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PUBLIC ACCESS TO THE GREAT LAKES

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Coastal Management Council

RECOMMENDATIONS CONCERNING PUBLIC ACCESS TO THE GREAT LAKES

March 17, 1981

Final Report of the Coastal Public Access Task Force as Adopted by the
Wisconsin Coastal Management Council

I. Introduction

On a national scale, public access to the nation's beaches and coastal waters is a critical coastal management issue. More than half the nation's population is within 50 miles of the coasts. Pressure on available lands along the coasts for recreational activities of various kinds (boating, beach activities, shorefishing, picnicking, sightseeing, etc.) is increasing. Moreover, recreation must compete with residential, commercial, and industrial activities for space on the coast, especially in congested urban areas.

In Wisconsin, a state long concerned with the need for providing public access to navigable lakes and streams, the pressures for public access are also increasing, especially within "day use areas" of major population centers. With over 40% of the state's population in the 15 coastal counties, the Great Lakes have been called upon to relieve some of that pressure. Other factors, such as the improvement in Great Lakes fishing and the overuse of inland lakes, have also increased the pressures on the Great Lakes coasts.

Governor Lee Sherman Dreyfus, in his March, 1980 address to the Wisconsin Coastal Management Council, recognized the concern for public access to the Great Lakes. He charged the Council to:

1. Examine the quantity and quality of public access to the Great Lakes;
2. Investigate the needs and demands for Great Lakes recreational opportunities 5-10 years from now;
3. Examine who pays and who benefits from coastal recreation facilities;
4. Identify options for supplying needed public recreation facilities;
and
5. Recommend appropriate courses of action for the state.

On May 16, 1980, the Executive Committee of the Coastal Management Council met to organize a response to the Governor's request. It was agreed that the response would consist of three parts:

1. Program staff would prepare background information and analysis during the summer, 1980;
2. A Coastal Public Access Task Force would be appointed to review staff findings, investigate the issues and options, and develop a set of recommendations during fall, 1980; and

3. The full Council would review the Task Force's recommendations and adopt and present its recommendations to Governor Dreyfus no later than June, 1981.

The Coastal Public Access Task Force consisted of:

John Roberts, UW-Extension, Chairman
Art Doll, Dept. of Natural Resources
Tom Gordon, Red Cliff Tribe
Wallace Johnson, Bayfield County
Robert Mikula, Milwaukee County Dept. of Parks, Recreation,
and Culture
Edward Parsons, Jr., Public Service Commission
Cora Stencil Vanderperren, WCMP Citizens Committee
Phil Winkel, Dept. of Transportation
William Wright, Sturgeon Bay
James Purinton, Office of Coastal Management, Task Force Staff

The Task Force met three times (October 9, October 31, and November 18, 1980). Staff reports on Great Lakes public access supply/demand and other issues were reviewed. Economic, equity, and other issues were examined. Options for supplying needed public access were investigated and discussed, and recommendations developed.

The Coastal Public Access Task Force submitted its initial recommendations for Coastal Management Council consideration on November 18, 1980.

The Coastal Management Council on December 18, 1980 adopted recommendations A.1. and the first sentence of D.3. in order to provide timely input and advice regarding ORAP 2000. The Council further requested that the rest of the report be made available for regional task force and other public review for a period of 60 days. The council directed the Coastal Public Access Task Force to review public comment received, revise its recommendations as appropriate, and report back to the Council in March, 1981.

The Task Force subsequently solicited public comment through wide distribution of the recommendations and through discussions of the report at regional meetings in Ashland, Green Bay, and Milwaukee (January 14, January 27, and February 13, 1981). Many thoughtful suggestions were received and most comments were very supportive of the recommendations. As a result, the Task Force modified the recommendations to improve consistency and clarity in its final report to the Coastal Management Council.

On March 17, 1981, the Wisconsin Coastal Management Council unanimously adopted the following recommendations to Governor Lee Sherman Dreyfus concerning public access to the Great Lakes.

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II. Recommendations

A. Coastal Recreation Needs & Commitment to Public Access

Recommendations:

1. The state should continue its commitment to coastal recreation through passage of the ORAP 2000 proposal. In addition to seeking the Governor's support of the proposal, the Coastal Management Council should go on record supporting its passage in the 1981 legislative session.
2. The Council and the Governor should support Congressional appropriation (and the efficient and timely administrative disbursement) of the recently authorized section 306A of the Coastal Zone Management Improvement Act. Not only will this provide significant additional funding for state and local coastal recreation acquisition and development, but it will implement other Coastal Management-supported plans as well.
3. The state should continue to encourage and, where possible, support local government's acquisition, development, and maintenance of coastal recreation facilities so long as they provide coastal recreation opportunities for coastal residents, non-coastal residents and visitors alike.
4. To the maximum extent feasible, appropriate public access should be included as part of all new public facilities developed on Wisconsin's Great Lakes coast by any public or quasi-public agency (e.g. state and local governments, utilities, sewerage districts). Development of the coastal public access elements of these facilities should be eligible for state recreation aid funding.
5. The Council should ask the Governor to request support from Wisconsin's Congressional delegation for full annual appropriation of the Land and Water Conservation Fund (LAWCON).

Situation:

The demand for coastal recreation during the 1980's is expected to continue to grow at rapid rates. There will continue to be pressing need for development of additional and improved Great Lakes boating facilities in most areas of both lakes. Additional and improved facilities for land-based coastal recreation are needed in many areas of the Lake Michigan coast. Additional development of existing public lands for coastal recreation is needed in several areas of the Lake Superior coast.

Local government has historically been the primary acquirer, developer, and maintainer of coastal recreation facilities. During the last two decades, the level of direct state and federal funding for acquisition, development, and maintenance has increased, as has the availability of federal and state funding for state and local acquisition and development. Still, direct federal and state management is confined to less than 15% of all coastal public access sites. Local government still owns and manages nearly 70% of all Great Lakes public access sites.

Local and state acquisition and development of coastal recreation facilities in recent years has been assisted by federal and state aid programs. Over the past 10 years, the federal LAWCON program has contributed about \$4 million annually to recreation in Wisconsin. About \$240,000 has, on the average, gone toward coastal projects. About one-third of that amount went toward projects sponsored by local governments, with the remainder going toward state efforts. The future of LAWCON funding always has been uncertain.

State funding for state and local recreation acquisition and development in the past 20 years has primarily come from the ORAP 100 and ORAP 200 programs. Under 10 years of ORAP 200, direct state acquisition and development of coastal lands and facilities equalled about \$220,000 annually and about \$50,000 annually was spent on local coastal acquisition and development. Recent creation of the Waterways Commission has provided state support for local Great Lakes boating facilities development at a level of about \$1 million annually.

ORAP 2000 has been proposed as a continuation of the state's commitment to outdoor recreation and education for at least the next 10 years. ORAP 2000 recommends bonding in the amount of \$100 million for the next 10 years, an amount to be paid off by continuing the ORAP appropriation from the general fund (based on the formula of .0165% of the state's total equalized valuation). If approved as proposed, ORAP 2000 could provide coastal recreation acquisition and development funds on the order of \$450,000 annually for state programs, \$100,000 annually for local government programs, and about \$1 million annually for local boating facilities.

Recently, Congress passed the Coastal Zone Management Improvement Act which, among other things, authorized \$25 million annually (Section 306A) for coastal resource management improvement projects. If the Congress appropriates the authorized level of funding, the Wisconsin Coastal Management Program could provide up to \$800,000 annually for certain types of state and local coastal public access acquisition and development projects.

Local government is expected to continue to maintain its historically high level of support for coastal recreation as much as is possible under increasing fiscal constraints.

B. Increased Efficiency In Acquisition And Development of Coastal Recreation Facilities

Recommendations:

1. In an effort to more fully inform government officials and landowners of the mutual benefits of cost-saving land acquisition techniques, the Council should support efforts to develop educational materials and conduct educational programs for officials and landowners on the nature and benefits of the use of easements, land donation, purchase-leaseback, deferred payments, and other techniques in land acquisition programs. Techniques that can produce substantial cost savings to the public buyer and significant tax benefits to the land seller should be emphasized.
2. When considering acquisition of coastal property for public access purposes, the state and local governments should give serious consideration to acquisition of easements or riparian rights instead of fee simple title in those cases they can meet the objectives of the acquisition. An example of such a situation could be acquisition of riparian rights in order to provide public access along the waters' edge in trade for protection of the eroding shoreline. As in any public acquisition, however, the determination that public benefits exceed public costs must be made on a case-by-case basis.

Situation:

As the funding available for acquisition and development of coastal recreation facilities becomes less available, there will continue to be a growing interest in the use of techniques which: a) reduce the cost of acquisition, development, and maintenance, and b) better allocate available funds to those uses which offer the greatest benefit or return to the public.

There are a myriad of techniques, many of them widely used in the private sector, which can reduce the cost of acquisition of public lands. Easements, riparian rights, and other less-than-fee techniques can sometimes reduce the costs of some projects while maintaining private ownership. Purchase-leasebacks (having life tenure or defined lease terms) can reduce fee simple acquisition costs while allowing continued landowner use. The use of deferred payments (spread over a number of years), organized land donation, or "bargain" sales (at less than market value) can reduce acquisition costs while offering potentially significant tax advantages for the seller. Trading tax credits instead of cash for transfer of title has also been suggested.

These recommendations assume that the need for additional public coastal recreation lands has been demonstrated and that such acquisition has been approved through local and state recreational planning and acquisition processes.

Many of the techniques are becoming more widely used by government real estate departments and are also becoming more understood and accepted by landowners. One of the major limitations still cited with regard to the application of alternatives to fee simple acquisition is, however, the fact that they are widely misunderstood.

More efficient allocation of the resources available for acquisition and development can also be achieved by giving priority to "high return" public recreational investments (maximum recreation for minimum dollars). Such investments tend to provide recreational opportunities to a large number of people or tend to be part of multi-purpose projects. In the coastal context, high return recreational investments include facilities like trails and park corridor systems, shore and pier fishing areas, beach and swimming areas or projects which also address severe erosion hazard or dredged material disposal problems or which are also part of larger waterfront redevelopment efforts.

C. Greater State Emphasis On Provision of Coastal Recreation Opportunities Where the People Are

Recommendation:

1. When considering future state recreation facilities acquisition or development or the allocation of state recreation aids on the coast, the state should give more emphasis to supporting those needed projects which are in or near population centers.

Situation:

During the past ten years, Wisconsin's coastal counties, which contain some 40+% of the state's population, have received only about 12% of the state's ORAP recreation dollars and about 33% of the state-allocated LAWCON dollars. County by county breakdowns showed additional preference for rural counties and against the highly populated counties. In part, this is a result of the lack of applications from many urban areas.

While there are many factors involved in the siting of a state recreational facility (e.g., the scenic and recreation potential of the site) or the allocation of local recreation aids (e.g., geographic spread of applicants), the above statistics support the allegation that state recreation dollars are spent on facilities which are not readily available to all Wisconsin residents. Proponents of the current system note that the areas most suited to state park development tend to be remote, scenic, undeveloped areas and that the highly populated municipalities generally don't apply for state recreation aids. While there are many factors involved, development of state recreation facilities and the allocation of state recreation aids has had a net effect of using state funds to develop recreation opportunities not in immediate proximity to population centers.

Along Wisconsin's coasts, unique natural areas and habitat areas needing protection do tend to be remotely located. However, the need for additional acquisition and development of water-related coastal recreation facilities (e.g., shore fishing, beaches, trails, boating facilities) tends to be most concentrated in or near the coastal communities. This recommendation does not intend to preclude desirable and needed acquisition and development and completion of coastal recreation facilities in rural areas. Instead, it seeks to raise the priority of those desired and needed projects in or near coastal communities.

D. Development of Great Lakes Recreational Boating Facilities

Recommendations:

1. The state and local governments should encourage private marina development (e.g., through assistance in securing permits or through appropriate incentives in redevelopment areas) in areas where it is environmentally acceptable and economically viable.
2. The state should continue to encourage coastal communities and counties to take the lead in providing needed Great Lakes recreational boating facilities. The state should strengthen its educational and technical assistance to local governments to aid them in evaluating the feasibility of boating facilities and in planning and implementing projects which provide boating facilities.
3. As proposed in ORAP 2000, the state should continue its commitment to the development of recreation boating facilities. However, state funding of recreational boating facilities should, to the maximum extent feasible, come from revenues generated from boaters. The Department of Natural Resources should investigate the feasibility of establishing an on-going recreational boating facilities fund (through, for example, increased and graduated registration fees) and should present its recommendation to the Governor and the Legislature for implementation.
4. In order to provide additional incentive for local development of recreational boating facilities, the state should: a) in cooperation with local government develop a 10 year investment strategy for targeting state recreational boating facilities funds toward development of those Great Lakes boating facilities with the greatest demonstrated need, and b) increase the share of state funding available for those facilities that are a part of the 10 year investment strategy.
5. Less costly alternatives to traditional development of "wet slip" marinas should be encouraged. To the fullest extent possible, development or expansion of Great Lakes recreational boating facilities should include other practical alternatives such as dry land storage or stacking of boats.

Situation:

One of the most pressing of all Great Lakes recreational needs is the provision of adequate and safe facilities for boaters. Provisions of such facilities by themselves (without other profit centers) by the private sector is commercially impractical in all but the most unique set of circumstances due to the extremely high costs of constructing adequate protection from Great Lakes storm waves.

But public sector provision of marina and boat ramp facilities is hampered by many factors including: the long-term planning and construction timeframe, the very high costs, the great number of agencies involved, and the required cash contribution of the local government sponsor. The local government sponsor must essentially be the project's entrepreneur and, as a result, faces the awesome task of coordinating the timely receipt of permits and funding commitments from a wide variety of state and federal agencies in conjunction with local concerns and interests. Also hampering local provision of facilities is the reluctance of local taxpayers to allocate millions of dollars toward projects which are needed but whose eventual use is restricted to a small proportion of the population. While local communities do tend to receive positive net economic benefits from an investment in boating facilities, the benefits are not directly visible to the local taxpayer in terms of jobs, an increased tax base, or lower taxes.

While there is no evidence that the Great Lakes sports fishery will collapse in the near future (it relies very heavily on annual public expenditures for stocking programs), the rise in demand for boating facilities was highly correlated to the rise of the sports fishery. This issue is, therefore, of great concern to recreation planners, and should be monitored for possible changes in the future.

Wisconsin in 1977 initiated an aids program (Waterways Commission) to assist in local recreational boating facilities development. Half the initial funding for this program came from general tax revenues, with the other half coming from gas tax revenues attributable to marine related uses. This initial funding has expired, but the ORAP 2000 proposal would continue the program at a level of about \$1.5 million per year. If past trends continue, about \$1 million annually would be allocated to Great Lakes recreational boating facilities. Under ORAP 2000, however, the boating facilities program would be entirely supported by the general taxpayers.

If the entire ORAP 2000 package is approved, this would mean that Wisconsin taxpayers would be contributing twice as much toward development of Great Lakes boating facilities as was being spent on acquisition and development of land-based coastal recreation facilities available to a broader cross-section of the public.

There are more equitable alternatives which could provide some or all of the recreational boating funding envisioned by ORAP 2000, allowing a reduction or elimination of general taxpayer support. Michigan has a 30 year old boating facilities program which distributes revenues from the state gas tax fund (marine uses contribute about 1 1/2% of the total revenues in Michigan). A doubling of the current \$5 state boat registration fee would generate about \$750,000 annually, about half of the ORAP 2000 target. A graduated fee structure has also been suggested as a means to establish an on-going recreational boating facilities fund under the theory that the needed facilities will be most used by larger boats. Others have suggested an excise tax on recreational boating equipment sales.

There is also a changing technology with regard to the development of recreational boating facilities. Traditional "wet slip" marinas on the Great Lakes now cost in excess of \$15,000 per slip (excluding breakwater costs). A promising partial alternative (and one which is also practical where limited harbor area prevents expansion) is the dry land storage or "stacking" of boats less than 25 feet in length.

E. Coastal Recreation Acquisition Priorities

Recommendations:

1. The state, local governments, and conservation-minded organizations should proceed rapidly to acquire and/or protect significant and unique natural areas along Wisconsin's Great Lakes coast. Because these areas are usually too fragile to accommodate intensive public use, they are not usually considered high priorities in "recreation" acquisition programs. Nonetheless, they are very important coastal areas and should be a part of the overall state and local acquisition program. Funding for acquisition of unique natural areas should be given equal priority with funding for coastal recreation acquisition and development.
2. The state and coastal communities should acquire additional coastal lands as needed to meet excess recreation demands beyond the capacity of existing facilities and as identified in adopted recreation plans. However, to the extent that future park lands are threatened by development and, as a result, may not be available in the future, priority should be given to their immediate acquisition. Undeveloped land in a rapidly urbanizing area in or near coastal communities, vacant lands along urban waterfronts in coastal communities, or undeveloped beach front sites are often "available" for only limited periods of time; their purchase as future recreation sites should not be delayed until the state or the local government is ready to develop the planned facility.

Situation:

Traditionally, public recreation development has occurred only where undeveloped land was readily available. Less and less coastal land fits this criterion and the prospects are for more and more land to be rapidly developed in the next 10 years. To the extent that the need for a particular site is identified in a long-range recreation plan, early acquisition by the public prior to its development into home sites can provide for needed future recreation opportunities. This strategy is most appropriate in the rapidly developing areas in or near coastal communities. The same strategy of acquiring lands as they become available can facilitate coastal waterfront redevelopment, even if the intention may be to resell most or all of the parcel after clearance, improvement, and creation of desired public accessways.

Remaining unique and significant coastal natural areas are in need of acquisition or other protection. While these areas are usually too fragile to accommodate intensive public use, they need to be protected prior to their destruction from development. These areas are usually located in remote rural areas of Wisconsin's coast.

The report, Natural Area Inventory, Wisconsin's Great Lakes Coasts, Revised 1980, (DNR and WCMP) is a good source document for identifying the most unique and significant coastal natural areas.

F. Coastal Recreation Development Priorities

Recommendations:

1. With regard to development of locally owned coastal recreation facilities, local governments should give priority to maximizing the use of existing sites through better management and by developing more efficient facilities. The state, through its recreation aid programs, should support this effort by giving priority to those projects which will more efficiently develop existing sites. Development of new facilities which are then still needed to meet excess demand should be the next priority.
2. With regard to development of state owned facilities, the state should give first priority to development of new or existing coastal recreation facilities which are the most needed in terms of their ability to meet demonstrated recreation demands of Wisconsin residents and visitors which are not being satisfied by local governments.

Situation:

Many local coastal recreation facilities such as boat ramps, trails, and certain parks are congested during peak use periods. Many of these facilities could accommodate higher numbers of users with physical changes and/or more intensive management practices (e.g., dockmaster on weekends to direct boat launch traffic and collect launch fees). To the extent that these physical changes or management practices are less expensive than acquiring and development new facilities, scarce recreation dollars are better spent in improving use of existing facilities than on developing new ones. Also, better utilization of existing facilities can postpone required development of additional facilities. However, to the extent that additional facilities are still required (over and above the best use of existing facilities), their development still needs to be pursued. Likewise, if the examination of existing facilities shows that some areas have not and can never be properly utilized, serious consideration should be given to removing them from public ownership.

The Wisconsin Department of Natural Resources has done an excellent job of developing state parks in the most scenic areas of Wisconsin's coasts. These facilities allow millions each year to see and enjoy the many and varied coastal resources of this state. Likewise, local governments have done an excellent job providing coastal recreation facilities which, for the most part, are open to all Wisconsin residents and visitors alike.

However, when the financial belt continues to tighten, local governments will probably become more responsive to local residents and less responsive to non-local residents. The results may be unreasonably high entrance fees and restrictions aimed at non-residents (e.g., parking permit requirements) and perhaps even effective exclusion of non-local residents through parking lot size limitations, for example, or by not developing additional facilities which meet the recreation needs of non-local residents.

Inasmuch as Wisconsin's coastal recreation resources should be available to all state residents and visitors and inasmuch as the state has an affirmative responsibility and commitment to provide such facilities, decisions regarding further acquisition and development of new or existing state facilities could give higher priority to those projects which (in addition to capturing the scenic qualities of an area) also provide recreation opportunities not being provided by local government.

G. Road Ends and Subdivision Dedications

Recommendation:

1. In order to better disperse the demand for coastal recreation away from over used existing facilities, local governments (and state recreation aid programs) are encouraged to give priority to development of road ends and subdivision dedications into useable public recreation areas. Part of that development should include provisions for appropriate visual and physical buffers between the public access site and the adjacent private land owners.
2. The Department of Development should review the public access provisions of the state subdivision law (Chapter 236) and suggest appropriate revisions to improve the effectiveness of the law in providing usable public access as part of subdivision development.

Situation:

A full 25% of all Great Lakes public access sites are road ends. Most of these road ends offer excellent opportunities for public access; sometimes road ends offer the only available public access to prime beach and other recreational areas. Most road ends are undeveloped, and many have been "taken over" by adjacent riparians. Parking is not provided and is often prohibited. Trash receptacles, buffers from adjacent property owners, law enforcement, and other park amenities are not usually provided. In many cases, the utility of these road ends can be increased through increased attention and priority in local and state recreation plans.

Wisconsin law (Chapter 236) requires that all subdivisions provide a minimum of 60 feet of public access every one-half mile. There are many problems with the law, not the least of which is the fact that most development does not fall under the present definition of a subdivision. The extent of dedicated access to the coast by subdivisions is, first of all, not known. Existing subdivision dedications could be inventoried and a program developed to consolidate, improve, expand, or otherwise make useable the public accessways. It may be most beneficial to sell those which cannot be made useable and use the funds to develop the others.

H. Define the OHWM And Public and Private Rights to Beaches

Recommendations:

1. The Council should examine the adequacy of the state's definition of the ordinary high water mark (OHWM) in the context of the nature of the Great Lakes shoreline.
2. The Council should seek legal advice and opinion on the status of the right of the public to walk along the water's edge on Wisconsin's Great Lakes coasts. This right exists in Oregon, Texas, and other coastal states. The Council needs to evaluate whether a similar right exists or should be established in Wisconsin.

Situation:

Wisconsin law states that the ordinary high water mark (OHWM) is the boundary that separates publicly owned lakebed from riparian-owned uplands. This mark is to be located on the basis of "vegetative and other distinct marks" and may, in fact, be at, above, or below the actual water's edge. If the OHWM is above the water's edge, the publicly owned lakebed is said to be "exposed". In this situation, the public apparently cannot now legally walk on the exposed public property. According to a 1923 Wisconsin Supreme Court case regarding Lake Winnebago property (Doemel v. Jantz), the riparian has exclusive right for non-structural use of the exposed lakebed in a manner which will not interfere with future public uses when the water level again rises.

As a related issue, it is very difficult to find the OHWM's "vegetative and other distinct marks" along much of the Great Lakes shoreline in Wisconsin. This poses problems for both the public sector and for the landowner. If the landowner wishes to put up a shore protection device on his own property near the OHWM, he needs to contact the district DNR staff to locate the OHWM. All other Great Lakes states use an elevation above sea level to define the OHWM, a method which makes for an easier determination of the location of the public-private boundary.

As noted in paragraph 1 above, staff's preliminary investigation has shown that the public probably only has legal access to Wisconsin's coast in those areas that are owned outright by the public. Walking "along the beach" in front of privately owned land is apparently only legal if the beach walker literally keeps his feet wet. As a result, much "trespass" now occurs as many people walk along the shoreline just above the water's edge. Many property owners don't seem to mind, but there are more and more fences being constructed which block access (sometimes illegally by going below the OHWM onto public property).

Other coastal states allow legal passive public access to such areas; and Wisconsin law could be examined as to the possibility of doing the same. Such an effort could allow lateral access to much of Wisconsin's coasts (especially during low water periods), while not interfering with riparian use (if it were restricted to walking rights along the water's edge where there actually is a beach), and while reducing or possibly eliminating the need to acquire additional land for passive coastal recreation.

Wisconsin law currently applies to all lakes in the state, with no consideration for different scale and nature of the Great Lakes shoreline. Changes in the "right to walk" and OHWM provisions discussed above should be applicable only to the Great Lakes coasts.

I. Long-Term Problems And Solutions

Recommendations:

1. Adequate operation, maintenance and law enforcement at state and local coastal recreation facilities is an important concern. Operation and maintenance of local coastal recreation facilities should remain a local responsibility and it is expected that this fact will continue to be considered in local decisions regarding additional land acquisition and development.
2. The state should begin to examine the nature and extent of long-term coastal public access issues such as operation and maintenance costs and responsibilities, exclusion of non-local residents, damage by 4WD and other vehicles, more effective law enforcement mechanisms and techniques, and how to minimize damage from uncontrolled public use of undeveloped lands.

Situation:

Adequate management of a public recreation facility is, of course, of great importance to its useability and to its perception by area residents and users alike. Generally speaking, Wisconsin's 550+ coastal public access sites are very well maintained. Some problems do remain, however, and the severity of these problems depends upon your perspective. While the neighboring landowner may consider certain uses or users of a park to be intolerable, such a "problem" is usually considered a low priority by local law enforcement or recreation officials. It is usually considered an even lower priority by state and federal officials in charge of distributing recreation aids.

A related issue stems from the fact that most coastal public access facilities in Wisconsin are owned and maintained by local governments. Local residents, who pay for almost all operating and maintenance costs of these sites, are the major users and primary benefactors of most facilities. However, non-local residents have discovered the coasts and their demand for coastal recreation opportunities is continuing to increase. As local budgets become tighter, there will be a greater tendency to either charge the "outsiders" for use of local facilities or to exclude them through various techniques like restricting parking to local permit holders only (permits available weekdays during city hall business hours in person only) or by simply not considering non-local recreation demand when considering additional acquisition and development of local facilities.

This "reasonable" local response is very common in other coastal states and can be seen with increasing frequency along Wisconsin's coasts. While the charging of reasonable user fees (and discriminating against non-locals) is not an unreasonable way to proceed, there may be more efficient ways of collecting and disbursing user fees. The excluding of non-local residents is however, not reasonable if, in the aggregate, the coast is then available only to local coastal residents.

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Additional Information Sources

- * Demand and Supply of Public Access to Wisconsin's Great Lakes Coasts, Staff Report #1, Wisconsin Coastal Management Program, Coastal Public Access Policy Study, December 1980, 83 pp.

- * Providing Public Access to Wisconsin's Great Lakes Coasts, Staff Report #2, Wisconsin Coastal Management Program, Coastal Public Access Policy Study, December, 1980, 85 pp.