited Prehn's cellphone, iPad**

The records were handed over to the Dane County Circuit Court in a request for summary judgment in the records case.

The text messages were found as a part of a forensic audit of Prehn's devices, conducted by the firm Digital Intelligence.

The company searched Prehn's personal cellphone and his iPad for text messages specifically related to his decision to not step down.

The search included messages sent between June 29, 2020, and June 29, 2021.

The case against Prehn was filed by Midwest Environmental Advocates in a bid to obtain communications between Prehn and other members of the Natural Resources Board, which sets policy for the Department of Natural Resources. The group had previously obtained email records as a part of its request but was told no text messages existed.

The organization disputed the DNR's claim, saying that it had obtained messages sent by Prehn as a part of records released by another public official.

DNR staff originally said they searched for text messages but did not locate any responsive to the request, but messages between Prehn and another board member, Bill Smith, were turned over as part of another request by Midwest Environmental Advocates.

The group argues that the text message obtained from Smith shows that Prehn "freely communicated about his decision to stay on the NRB and thus indicates the existence of additional text messages."

Prehn, a Wausau dentist and gun store owner, has remained a controversial figure in natural resources over the last year because of his refusal to leave the board, even as Evers appointed his successor. Prehn's decision was upheld last month by the Wisconsin Supreme Court, which ruled that he could remain in his seat unless the governor could find cause to remove him.

Prehn has said that his decision to remain on the board wasn't a political one, but released texts and emails make clear the role partisan politics have played in the ongoing controversy.

### **Prehn got advice from Scott Walker**

In May, text messages released as a part of discovery in the Dane County case showed an exchange between Prehn and former Gov. Scott Walker, in which Walker advised the board member to hold on to his seat in order to counter the voices of Evers appointees.

Prehn also solicited advice from and shared information with several people since May 2021, including Madison lobbyist Scott Meyer, U.S. Rep. Tom Tiffany and Wisconsin Senate Majority Leader Devin LeMahieu, who has refused to schedule a confirmation hearing for Naas.

Naas is a hunter, natural resource and science educator, and runs a consulting business focused on preserving soil health. She also has an expansive volunteer history regarding natural resources, including serving as the chair of the Bayfield County Conservation Congress and the vice-chair of the Bayfield County Deer Advisory Committee.

Prehn and his sources often communicated about whether to vacate his seat on the board, both before the appointment of Naas and after. He also shared news coverage resulting from interviews he had done, criticizing how he was portrayed.

Another records request showed that lobbyists got involved in the conversation surrounding whether Prehn would relinquish his seat much earlier than previously thought, meeting with LeMahieu at the state Capitol in mid-April, weeks before the governor would even announce his new appointees to the board.

The case is scheduled to go before Dane County Circuit Judge Everett Mitchell on Nov. 16 for oral arguments.

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