



## Water Access as a Community Resource

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**T**ake a break. Close your eyes for a minute and think of some time you've spent with family or friends on a lake shore or along the banks of a river. Picture the sunset. Recall the sound of the breeze through the trees—of kids skipping stones. Maybe you have memories of paddling a canoe with a loved one, or the smile of a fishing partner as you landed a fish in a boat together.

If you left, right now, how long would it take you to get to the nearest point of public access to a lake or stream? Is it close enough that you might be able to take your lunch there on a pleasant day and have a little picnic? Is it close enough that you might take a son, daughter, nephew, niece or grandchild there for an hour or so this weekend with a fishing pole, a hobber and a can of

worms?

The truth is, public access to water in Wisconsin is disappearing at a rate that defies calculation. Just as the last lots are being developed on many northern lakes, approval to build subdivisions along our rivers is happening at an alarming rate. Local governments are being asked to consider abandoning public access corridors so that shorefront property owners can rebuild or add on to their homes.

Property owners often dismiss the value of a public access corridor by suggesting "nobody uses it anyway," or that it's too steep for anyone to put a boat in the water. Platted access sites are often disguised, or even encroached upon by the placement of yard barns, wood piles or landscaping. People don't know they can use the site to simply get their feet wet, enjoy

the quiet and listen to the lapping of the waves.

When asked to abandon roadways that go to water, people often forget the fact that as homes pop up in the country, fire tankers may need a public access to water. When summer vacation arrives in these new communities, what destination will there be for that group of kids in swimsuits riding their bikes, or for the 12-year-old carrying his or her fishing pole? We have to remember that once public access is gone, it's gone forever.

Ironically, public access to water is disappearing at a time when community planners are looking for ways to provide inexpensive, family recreation opportunities close to home. Improvements in water quality and fisheries are turning lakes and rivers into wonderful assets for the commu-

nities that border them. The most attractive communities will be those that recognize this and make these assets available to the public.

There are other reasons to think twice before agreeing to abandon access to water. Just as the Wisconsin Public Trust Doctrine assures that navigable waters are public property and thus for public use, the public's access to lakes and streams is protected by state law. Towns and counties have a legal responsibility under s. 80.41, Wis. Stats., to provide for public access and to replace any public access to water that is necessarily abandoned.

Town and county supervisors are advised to talk with Regional Waterway Access Coordinators at the Department of Natural Resources

(DNR) before considering abandonment proposals. While it might seem easy, passing a waterway access abandonment resolution is a time-consuming process that can involve great expense for the community. Section NR 1.92(2), Wis. Admin. Code, states that counties or towns seeking to abandon a public access to water must provide a replacement waterway access of equal or better quality and quantity before abandonment can be permitted. Providing adequate replacement requires not only adequate funding, but also extensive planning and public support.

Increasingly, communities are considering enhancement of the public access they provide to their waterways. The DNR also has information on grant programs to help fund river

walks, water-front parks, boat landings, canoe ramps, fishing piers and shore fishing stations for people with disabilities. Section NR 1.91, Wis. Admin. Code, provides a formula that will help communities determine the appropriate number of parking spaces for vehicles with boat trailers on any given body of water. Combined with input from your community, this formula can help assure that the peacefulness associated with fishing from the bow of a boat, paddling a kayak or simply digging your toes into wet sand is not lost.

For further information about DNR grant programs, please visit our Web site at [dnr.wi.gov/org/caer/cfa/Grants/index.html](http://dnr.wi.gov/org/caer/cfa/Grants/index.html).