

**CORRESPONDENCE/MEMORANDUM**

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DATE: August 5, 1991

TO: Natural Resource Board Members

FROM: C.D. Besadny-ADN 

SUBJECT: Proposed Fischer Creek Recreation Area

The Resource Management Division recommends the establishment of the Fischer Creek Recreation Area, located in Manitowoc County. The proposed goals for this property are to protect and manage the mouth and a short reach of Fischer Creek, a Class II Steelhead Stream, and approximately one mile of Lake Michigan shoreline. In addition to this water based resource the adjacent upland area will be protected and managed to enhance the stream and shoreline areas.

The proposed project is in Manitowoc County bordered on the east by Lake Michigan and County LS to the west. The property is 8 miles south of the city of Manitowoc and just 1 mile north of Cleveland. The convenient location of State Highway 43 two miles to the west, is subjecting the site to development pressures from people wanting to commute to the Sheboygan and Manitowoc metroplexes.

This proposal recommends that the Department protect in perpetuity this Lake Michigan shoreline and the adjacent uplands. These lands would be protected by fee title acquisition.

It is proposed that the management of the area would be under the control of Manitowoc County Park and Planning Department. The county would develop a master plan of the site subject to Department approval. The county would maintain, under a Memorandum of Agreement, the site and implement the proposed management of the site which would include non-boating fishing, scenic viewing, picnicking, hiking, cross country skiing, and swimming.

No facilities are planned for the site, with the possible exception of upgrading a existing bridge structure, parking areas and a limited trails system.

Within the proposed boundary is a single landowner who has indicated that the land is for sale and is willing to work with the state on acquisition. The total land value for the parcel is approximately \$400,000.00

Development costs could be defrayed by the County applying for available Federal/State recreation grant-in-aid. It is recommended that in any case, the use of Department "in-house" funds would be limited to the purchase of the property.

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FISCHER CREEK  
RECREATION AREA  
FEASIBILITY STUDY

NEED

As far back as 1978, the office of the Manitowoc County Park and Planning Commission has encouraged the Manitowoc County Board of Supervisors to financially support the acquisition of 125 acres of land including over 6900 lineal feet of Lake Michigan shoreline in extreme southern Manitowoc County.

The County has been reluctant to make an at least 50% cash contribution to the purchase for several reasons. The primary reason being that the Manitowoc County Board does not feel compelled to spend Manitowoc County tax dollars on a project they see has having a great deal more statewide than local significance.

The Manitowoc County planning office was only able to obtain funds to conduct an appraisal in 1980 in an attempt to get the landowner to donate the property to the County as a tax write-off. This attempt failed when the landowner decided against a donation as well as an attempt in 1988 to have the "Trust for Public Lands"(Agency with goals similar to the Nature Conservancy) organization acquire and "hold" the property until a public agency could repay the purchase price.

The creation of the "STEWARD" program has stirred renewed interest in local supporters of the project. It is the feeling of many people, (and recently supported by the Manitowoc County Board, see attachment A) that if the State Department of Natural Resources could accomplish the initial acquisition of the lands, that the planning, design, operation and maintenance of the property could be performed by Manitowoc County and possibly a volunteer friends organization.

PROPOSED DESIGNATION

The proposed designation for the area is Fischer Creek Recreation Area. This designation would accommodate the establishment of a statewide public access site which would include the protection of Fischer Creek as a shorefishing area and management as a Class II Steelhead Stream as defined in the DNR Steelhead Fishery Management Plan. The remaining area of the Fischer Creek Recreation Area could be utilized as a general recreation area with associated uses including scenic viewing, trails, nature study, picnicking, and other passive recreational pursuits.

This property would be recommended for inclusion into the Wisconsin

State Park System. There are adequate county resources to manage this property once the acquisition is accomplished.

The site should be considered a high priority waterbody site and be aggressively pursued by the Department and that projects that display potential for cooperation with local government be given preference for funding support.

#### PROPERTY DESCRIPTION

The Fischer Creek Project Area encompasses 125 acres of land immediately north of the Village of Cleveland in Manitowoc County along the shore of Lake Michigan. The project area is approximately one half the distance between the communities of Manitowoc and Sheboygan and about 2 miles east of Interstate Highway I-43.

The Fischer Creek Project Area includes over 6900 feet of scenic Lake Michigan shore frontage and 600 feet of river frontage on Fischer Creek including the mouth of the creek. Much of the Lake Michigan shoreline consists of scenic bluffs that extend 40 to 80 feet above the water level.

The property at present has a road bridge (in fair condition) and the remnants of farm buildings located within the proposed boundary. There may be a water well that would need to be disposed, or located at the farm site.

The property is bisected by County Trunk Highway "LS". About 38 acres of land lies west of the road and about 87 is located east of the road. The lands west of County Trunk "LS" hold no unique characteristics that lend support for an investment of State funds for a unique resource. Lake Michigan District Staff recommends that only the lands east of County Trunk "LS" be considered for State purchase.

The remainder of this report discusses the feasibility of the purchase of the 87 acre parcel that includes the Lake Michigan shoreline and the mouth of Fischer Creek.

The project area was originally purchased by the present owners with intentions of developing a large-scale private marina and housing complex. These plans were never implemented due to feasibility studies that indicated potential problems with shallow water and difficulties in securing required Department of Natural Resources and U.S. Army Corps water regulatory permits.

Appraisals done on the property in the early 1980's determined that the highest and best use of this site was for single family residential development. Nearby adjacent holdings are presently being developed in this fashion at an accelerated pace. The development of the I-43 Interstate Highway system just two miles to the west of this area have made it a convenient housing area for

people working in the Sheboygan and Manitowoc metroplexes.

The site has been reviewed by the Bureau of Endangered Resources and a determination has been made that this property does not hold any habitat critical to endangered or threatened species of plants or wildlife.

The State Historical Society has also reviewed this project proposal and have identified several archeological sites on and/or adjacent to this area. They recommended that prior to development of any of the properties that further explorations be done to identify the extent and impact of the possible archeological artifacts.

Due to the passive nature of any proposed improvements to the property, it is felt that workable alternatives to avoiding specific locations of archeological importance can be accomplished.

#### PROPOSED GOAL

The proposed goal of this project is to place in public ownership a significant portion of Lake Michigan shoreline that is facing pressure from urban development.

Due to local political issues and the regional location of this project area, it seems that a very practical way to obtain and preserve public ownership would be for the State Department of Natural Resources to purchase the parcel of land and then to allow local units of government and non-profit conservation organizations to implement planning, long term maintenance, management, and operations of the site. Documentation attached to this report lend credibility to the idea that this method of programming is feasible.

#### PROPOSED MANAGEMENT

It is proposed that the management of the area would be conducted under a Memorandum of Agreement between the state and Manitowoc County Park and Planning Department. The county would develop master plans of the site subject to Department approval. The county would maintain, under MOA, the site and implement the proposed management of the site which would include non-boating fishing, scenic viewing, picnicking, hiking, cross country skiing, swimming and sun bathing.

Fischer Creek does have the potential for being developed as an accessible shore fishing area for persons with disabilities. The remaining park area can also be designed to be very accessible to persons with disabilities for the uses of trails, picnicking, scenic viewing and nature study.

## COST

In 1980, Manitowoc County commissioned an appraisal of the complete 125 acres of property. The appraiser set as fair market value for the lands the LMD recommends for State purchase, (east of County Trunk "LS") as \$345,000 and the value west of "LS", (not recommended for State purchase), at \$90,000.

Development costs could be defrayed by the County applying for available Federal/State recreation grant-in-aid. It is recommended that in any case, the use of Department "in-house" funds would be limited to the purchase of the property. Initial development to bring the site up to a basic level of public useability, is estimated to be less than \$75,000.

In preparation of this feasibility study the single land owner was contacted and has expressed an interest to negotiate with the Department.

## ALTERNATIVES

Some possible alternatives that are able to be considered are:

1. The State to purchase the lands and operate it as a Department managed State Park. (not recommended by the LMD)
2. Purchase the entire 125 acres from the land owner and sell off the un-needed or un-wanted property west of County Trunk "LS" (This may be a feasible alternative depending on negotiations with the landowner.
3. Attempt to only purchase the lands directly impacting the Fischer Creek Fishery Management area. (\$100,000 estimate) with Dingell-Johnson funds.

## ATTACHMENTS

Attachment A: Manitowoc County Board Resolution requesting the State to purchase the lands.

Attachment B: Map showing location of project area and boundaries.

Attachment C: A summary sheet of support letters from various local and state organizations including local DNR fish manager Paul Peters and Bureau of Fisheries Director Lee Kernen.

RESOLUTION CONFIRMING MANITOWOC COUNTY PARK AND OPEN SPACE PLAN LAND ACQUISITION GOAL

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS OF MANITOWOC COUNTY, WISCONSIN

Supervisors:

WHEREAS, Manitowoc County does not have a county park fronting on Lake Michigan, and;

WHEREAS, for more than 15 years the Manitowoc County Planning and Park Commission and the Manitowoc County Board of Supervisors has adopted as their first priority goal of the County's Park and Plan Program the acquisition of a county park between the City of Manitowoc and the Village of Cleveland, and;

WHEREAS, acquisition of such a park would not only benefit the citizenry in general, but would also preserve unique open space that contains Lake Michigan shoreline property which is unavailable in much of Wisconsin, and;

WHEREAS, the pressure for lakeshore development has been increasing in recent years, in general, and has threatened the "Fischer Creek property", which is a large vacant property located adjacent to Lake Michigan approximately ten miles south of Manitowoc and on which most of the County's efforts to obtain a lakeshore park have been focussed, and;

WHEREAS, the Wisconsin DNR personnel are examining a proposal that the State of Wisconsin acquire the Fischer Creek Associates property coupled with a possible transfer of the land to Manitowoc County; now therefore,

BE IT RESOLVED, by the Manitowoc County Board of Supervisors that Manitowoc County confirms their Park and Open Space Plan to acquire a park along the Lake Michigan shoreline and would accept, if offered by the State, the transfer of the Fischer Creek Associates land to Manitowoc County for park purposes.

Dated this 19th day of March, 1991

Respectfully submitted,

Manitowoc County Planning and Park Commission

William W. Wallander  
William W. Wallander

Raymond Eslinger  
Raymond Eslinger

Adopted this 19th day of March, 1991  
30 Ayes 0 Noes 1 Absent

ATTEST: Daniel R. Fischer  
Daniel R. Fischer, County Clerk

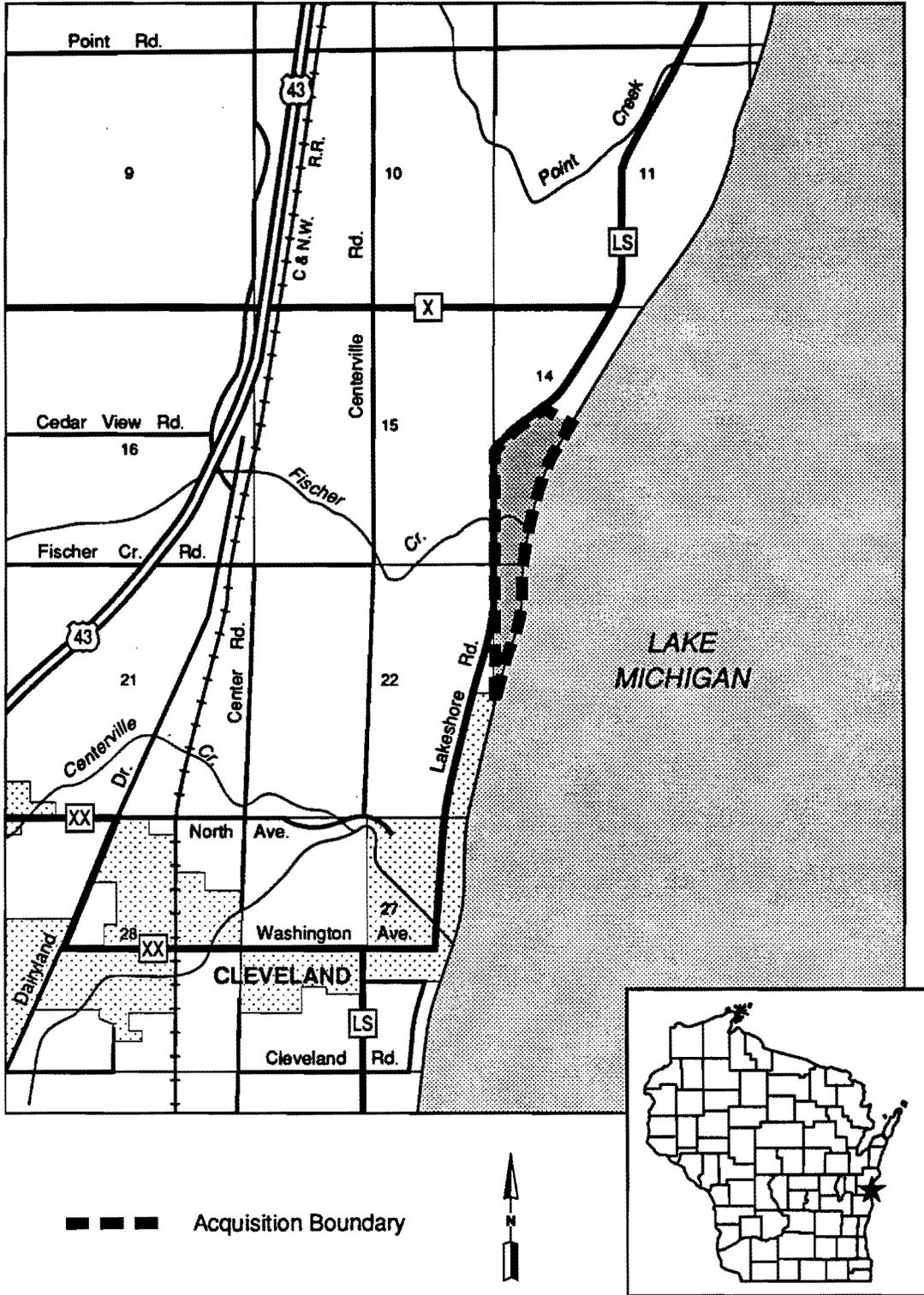
FISCAL IMPACT: Indeterminate

STATE OF WISCONSIN )  
COUNTY OF MANITOWOC )

I, Daniel R. Fischer, County Clerk of Manitowoc County, do hereby certify that the attached resolution is a true and correct copy of the original resolution required by law to be in my custody and which was adopted by the County Board of Supervisors of Manitowoc County at a meeting held on March 19, 1991.

Daniel R. Fischer  
County Clerk

# Fischer Creek Resource Area



List of Support Letters - Fischer Creek Project

From...	Regarding...
The Manitowoc County Planning and Park Commission	Recommended that Manitowoc County accept property if the state acquired it.
Paul Peeters DNR Fish Manager	This land should be in public ownership.
Charles C. Weier Northeastern WI Great Lakes Sport Fishermen	Prime property. Future benefits are endless.
Penny Bernard Schaber FVG Chairperson Sierra Club	Support lake front park for passive recreation.
Francis J. Bouda Cleveland	Interested in preserving land along Fischer Creek.
Gary C. Schmitz President Village of Cleveland	Important to Cleveland. Will provide economic and recreation improvements.
Jim Eisenmann Secretary Manitowoc County Fish and Game Protective Association	Support protecting natural reproduction of trout on Fischer Creek.
Robert A. Levin Cleveland	Park possibility towers above any alternatives.
Lynn Robinson Secretary Maribel Sportsmen's Club	Support by unanimous vote the county's purchase of the this property.
Brian T. Kraemer Chairman Town of Centerville	A county park in this area would be of value to everyone.
Jim Eisenmann Secretary Manitowoc County Fish and Game Protective Association	Follow-up letter supporting purchase of property.
Lee Kernan, Director - Bureau of Fisheries DNR	Memo of support for use of DJ funds for the Fisheries portion of the project.