PUBLIC ACCESS TO LAKE MICHIGAN

AN INVENTORY OF PUBLIC ACCESS ALONG LAKE MICHIGAN IN THE WISCONSIN COUNTIES OF KEWAUNEE, MANITOWOC, AND SHEBOYGAN





PUBLIC ACCESS TO LAKE MICHIGAN

AN INVENTORY OF PUBLIC ACCESS Along Lake Michigan in the Wisconsin Counties of Kewaunee, Manitowoc, and Sheboygan

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PLEASE NOTE THE CORRECTION BELOW:

The following two sites, listed in this publication as "public access," have been found to be private property.

SC-13: Smies Road, Holland (town) SC-15: Pebble Beach Road, Holland (town)

Please disregard these to sites as part of this publication.

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DISCLAIMER:

THIS STUDY IS FOR INFORMATIONAL PURPOSES ONLY. THE BAY-LAKE REGIONAL PLANNING COMMISSION ASSUMES NO RESPONSIBILITY FOR TRESPASSING VIOLATIONS BY VISITORS. THIS DOCUMENT IS NOT TO BE USED FOR NAVIGATION OR IN PLACE OF A PLAT BOOK TO CONFIRM PUBIC PROPERTY.

BAY-LAKE REGIONAL PLANNING COMMISSION

The Bay-Lake Regional Planning Commission (Bay-Lake RPC) was created in April 1972 at the requests of the counties within the region (Figure 1). The Bay-Lake RPC was established under section 66.945 of the Wisconsin Statutes as the official area-wide planning agency for northeastern Wisconsin.

Assisting communities with inventory and mapping of public access locations to Lake Michigan is part of the Bay-Lake RPC's coastal planning efforts under the natural resources work program. The Bay-Lake RPC's coastal planning efforts are supported in part by the Wisconsin Coastal Management Program.

The Bay-Lake RPC serves a region in northeastern Wisconsin consisting of the counties of Brown, Door, Florence, Kewaunee, Manitowoc, Marinette, Oconto, and Sheboygan. The region has over 400 miles of coastal shoreline along Lake Michigan and Green Bay and contains 12 major watershed areas that drain into the waters of Green Bay and Lake Michigan. The Bay-Lake Region is comprised of 185 units of government: 8 counties, 17 cities, 40 villages, 119 towns, and the Oneida Nation of Wisconsin. The total area of the region is 5,433 square miles or 9.7 percent of the area of the State of Wisconsin.

Figure 1: Bay-Lake Region



Source: Bay-Lake Regional Planning Commission, 2011.

THE VALUE OF CONDUCTING A PUBLIC ACCESS INVENTORY

As development in coastal areas continues, opportunities to offer public access to the Great Lakes become increasingly scarce. The Bay-Lake Regional Planning Commission sees value in providing communities with information about the availability and condition of current public access sites to ensure, that where access is provided, it is recognized and valued as a treasured resource. An inventory and assessment of public access offers local officials information about

the location and condition of current sites, and provides a tool to aid them in enhancing or expanding public access in their community.

This public access inventory and assessment provides residents, visitors, and local officials with information about public access to the waters of Green Bay along the east shore. The information is presented as a report and maps, indicating the location of public access sites and potential threats or opportunities that might exist for the each site.

FUNDING FOR THIS PROJECT

The *Public Access to Lake Michigan* project was funded in part by the Wisconsin Coastal Management Program (WCMP). The WCMP is part of the Wisconsin Department of Administration and receives financial assistance from the National Oceanic and Atmospheric Administration (NOAA). The WCMP was established in 1978 to preserve, protect, and manage the resources of the Lake Michigan and Lake Superior coastline. All funds provided by the WCMP were equally matched by Bay-Lake Regional Planning Commission.



WHAT IS PUBLIC ACCESS?

The state of Wisconsin holds ownership of all natural lakebeds in public trust. Those who own land adjoining the waterbody have title to the land above the ordinary high water mark (OHWM). The Wisconsin Supreme Court has defined the OHWM as:

"the point on the bank or shore up to which the presence and action of the water is so continuous as to leave a distinct mark either by erosion, destruction of terrestrial vegetation, or other easily recognized characteristic (WDNR, 2005)."

It is important to understand that the OHWM is a permanent mark that does not change with temporary fluctuations in water height. It is not imperative that the area between the OHWM and the water's edge be navigable in order to be used freely by the public. However, private interests must follow the law when accessing public waters. Private property owners that hold lands adjacent to the water body have exclusive rights to the exposed lakebed below the OHWM, and the public must be granted permission to access these areas. However, the public holds the right to use any navigable body of water for the purpose of navigation, including boating, swimming, hunting, fishing, or other recreational activity. Furthermore, any lands that are held by a government body (i.e., Wisconsin Department



of Natural Resources, a town or municipality, the National Park Service, etc.) are deemed for public use unless otherwise specified by law (WDNR, 2005).

PUBLIC ACCESS POLICY

The public trust doctrine is a body of common and statutory law that establishes the legal right of the public to use certain lands and waters. The rights of the public are vested in the states by requiring that the states hold all titles to navigable waters in trust, while the federal government acts as the protector of those rights.

Federal

The principal roots of the federal public trust doctrine can be traced back to the case of *Illinois Central Railroad Company vs. State of Illinois*, 146 U.S. 387 (1892). In 1869, the Illinois legislature had granted away a large portion of the waterfront property in the City of Chicago to the Illinois Central Railroad, but then repealed the grant in 1873. Illinois Central Railroad filed suit to challenge the rescission. In its final decision, the Supreme Court ruled that Illinois officially held the title to the land underlying Lake Michigan that was within the state's boundaries in trust for its citizens. Therefore, Illinois could not give these lands to any other party if the transaction jeopardized the public's rights of navigation and fishing in those waters. Although the precedence of this case sets standards regarding the right of the public to access navigable waters, it does not address lands that can be used to access the waters.

Despite the lack of firm legislation to deal with the issue of how people are to access navigable waters, citizens have historically supported the expansion of federal ownership of lands to be used for recreational purposes. By the mid 1950s, demand for these lands had increased to such an elevated degree that Congress deemed the creation of federal regulation necessary in order to preserve public lands. As a result, the Federal Land and Water Conservation Fund was created in 1965; and has since served as the primary source of funding for acquiring public recreation lands.

The majority of federal lands, approximately ninety-five percent, are acquired and managed by four agencies: the Forest Service in the U.S. Department of Agriculture, the National Park Service, the U.S. Fish and Wildlife Service, and the Bureau of Land Management. In addition to providing funding to these agencies, the Land and Water Conservation Fund provides matching grants to states for the purpose of land acquisition, recreation planning, and facility development. Since 1965, these grants have funded about 38,000 state and local projects leading to the acquisition of approximately 2.3 million acres of land.

In 1972, Congress passed the first Coastal Zone Management Act, which declared:

"[I]t is the national policy...to encourage and assist the states to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs...which programs should at least provide for...public access to the coasts for recreational purposes...(§ 1452(2))."

Under Section 306A, the Act also required that the coastal and Great Lakes states and territories define a planning process for protecting and providing access to public coastal areas that may have environmental, recreational, historical, aesthetic, ecological, or cultural value.

State of Wisconsin

Article IX, Section I of the Wisconsin Constitution contains the state's version of the public trust doctrine. Under Wisconsin law, the state is the rightful owner of the beds of all navigable waters, with the exclusion of navigable streams up to the ordinary high water mark.

Most litigation involving the land trust doctrine today results from conflict that occurs between public rights to access navigable waters and the rights of riparian owners. Riparian owners are those that own the land that lies alongside a waterway. Riparian owners are granted certain rights, including the use of the shoreline, the reasonable use of the water, and the right to build piers for navigation. However, according to the public land trust doctrine, these rights are considered secondary to the rights of the public interest in regards to the usage of navigable waters. Although the public land trust protects the public's right to access navigable waters, it does not require that the public have access to those waters. In the case of *Doemel v. Jantz* (180 Wis. 225, 234 (1923)), the Wisconsin Supreme Court ruled that the riparian owner has exclusive privilege of the shore in order to access his land and water. The court ruled that public rights extend only to the water's edge. Therefore, according to the ruling, persons traveling between the ordinary high and the low water mark would be trespassing on private lands.

As a way to ensure the right of the public to access all navigable waters, the Department of Natural Resources, along with other municipalities have, over time, acquired public access areas along many lakes and streams. Section 23.09(10), *Wis. Stats.*, gives WDNR and other municipalities the right to use state funds in order to acquire "any and all" easements that will augment public access to navigable waters for the use of hunting and fishing and for enjoyment of scenic beauty.

Article X, Section 7 of the Wisconsin Constitution created the Board of Commissioners of Public Lands (BCPL) in 1848. The mission of the agency is to safeguard State Trust Funds and Trust Lands for the benefit of all Wisconsin citizens. The agency is responsible for over 80,000 acres of Trust Lands, most of which lie in the northern third of Wisconsin. The agency recognizes the importance of outdoor activities that require access to public lands; however, their focus is on ensuring the long-term productivity of lands for future generations, which in some cases requires limiting access to the lands.

Section 236.16(3)(a), Wis. Stats., states that "all subdivisions abutting on a navigable lake or stream shall provide public access at least 60 feet wide providing access to the low watermark so that there will be public access." Furthermore, section 236.16(3)(b), Wis. Stats., maintains that no public access established under section 236.16 may be vacated, except through circuit court action.

In considering natural areas and outdoor recreation preservation, the WDNR produces a Statewide Comprehensive Outdoor Recreation Plan (SCORP) every five years. The SCORP offers a research base and overall guidance document for all providers of outdoor recreation throughout the state. The SCORP also provides direction for developing comprehensive plans required under the Wisconsin Statutes.

DETERMINING PUBLIC ACCESS STATUS

Identification of possible public access sites included those points that provided foot trails, possible parking areas (including gravel and paved), boat launches (for both small and large craft), and other recreation areas. The public access status of each site was determined through a

process that began by reviewing parcel records, which describe tracts of land by ownership, size, and location. Web maps for Kewaunee, Manitowoc, and Sheboygan Counties were also utilized to predetermine the status of the parcels.

After each site was investigated, county land records offices were visited to ascertain if the areas were indeed public. For any sites whose status remained questionable (whether it was public or private), a Record of Deeds search was undertaken to confirm the status. Various county records, including parcel ownership information, town and city platting records, highway maps, and subdivision plats, were used to verify ownership status.

Road Ends

A number of public access sites to Lake Michigan are nothing more than a road right-of-way that extends to the water. Although many of these "road ends" may not be developed as public access sites, they nevertheless provide access to the waters of Lake Michigan. In some cases, road ends provide undeveloped opportunities to expand public access to the water. All roads within the project area that were determined to have a possibility of providing access to the water were driven to confirm access.

MAPPING ACCESS SITES

All public access sites and roads leading to Lake Michigan were researched and documented, and Global Positioning System (GPS) coordinates were taken at the site to enable the

development of a detailed GIS base map. GPS coordinates were acquired using a Trimble® Juno SC handheld field computer. Additional information on available amenities, parking, site maintenance, and user conflicts were recorded using a template developed for this project to use with the Trimble unit. Photographs were taken at each site and geotagged to the locations.

An important component of this particular project included consulting existing internet mapping sites made by individual communities to assure that the quality of our product was consistent with local geographic features. An inventory of public access sites with a clear and concise map and written report will enable communities to make better-informed planning and management decisions regarding their recreational needs.



Methodology

In order to provide useful location information to users of this report, a mapping process was established using ArcView 9.3.1 Geographic Information Systems (GIS) to produce maps of the public access sites within the project area. The GIS data layers ("themes") utilized for this project included Wisconsin Department of Transportation (WDOT) roadways, county roadways, 2008 USDA NAIP color orthophotography, county parcel information, WDNR 24K Hydro data, and county boundaries. These themes were layered over the project to provide a comprehensive database. Counties, critical access roads, and major water bodies were labeled using county land-use web maps to ensure labeling accuracy. The web links to these maps have been provided at the end of this section. The public and private access points encompassed within the study were identified and labeled accordingly. Map layouts were created for each municipality and county to provide enhanced detail of access roads and rivers along specific segments of the shore.

SCOPE OF PROJECT

Bay-Lake Regional Planning Commission inventoried and evaluated access points along the Lake Michigan shore in Kewaunee, Manitowoc, and Sheboygan counties. The project involved a field inventory of each public access site to evaluate the physical characteristics, record GPS coordinates, and document the site through a photographic survey and an assessment of condition and amenities. In addition, the Bay-Lake RPC conducted a review of local government records within the project area to identify roads and other potential public access sites within the project area to confirm current public status.

The outcome of the process was a detailed inventory that evaluated the status and condition of existing public access locations along the shore. The Bay-Lake RPC produced a GIS, GPS, and tabular database of the public access sites.

PROJECT AREA

The project area identified for this study includes the western Lake Michigan shoreline in the Wisconsin counties of Kewaunee, Manitowoc, and Sheboygan (Map 1).

More specifically, the project area covers the following:

- Cities of Algoma and Kewaunee, and the Towns of Ahnapee, Pierce, West Kewaunee, and Carlton in Kewaunee County (Map 2)
- Cities of Manitowoc and Two Rivers, the Village of Cleveland, and the Towns of Two Creeks, Two Rivers, Manitowoc, Newton, and Centerville in Manitowoc County (Map 6)
- City of Sheboygan, and the Towns of Mosel, Sheboygan, Wilson, and Holland in Sheboygan County (Map 12)

Based on the 2010 U.S. Census, 126,781 people reside in the 19 communities within the study area, while 217,523 people reside in the three coastal counties covered by the study.

Currently, several public parks and campgrounds along the shore provide access to Lake Michigan; most notable are Point Beach State Park in Two Rivers, Manitowoc County and Kohler-Andrae State Park, just south of Sheboygan in Sheboygan County. The *Public Access to Lake Michigan* study focused on the sites along the shore in each of the communities within the study area that offer direct access to Lake Michigan.

CHAPTER 1: PUBLIC ACCESS INVENTORY

The Bay-Lake Regional Planning Commission completed this study to locate and evaluate existing public access sites along Lake Michigan in Kewaunee, Manitowoc, and Sheboygan counties (Map 1). The public access study inventory found that there are 42 public access sites to Lake Michigan within the three counties. Kewaunee County has seven public access sites (plus another three public access sites along Green Bay, which are included in the Bay-Lake RPC study *Public Access to the East Shore of Green Bay*, 2009), Manitowoc County has 20 public access sites, and Sheboygan County has 15 public access sites along Lake Michigan.

Tables 1 through 3 list each inventoried public access site by county with GPS locations for each site, along with some information about the amenities available, including parking availability, boat launch facilities, restrooms, and other amenities available at each site. Parking is described by the type of parking available such as a parking lot, dead end, shoulder, or turnaround (i.e., a cul-de-sac type road-end). Restroom offerings range from complete facilities to a single portable facility.

The label IDs below and in the first column of Tables 1 through 3 correspond to the site identification code on the location maps in the "*Maps*" section of the document. The identification code begins with a "KC" for Kewaunee County sites, a "MC" for Manitowoc County sites, and an "SC" for Sheboygan County sites. Keep in mind that the information presented in Tables 1 through 3, represent observations made during a summer 2010 inventory, and the availability of amenities may have changed since that time.

The following provides specific information about each site and some photographs taken while inventorying the sites. Many of the descriptions provide information about vehicle parking; however, many of these sites can more easily be accessed by bike, watercraft, or on foot.

KEWAUNEE COUNTY

KC-1 through KC-3, see *Public Access to the East Shore of Green Bay* (2009) available at <u>www.baylakerpc.org.</u>

KC-4: Crescent Beach, Algoma (city)

Beach with a boardwalk and benches. Beach area offers many amenities. Boardwalk connects to the Algoma Visitor Center to the Algoma Marina.

KC-5: Highway 42 Wayside Park, Pierce (town)

Wayside park along Highway 42 offering restrooms and picnic tables. However, there is a very steep descent to shore.



Figure 2: Hwy 42 Wayside Park (KC-5), Pierce (town), Kewaunee County

KC-6: Mashek Creek State Recreation Area, Pierce (town)

State Recreation Area acquired by the Wisconsin DNR in 2011. The site is currently undeveloped with no road access. WDNR has plans to develop the site to offer boating access.

KC-7: Father Marquette Memorial Park, Kewaunee (city)

City park with a playground, restrooms, picnic tables, a shelter, and grills. Unfortunately, the beach has a significant Cladophora accumulation problem.

KC-8: Ellis Street, Kewaunee (city)

Road end with only turnaround parking. Adjacent private landowners are close and ownership appears ambiguous at this site. Clear signage of public status is recommended to eliminate any potential user conflicts.

KC-9: Pioneer Park, Kewaunee (city)

City park with limited amenities, offering only picnic tables and beach access.



Figure 3: Ellis Street (KC-8), Kewaunee (city), Kewaunee County

KC-10: Selner Park, Kewaunee (city)

City park with a playground, restrooms, and picnic tables. Unfortunately, the beach has a significant Cladophora accumulation problem.



Figure 4: Selner Park (KC-10), Kewaunee (city), Kewaunee County

MANITOWOC COUNTY

MC-1: Two Creeks Buried Forest State Natural Area, Two Creeks (town)

State Natural Area with a picnic area, restrooms, and informational signage. However, the descent to shore is very steep and dangerous.

MC-2: Irish Road, Two Creeks (town)

Irish Road dead ends at Lake Michigan providing direct access to the water through a clearing in the trees.

MC-3: CTH V, Two Rivers (town)

Figure 5: Irish Road (MC-2), Two Creeks (town), Manitowoc County

Where CTH V going east-west meets CTH O Manitowoc County going north-south, a clearing through the trees leads to the water. There is shoulder parking along both highways.



Figure 6: CTH V (MC-3), Two Creeks (town), Manitowoc County

MC-6: Neshotah Park, Two Rivers (city)

MC-4: Point Beach State Forest, Two Rivers (town)

Point Beach offers six miles of Lake Michigan shoreline, with dunes, a lighthouse, camping, hiking, biking, and more.

MC-5: Park Road, Two Rivers (town)

The end of Park Road provides access to Lake Michigan with limited turnaround parking. Considering the proximity to Point Beach State Forest at this site, it would be better to use the beach in the park to access the water.

A 50-acre sand beach with areas for swimming and launching kayaks. Neshotah Park also offers a beach house, restrooms, shelters, playgrounds, a bike trail, and picnic areas with tables and grills.

MC-7: Parkway Blvd., Two Rivers (city)

At the end of Parkway Boulevard, along Memorial Drive, there is a small parking lot/wayside park with direct access to the water.

MC-8: Thiede Road, Two Rivers (city)

At the end of Thiede Road, along Memorial Drive, there is a small parking lot/wayside park with direct access to the water.

MC-9: Davis Street, Two Rivers (city)

At the end of Davis Street, along Memorial Drive, there is a small parking lot/wayside park, but large rock embankment makes accessing the water very dangerous.

MC-10: Woodland Drive, Two Rivers (city)

At the end of Woodland Drive, along Memorial Drive, there is a parking lot/wayside park with restrooms and direct access to the water.

MC-11: Lakeview Park, Manitowoc (city)

A 22-acre city park with limited amenities. It border a school and overlooks Lake Michigan.

MC-12: Manitowoc Marina, Manitowoc (city)

Manitowoc Marina offers many amenities, including free launching for kayaks.

MC-13: SS Badger Car Ferry Dock, Manitowoc (city)

The SS Badger Car Ferry Dock provides access to Lake Michigan and offers picnic tables.

MC-14: Along S. Lakeview Drive, Manitowoc (city)

Lake Michigan can be accessed along S. Lakeview Drive and a small parking lot is provided just before S. Lakeview Drive turns west.

MC-15: Green Street, Manitowoc (city)

A boat launch and parking lot is provided at the end of Green Street just north of Red Arrow Park.

MC-16: Red Arrow Park, Manitowoc (city)

Red Arrow Park is a 20-acre park offering handicappedaccessible lakefront and beach walkway, and a playground.

MC-17: Silver Creek Park, Manitowoc (city)

Silver Creek Park is a large 72-acre park with many



Figure 7: Silver Creek Park (MC-17), Manitowoc (city), Manitowoc County

amenities including a shelter, picnic areas, and trails.

MC-18: Point Creek Conservation Area, Centerville (town)

Point Creek Conservation Area consists of 39 acres of woodlands, meadows, estuary, wetlands, and coastal bluffs with approximately 2,800 feet of high bluff bank along Lake Michigan.

MC-19: Fischer Creek State Recreation Area, Centerville (town)

Fischer Creek Conservation Area is a 160-acre site along Lake Michigan offering restrooms, a picnic area, and trails.



Figure 8: Fischer Creek State Recreation Area (MC-19), Centerville (town), Manitowoc County

MC-20: Hika Park, Cleveland (village)

Hika Park offers a boat launch, a shelter, a picnic area, and restrooms. Unfortunately, the beach has a significant Cladophora accumulation problem.

SHEBOYGAN COUNTY

SC-1: North Point Park, Sheboygan (city)

North Point Park is a 21-acre park offering a picnic area and access to the water.

SC-2: Deland Park, Sheboygan (city)

Deland Park offers sandy beaches, a playground, restrooms, a shelter, boat ramps, a fish-cleaning station, and a trail.

SC-3: General King Park, Sheboygan (city)

General King Park offers more than a mile of sandy beach, a view of the lighthouse and South Pier, a playground, a shelter, and restrooms.

SC-4: Lake View Park, Sheboygan (city)

Lake View Park offers a picnic shelter and a network of trails.



Figure 9: Lake View Park (SC-4), Sheboygan (city), Sheboygan County

SC-5: Juniper Drive, Wilson (town)

Juniper Drive has limited turnaround parking, but provides access to Lake Michigan through a clearing in the trees.



Figure 10: Juniper Drive (SC-5), Wilson (town), Sheboygan County

SC-6: Pioneer Road, Wilson (town)

Pioneer Road dead ends near the water and a clearing in the trees provides access to Lake Michigan.



Figure 11: Pioneer Road (SC-6), Wilson (town), Sheboygan County

SC-7: Wilson-Lima Road, Wilson (town)

Road end with only turnaround parking, but provides direct access to Lake Michigan.



Figure 12: Wilson-Lima Road (SC-7), Wilson (town), Sheboygan County

SC-8: Town Line Road, Wilson (town)

Pioneer Road dead ends near the water and a clearing in the trees provides access to Lake Michigan.



Figure 13: Town Line Road (SC-8), Wilson (town), Sheboygan County

SC-9: Foster Road, Holland (town)

Pioneer Road dead ends near the water and a clearing in the trees provides access to Lake Michigan.



Figure 14: Foster Road (SC-9), Holland (town), Sheboygan County

SC-10: Stokdyk-Ingelse Road, Holland (town)

Stokdyk-Ingelse Road dead ends near the water and a clearing in the trees provides access to Lake Michigan. Adjacent private landowners are close and their belongings are in the right-of-way making ownership appear ambiguous at this site. Clear signage of public status is recommended to eliminate any potential user conflicts.



Figure 15: Stokdyk-Ingelse Road (SC-10), Holland (town), Sheboygan County

SC-11: E Vaness Road, Holland (town)

E Vaness Road dead ends near the water and a clearing in the trees provides access to Lake Michigan.



Figure 16: E Vaness Road (SC-11), Holland (town), Sheboygan County

SC-12: De Witt Road, Holland (town)

De Witt Road dead ends near the water and offers a temporary dock that is available seasonally.

SC-13: Smies Road, Holland (town)

Smies Road dead ends near the water with a clear path leading to the water's edge.



Figure 17: Smies Road (SC-13), Holland (town), Sheboygan

SC-14: Amsterdam Park, Holland (town)

Amsterdam Park offer many amenities and access to Lake Michigan; however, park access is only available to residents of Holland, Cedar Grove, and Oostburg.

SC-15: Pebble Beach Road, Holland (town)

Pebble Beach Road dead ends near the water with a clear path leading to the water's edge.



Figure 18: Pebble Beach Road (SC-15), Holland (town), Sheboygan County

				0	Amenities						
				GPS		Boat	Play-	Rest-	Picnic		Grill/
	ID	Road/Park Name	Muncipality	Coordinates	Parking	Launch	ground	rooms	Tables	Shelter	Fire ring
	KC-4	Crescent Beach	Algoma	44.6085	Lot						
	NC-4		(city)	-87.4334	LUI			•		•	•
County	KC-5	Highway 42 Wayside	Pierce	44.5659	Lot						
Ino	KC-5	Park	(town)	-87.4580	LUI			•		•	
o e	KC-6	Mashek Creek State	Pierce	44.5021	None						
ne		Recreation Area	(town)	-87.4839	None						
/au	KC-7	Father Marquette	Kewaunee	44.4653	Lot						
Kewaunee	KC-7	Memorial Park	(city)	-87.4963	LUI			•		•	•
×	KC-8	Ellis Street	Kewaunee	44.4583	Turn-						
	RC-0		(city)	-87.4983	around						
	КС-9	Pioneer Park	Kewaunee	44.4571	Turn-						
	KC-5		(city)	-87.4994	around				-		
	KC-10	Selner Park	Kewaunee	44.4561	Lot						
	NC-10		(city)	-87.5003	LOL		•		-		

Table 1:	Public	Access Site	es along	Lake M	lichigan ir	n Kewaunee	County
							000000

Source: Bay-Lake Regional Planning Commission; 2011.

		ublic Access Sites al		Jineingan in	Amenities							
				GPS		Boat	Play-	Rest-	Picnic		Grill/	
	ID	Road/Park Name	Muncipality		Parking		ground			Shelter	-	
		Two Creeks Buried Forest		44.3048	, , , , , , , , , , , , , , , , , , ,	_			_	_		
	MC-1	State Natural Area	(town)	-87.5439	Lot	•	•	•	•		•	
		Litala Danad	Two Creeks	44.2554	Deed Feed							
	MC-2	Irish Road	(town)	-87.5200	Dead End							
		CTUN	Two Rivers	44.2345	Chauldar							
	MC-3	СТН V	(town)	-87.5109	Shoulder							
		Point Beach State Forest	Two Rivers	44.2103	Lot							
	MC-4	Politi Beach State Forest	(town)	-87.5101	Lot							
	MC-5	Park Road	Two Rivers	44.1577	Turn-							
	IVIC-5	Park Kuau	(town)	-87.5431	around							
	MC-6	Neshotah Park	Two Rivers	44.1529	Lot							
	IVIC-0	Nesholan Park	(city)	-87.5506	Lot		•		•	•	•	
	MC-7	Parkway Blvd.	Two Rivers	44.1365	Lot							
	IVIC-7	Palkway divu.	(city)	-87.5873	LUI							
	MC-8	Thiede Road	Two Rivers	44.1330	Lot							
nty	IVIC-0		(city)	-87.5968	Lot							
no	MC-9	Davis Street	Two Rivers	44.1284	Lot							
0	IVIC-9		(city)	-87.6094								
Manitowoc County	MC-10	Woodland Drive	Two Rivers	44.1226	Lot							
ito			(city)	-87.6199						•	•	
lan	MC-11	Lakeview Park	Manitowoc	44.1003	Lot							
2			(city)	-87.6489	LOU							
	MC-12	Manitowoc Marina	Manitowoc	44.0954	Lot							
	IVIC-12		(city)	-87.6501					•	•	•	
	MC-12	SS Badger Car Ferry Dock	Manitowoc	44.0894	Lot							
		55 Dauger Carrenty Dock	(city)	-87.6513	LUI							
	MC-14	Along S. Lakeview Drive	Manitowoc	44.0842	Lot							
	1410-14	Along 5. Lakeview Drive	(city)	-87.6533	LUI							
	MC-15	Green Street	Manitowoc	44.0779	Lot							
	NIC-12	Greenstreet	(city)	-87.6565	LUI							
	MC-16	Red Arrow Park	Manitowoc	44.0747	Lot							
		Neu Allow Park	(city)	-87.6584	LUI		•				•	
	MC-17	Silver Creek Park	Manitowoc	44.0609	Turn-				•	•	•	
			(city)	-87.6550	around					•		
	MC-18	Point Creek Conservation	Centerville	43.9709	Lot							
	MIC-10	Area	(town)	-87.6989	201							
	MC-19	Fischer Creek State	Centerville	43.9396	Lot							
	MIC-13	Recreation Area	(town)	-87.7204	101				•			
	MC-20	Hika Park	Cleveland	43.9157	Lot	•		•				
		re Regional Planning Commissio	(village)	-87.7240	LUI							

 Table 2: Public Access Sites along Lake Michigan in Manitowoc County

Source: Bay-Lake Regional Planning Commission; 2011.

		ublic Access Sites a		8	Amenities							
				GPS		Boat	Play-	Rest-	Picnic		Grill/	
	ID	Road/Park Name	Muncipality	Coordinates	Parking	Launch	ground	rooms	Tables	Shelter	Fire ring	
	SC-1	North Point Park	Sheboygan	43.7629	Lot							
			(city)	-87.6961	201							
	SC-2	Deland Park	Sheboygan	43.7565	Shoulder							
			(city)	-87.7045	U			-		-		
	SC-3	General King Park	Sheboygan	43.7374	Shoulder							
		Sellerar King Fark	(city)	-87.7113	Shoulder		•			•	•	
	SC-4	Lake View Park	Sheboygan	43.7213	Lot							
	, , , , , , , , , , , , , , , , , , ,		(city)	-87.7079			•	•		•	•	
	SC-5	Juniper Drive	Wilson	43.6963	Turn-							
_	÷÷÷	Sumper Brive	(town)	-87.7045	around							
Sheboygan County	SC-6	Pioneer Road	Wilson	43.6922	Dead End							
no	30-0		(town)	-87.7041	Dedu Ellu							
u u	SC-7	Wilson-Lima Road	Wilson	43.6447	Turn-							
'ga	30-7		(town)	-87.7315	around							
l o	SC-8	Town Line Road	Wilson	43.6299	Dead End							
heł	36-0		(town)	-87.7429								
S	SC-9	Foster Road	Holland	43.6224	Dead End							
	, , , ,		(town)	-87.7479								
	SC-10	Stokdyk-Ingelse Road	Holland	43.6162	Dead End							
	30-10	Stokuyk-ingelse Koau	(town)	-87.7541	Deau Liiu							
	SC-11	E Vaness Road	Holland	43.6075	Dead End							
	30-11		(town)	-87.7613	Deau Liiu							
	SC-12	De Witt Road	Holland	43.6016	Dead End							
	30-12		(town)	-87.7650	Deau Ellu	•						
	SC-13	Smies Road	Holland	43.5871	Dead End							
	30-13	Silles Koau	(town)	-87.7765	Deau Ellu							
	SC-14	Amstardam Dark	Holland	43.5580	Lot							
	30-14	Amsterdam Park	(town)	-87.7928	Lot	•	•		•	•		
	SC-15	Dobble Reach Road	Holland	43.5437	Dood End							
	30-15	Pebble Beach Road	(town)	-87.7917	Dead End							

 Table 3: Public Access Sites along Lake Michigan in Sheboygan County

Source: Bay-Lake Regional Planning Commission; 2011.

CHAPTER 2 : SITE RECOMMENDATIONS

Each public access site along the shore was evaluated for the potential to improve public access offerings and amenities and expand recreation options for the public. Available facilities and opportunities were inventoried for each site. Several sites were found to offer various recreational alternatives, such as picnic areas, campgrounds, or boat launches, while others only provide access to the water by way of worn foot trails. The following list offers site recommendations to enhance public access at some of the inventoried sites. The list provided is arranged by county and municipality.

KEWAUNEE COUNTY

City of Algoma

• Crescent Beach (KC-4): Great public access location with a number of amenities. Algoma should continue to pursue opportunities to reduce Cladophora accumulation at Crescent beach.

City of Kewaunee

- Father Marquette Memorial Park (KC-7): Kewaunee should seek opportunities to reduce Cladophora accumulation at this park beach.
- Ellis Street (KC-8): This road end provides great beach access; however, there has been little to no maintenance performed at the site to make it a clean, attractive beach. Signage, trash receptacles, and beach grooming would go a long way to improve this public access site.
- Pioneer Park (KC-9): Kewaunee should seek opportunities to reduce Cladophora accumulation at this beach, and improve the beach appearance.
- Selner Park (KC-10): Kewaunee should seek opportunities to reduce Cladophora accumulation at this beach, and improve the beach appearance.

Town of Pierce

The Town of Scott should take efforts to enhance the two public access sites it has on Green Bay.

- Highway 42 Wayside Park (KC-5): Pierce should consider providing a stairway to the water to provide safe access. A worn trail indicates that visitors access the water by navigating the dangerously steep terrain.
- Mashek Creek State Recreation Area (KC-6): Wisconsin Department of Natural Resources has only recently acquired this site and nothing has been developed to improve access at this time.

MANITOWOC COUNTY

City of Manitowoc

• Along S. Lakeview Drive (MC-14): Site could be improved by providing signage indicating public access.

- Red Arrow Park (MC-16): Manitowoc should continue pursuing opportunities to implement erosion control improvements along the bluff.
- Silver Creek Park (MC-17): Manitowoc should continue pursuing opportunities to implement erosion control improvements along the bluff.

Village of Cleveland

• Hika Park (MC-20): Cleveland should continue seeking opportunities to reduce Cladophora accumulation at this beach.

Town of Two Creeks

• Irish Road (MC-2): Site could be improved by providing signage indicating public access.

Town of Two Rivers

• CTH V (MC-3): Site should be improved by providing signage indicating public access.

SHEBOYGAN COUNTY

City of Sheboygan

- North Point Park (SC-1): Sheboygan should seek opportunities to improve the appearance of this beach.
- Lake View Park (SC-4): Sheboygan should seek opportunities to improve the appearance of this beach.

<u>Town of Holland</u>

- Foster Road (SC-9): Site should be improved by providing signage indicating public access.
- Stokdyk-Ingelse Road (SC-10): Site should be improved by providing signage indicating public access.
- E Vaness Road (SC-11): Site should be improved by providing signage indicating public access.
- De Witt Road (SC-12): Site should be improved by providing signage indicating public access.
- Smies Road (SC-13): Site should be improved by providing signage indicating public access.
- Amsterdam Park (SC-14): The access at this park could be improved by removing the current restrictions to allow non-residents to access the water.
- Pebble Beach Road (SC-9): Site should be improved by providing signage indicating public access.

Town of Wilson

- Juniper Drive (SC-5): Site should be improved by providing signage indicating public access.
- Pioneer Road (SC-6): Site should be improved by providing signage indicating public access.
- Town Line Road (SC-8): Site should be improved by providing signage indicating public access.

AREAWIDE PUBLIC ACCESS RECOMMENDATIONS

Many of the inventoried sites would benefit from routine maintenance. Several sites had signs that have been knocked down or are badly weathered. Many of the sites may also benefit from increased parking areas, encouraging more people to utilize them; and by the addition of trash receptacles and bathroom facilities to help the sites remain clean and free of waste.

Expanding recreational opportunities could augment a number of the existing sites. Such additions could include simple enhancements such as fire pits, picnic tables, grills, and benches, as well as major improvements such as boat and kayak launches, campgrounds, ball courts, playgrounds, or picnic pavilions. However, not all of the sites inventoried would be able to accommodate such development. Each site would have to be assessed on a case-by-case basis to determine what, if any, improvements would be feasible based on the size and location of the site.

VALUE OF PUBLIC ACCESS

Locations providing public access to navigable waters and other recreational areas offer opportunities for personal, social, environmental, community, and educational benefits. According to University of Wisconsin Extension and WDNR, in their document *Planning for Natural Resources*, lands providing public natural areas fulfill a number of functions including outdoor recreation, outdoor education, buffers, flood and stormwater management, habitat preservation, air and surface water quality improvement, protection of groundwater recharge areas, aesthetics, and community focal points.

Outdoor recreation can contribute to an individual's well-being in that it provides a wide range of physical fitness, stress reduction, learning opportunities, and safe places for children to play. Public access areas allow individuals and groups to come together to develop skills and build new relationships between people and organizations. Furthermore, outdoor recreation provides space for families and communities to build a sense of unity through various activities. Through the usage of public lands for recreational activities, individuals and groups often form emotional attachments to a place. These emotional attachments represent a distinctive sense of place that have implications for managers of public lands when considering policies that may affect the ability of the public to access these lands. In general, according to the Wisconsin Statewide Comprehensive Outdoor Recreational Plan (SCORP), communities that provide opportunities for outdoor recreation reap positive impacts. Preserving, protecting, and providing parks and natural areas enhances the desirability of an area while also contributing to the safety and enjoyment of its residents and visitors.

Lands that are designated for public use can provide benefits to the environment by protecting the biodiversity and ecological integrity of ecosystems, preserving pieces of the natural environment, safeguarding watersheds for the gain of improved water quality, and providing opportunities for landscape-scale management. As pointed out by the Wisconsin SCORP, trail and path systems created for recreational purposes often serve a dual purpose in that they save energy and protect air quality by encouraging non-motorized transportation.

As the demand for public access to waterways increases, so will pressure to develop these areas. Intensified waterfront development leads to adverse effects on water resources and recreational activities. To assure that the recreational activities occurring in communities appropriately match the available resources, the SCORP recommends that communities form partnerships with the WDNR to plan effective current and future recreational projects. By utilizing the knowledge of the WDNR, local communities can establish a healthy balance between natural resource protection and economic benefit.

The plan suggests that outdoor safety and education be a part of the recreational experience. Fewer and fewer people are familiar with useful outdoor skills, and as a result, natural resources are misused. By initiating public education on outdoor skills and recreational opportunities in the area, it is projected that obvious recreation locations will become less congested and valuable outdoor knowledge will be shared with others. The SCORP suggests that better land use planning will prevent the loss of recreational opportunities. It is important that conflicting land use patterns be prevented from harming available natural resources for economic gain. The SCORP endorses land purchases by citizen-based and non-profit conservation organizations to protect these valuable assets. At the same time, these areas should be inventoried and made known to the public, encouraging participation in local planning and land use initiatives.

Economic Benefits of Public Access

The availability of parks and recreational services plays an important role in a region's economic well-being. There are many economic incentives provided by conservation of natural areas and creation of public access areas. Providing natural areas presents a way for a community to invest in itself – its image and its citizenry. Because businesses no longer need to be tied to a business center located in downtown and industrial areas, they are now free to choose the location in which they reside. One of the factors upon which this decision is based, is choosing a community that provides a high quality of life, which includes a significant amount of natural areas, nearby recreation, and a pedestrian-friendly environment – also favored by the employees the business will be seeking to recruit. Quality of life for employees was the third most important factor in locating a business, according to an annual survey of chief executive officers conducted by Cushman and Wakefield in 1989. The two most important factors were access to domestic markets and availability of skilled labor (National Park Service, 1995).

Outdoor recreation offers tourism opportunities ranging from hiking in natural areas to swimming at beaches. According to the Trust for Public Land in *Economic Benefits of Park and Open Space*, travel and tourism is the nation's third largest retail sales industry, and tourism is one of the country's largest employers. At the present rates of growth, the tourism industry will soon become the leading industry of any kind in the U.S. (TPL, 2009). Many communities have recognized that natural areas, which provide public access to scenic views and nature, are often a draw for tourism. Outdoor recreation provides a year-round commodity and, therefore, often results in additional jobs within a community.

LOCAL GOVERNMENT BENEFITS FROM PUBLIC ACCESS

Identifying public access points will allow officials to determine the amount of recreational opportunities available for the public to use, while also providing information on how they can continue to provide their citizens with access to public lands. By deciding which lands need protection for recreation, community character, conservation of natural resources, and natural areas, a community will be able to avoid unnecessary and poorly planned growth, which consumes more land than necessary while requiring more tax-supported infrastructure such as roads and sewer lines. Most importantly, identification of public access sites will assist in any recreation planning efforts that a community may undertake.

As park systems are being planned, it is important that all decisions made regarding parks and outdoor recreational areas consider intergovernmental and regional relationships and work to coordinate with other jurisdictions, agencies, and organizations. This cooperation will make the planning process easier and create a well-planned site that is interwoven with other recreational opportunities, positioning the community as destination location.

It is also beneficial for local governments to have an inventory of their public access and be aware of their responsibilities to maintain these lands in order to prevent encroachment by adjacent landowners and potential adverse possession.

Threats to Public Access

Encroachment by private landowners on adjacent public lands and adverse possession of public lands presents a threat to continued public access. Many public access sites appear to be private property because of encroachment by adjacent private landowners. Therefore, although a site may be public, the adjacent landowner(s) has caused the site to be misrepresented as private, thereby deterring the public from utilizing the site, or the adjacent landowner may be unaware of where their property line ends and where the public parcel lies. This type of user conflict can make a public access site undesirable for use. Public maintenance and signage will likely be needed to resolve such an issue.

Encroachment

As development in coastal areas increases, many of the original public access points to Lake Michigan are essentially lost to private property encroachment on public lands. Furthermore, encroaching private lands leave little room for recreational facilities, such as parking, pavilions, shelters, picnic and camping areas, and restroom facilities. Under section 236.16 (3) of the Wisconsin Statutes, all subdivisions abutting a navigable lake or stream must provide at least 60 feet of public access to the waterway. Additionally, no public access established under this section can be vacated except by circuit court action as provided in section 236.43, *Wis. Stats*.

Furthermore, section 236.43(3), *Wis. Stats.*, mandates that in regard to lands located in a city, county, village or town, that are platted as a public park, vacation of the land can only occur where the land has never been developed by said landowner or by filing for vacation with the circuit court. This study revealed several instances where encroachment of public lands by private landowners may be occurring. In one instance, a piece of public land lay between two pieces of private property belonging to one landowner. It appeared that in this case, the landowner has maintained his property, as well as that which was considered public property. In other situations, it was observed that private landowners were likely using public lands as an extension to their property through placement of their private property on public lands.

Adverse Possession

Adverse possession is the result of individuals gaining title to public land by using the land uninterrupted for twenty years, as set by section 893.29, *Wis. Stats.* Under this law, title to municipally owned real property can be obtained by adverse possession only if the adverse possession continues uninterrupted for 20 years, and is based on a continuously maintained fence line that has been mutually agreed upon by the current landowners.

FUNDING OPTIONS FOR ENHANCING OR EXPANDING PUBLIC ACCESS

Communities are encouraged to explore funding and technical assistance options to enhance and expand public access to waterways. The Wisconsin Department of Natural Resources provides funding through various grant programs such as the "*Recreation Boating Facilities*" grant program, which helps fund enhancements like river walks, waterfront parks, boat and kayak landings, canoe ramps, fishing piers, and shore-fishing stations for people with disabilities.

The Wisconsin Coastal Management Program (WCMP) offers funding to enhance public access and recreational opportunities to the Great Lakes. WCMP provides funding to enhance public access under the "*Public Access and Historic Preservation*" grant category, and to acquire additional coastal land under the "*Coastal Land Acquisition*" grant category. There are also national organizations that may provide potential funding sources for expanding recreational opportunities. For further information on these and other grant opportunities to enhance public access in northeast Wisconsin, contact the Bay-Lake Regional Planning Commission in Green Bay, Wisconsin. Contact information may be obtained online by visiting www.baylakerpc.org or by calling (920) 448-2820.

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- **ArcView** a desktop Geographic Information Systems (GIS) software package written and marketed by Environmental Systems Research Institute (ESRI).
- **Biodiversity** the abundance of different plant and animal species in an area.
- **Bay-Lake RPC** Bay-Lake Regional Planning Commission, the regional planning agency for northeast Wisconsin.
- Database a collection of data arranged for ease and speed of search and retrieval.
- **Deed -** a document sealed as an instrument of bond, contract, or conveyance, especially relating to property.
- **Development -** any manufactured change to improved or unimproved real estate, including, but not limited to the construction of buildings, structures or accessory structures; the construction of additions or substantial improvements to buildings, structures or accessory structures; the placement of mobile homes; ditching, lagooning, dredging, filling, grading, paving, excavation or drilling operations, and the deposition or extraction of earthen materials.
- **DOT Department of Transportation, also WisDOT**

Encroachment - to advance beyond the usual or proper limits.

- GIS Geographic Information Systems, a digital mapping and database system
- **GPS** Global Positioning System, space-based global navigation satellite system. It provides reliable positioning, navigation, and timing services to worldwide users on a continuous basis in all weather, day and night, anywhere on, or near, the Earth.
- **GPS Receiver** a device that receives GPS signals for the purpose of determining and recording the present location or locating a pre-determined location.
- **Lakebed** the bottom of a lake.
- Land Use the present usage of the land.
- **Navigable waters -** in Wisconsin: lakes and streams in which it is possible to float a canoe or small recreational craft at sometime during the year.
- NOAA National Oceanic and Atmosphere Administration
- **Ordinary high water mark -** the boundary between upland and lake or riverbed. The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics.
- **Orthophotography** the process of aerial photographs that have been rectified to produce an accurate image of the Earth by removing tilt and relief displacements, which occurred when the photo was taken.
- **Parcel -** contiguous quantity of land in possession of, owned by, or recorded as property of the same claimant person or company.

Plat book - book of maps showing actual or planned features, such as streets and building lots.

Public land - land owned by a government.

Riparian - Relating to, living, or located on the bank of a natural watercourse.

Right-of-Way - The passage consisting of a path or strip of land over which someone has the legal right to pass.

SCORP - Wisconsin Statewide Outdoor Recreation Plan

Subdivision - a division of a lot, parcel, or tract of land by the owner thereof or the owner's agent for the purpose of sale or of building development where:

- 1. The act of division creates 5 or more parcels or building sites of 1-1/2 acres each or less in an area; or
- 2. Five or more parcels or building sites of 1-1/2 acres each or less are created by successive divisions within a period of 5 years.

Tabular database - data stored in tables that are related by key fields.

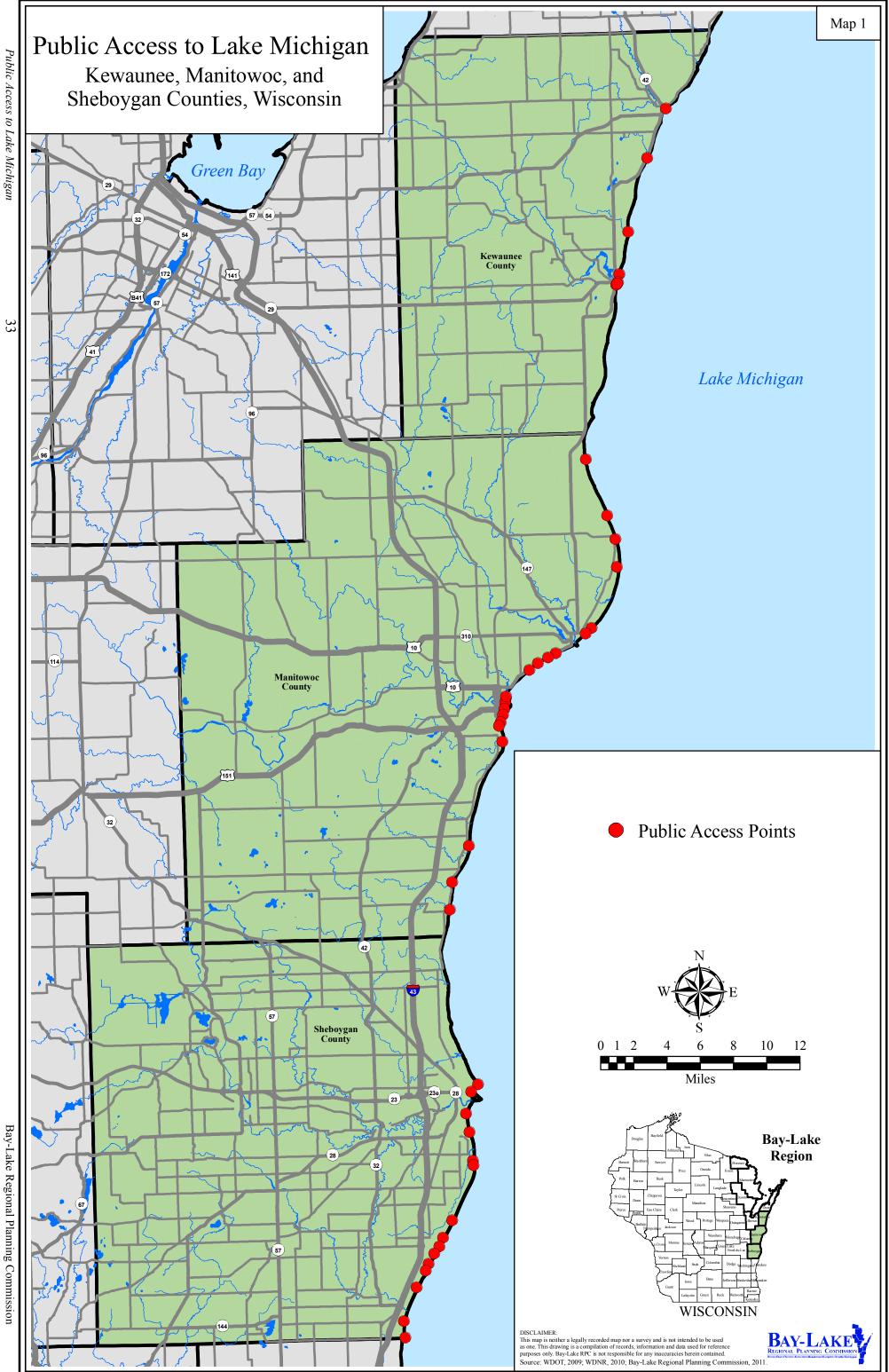
Watershed - a geographic area of land bounded by topographic features and height of land that drains waters to a shared destination. Not only does a watershed drain, it also captures precipitation, filters and stores water, and determines its release. A watershed, therefore, is a drainage basin that divides the landscape into hydrologically defined areas.

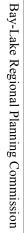
WCMP - Wisconsin Coastal Management Program

WDNR - Wisconsin Department of Natural Resources

Web mapping - a simplified Geographic Information Systems (GIS) web-based application that allows open access for the public to view and alter dynamic maps and data at no cost.

WisDOT - Wisconsin Department of Transportation



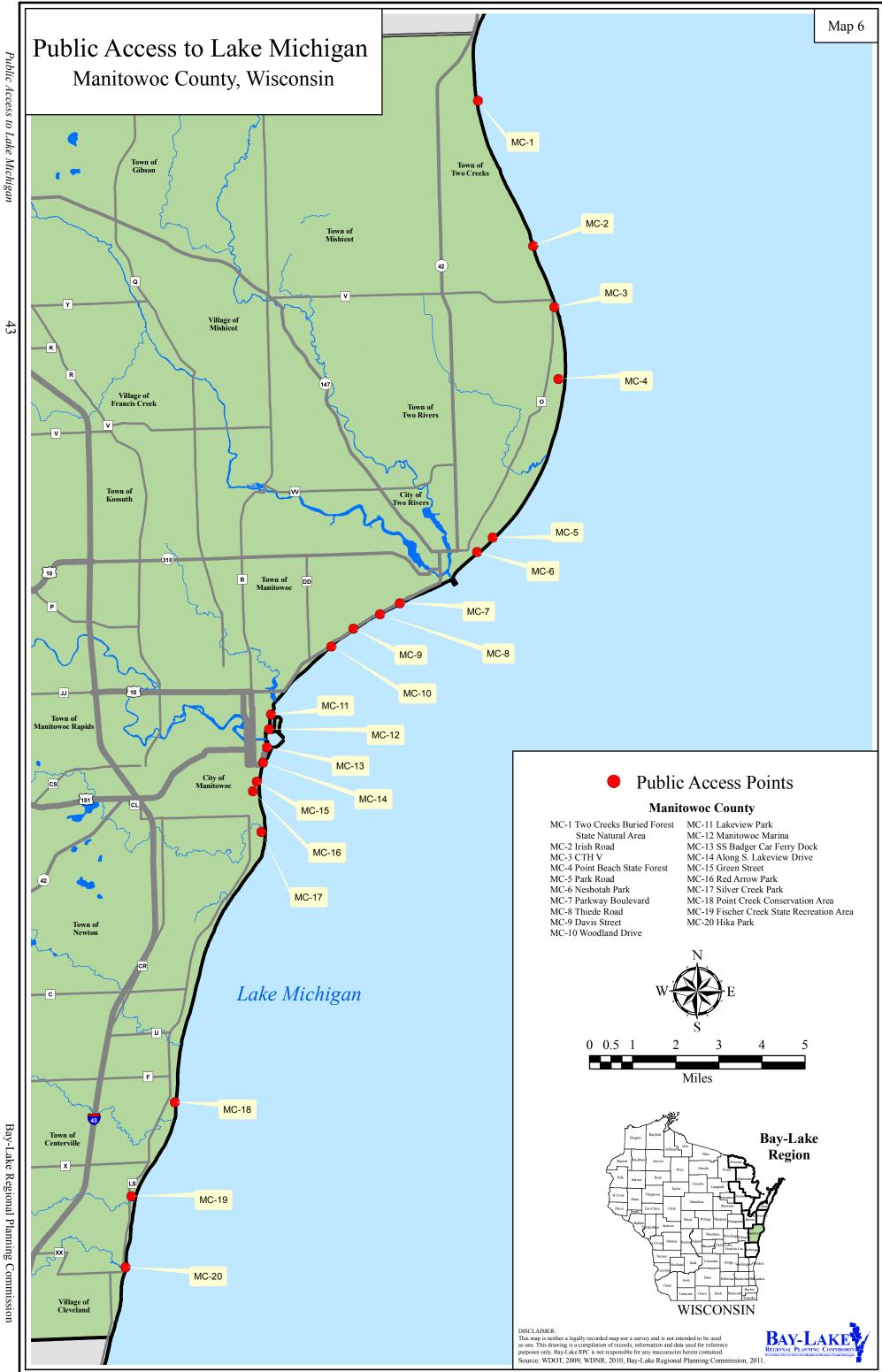


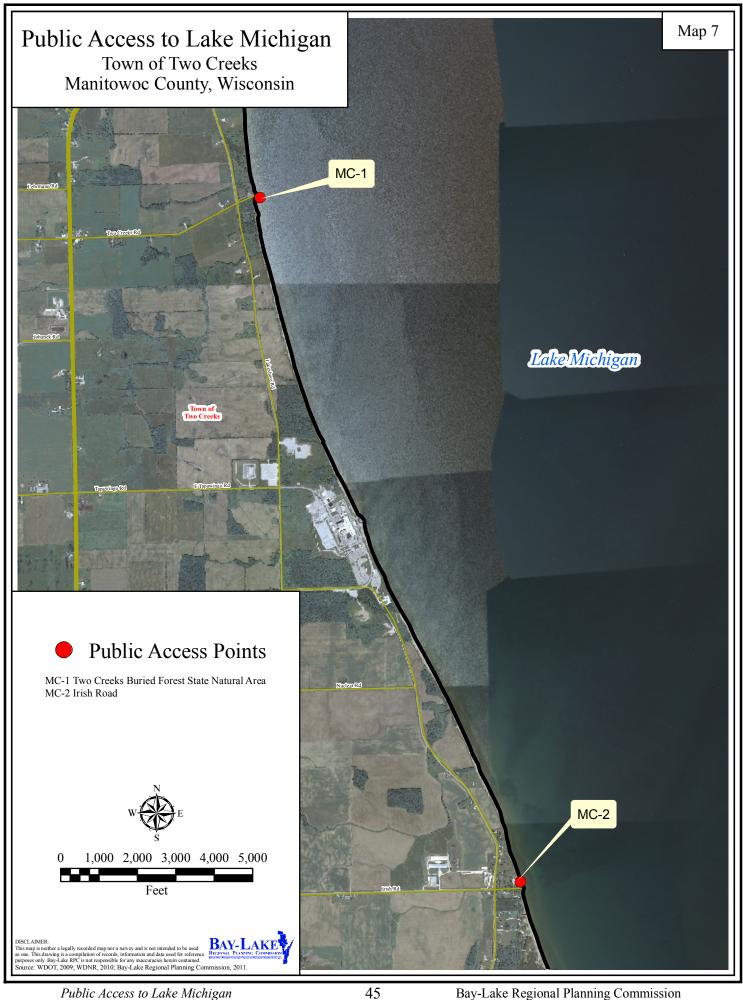






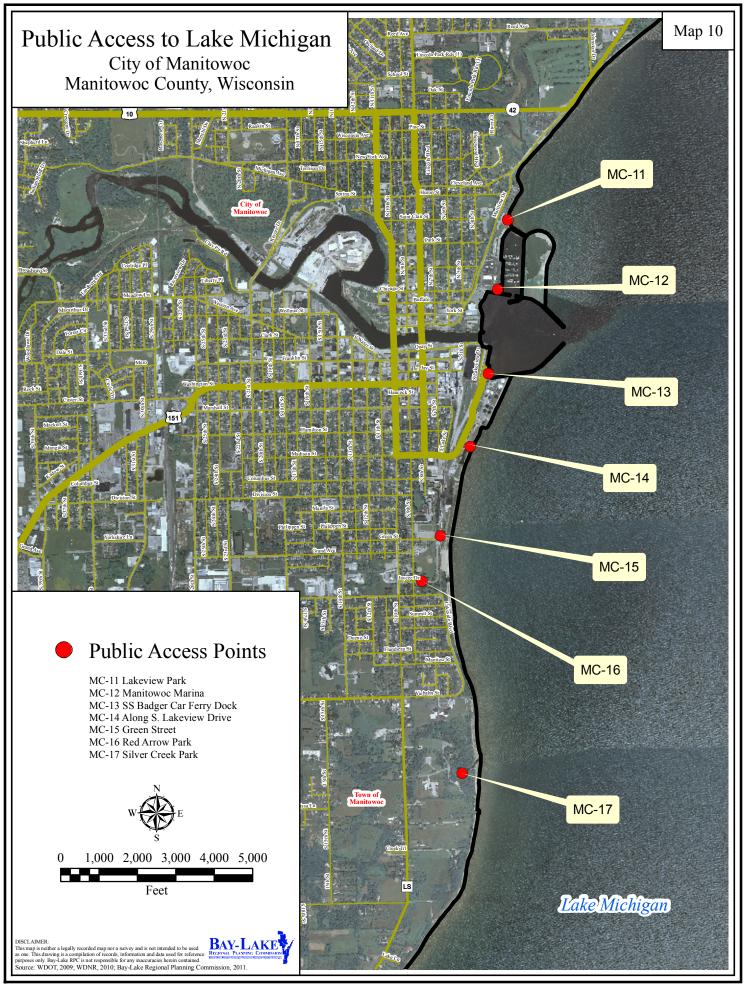




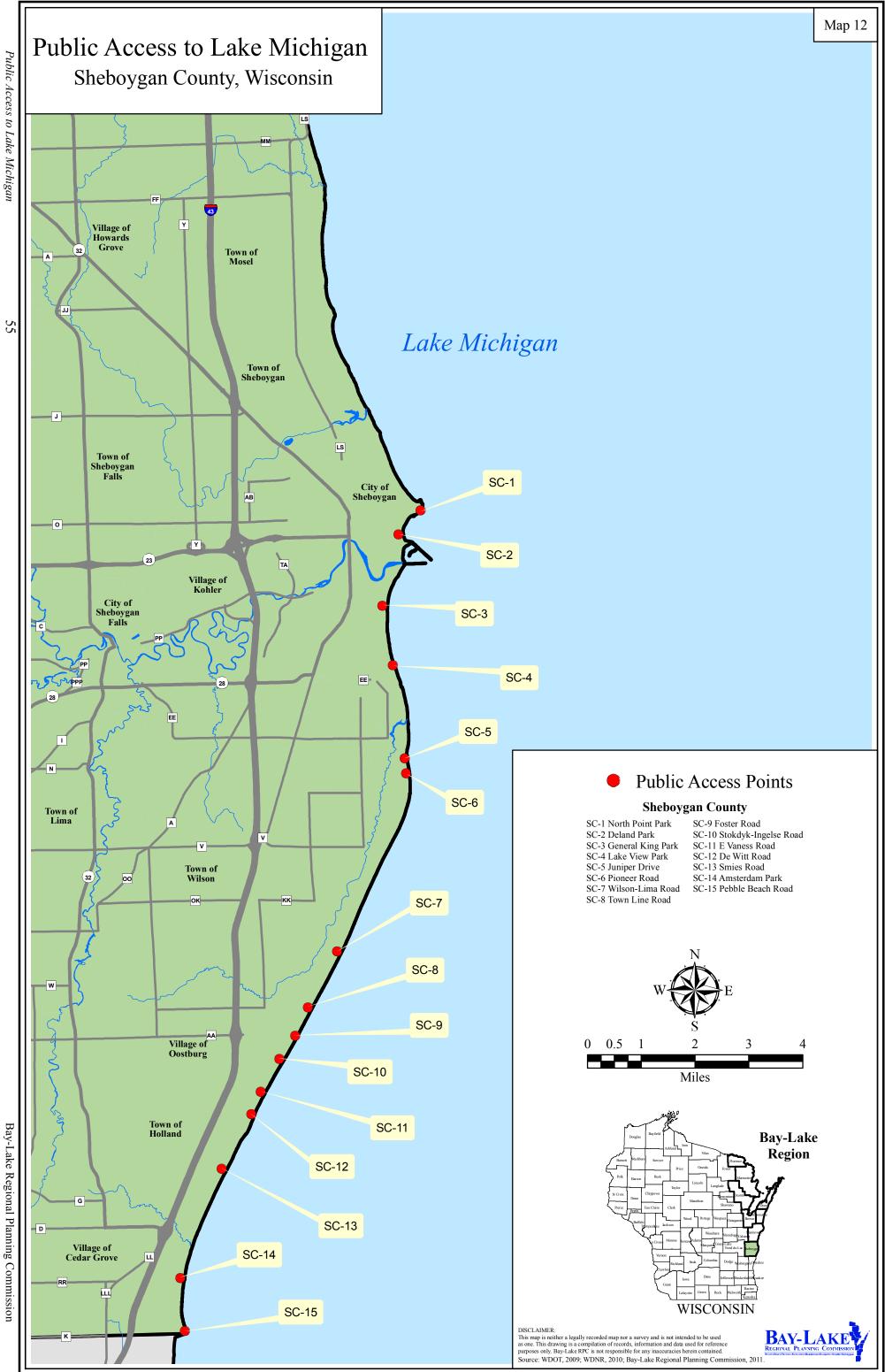


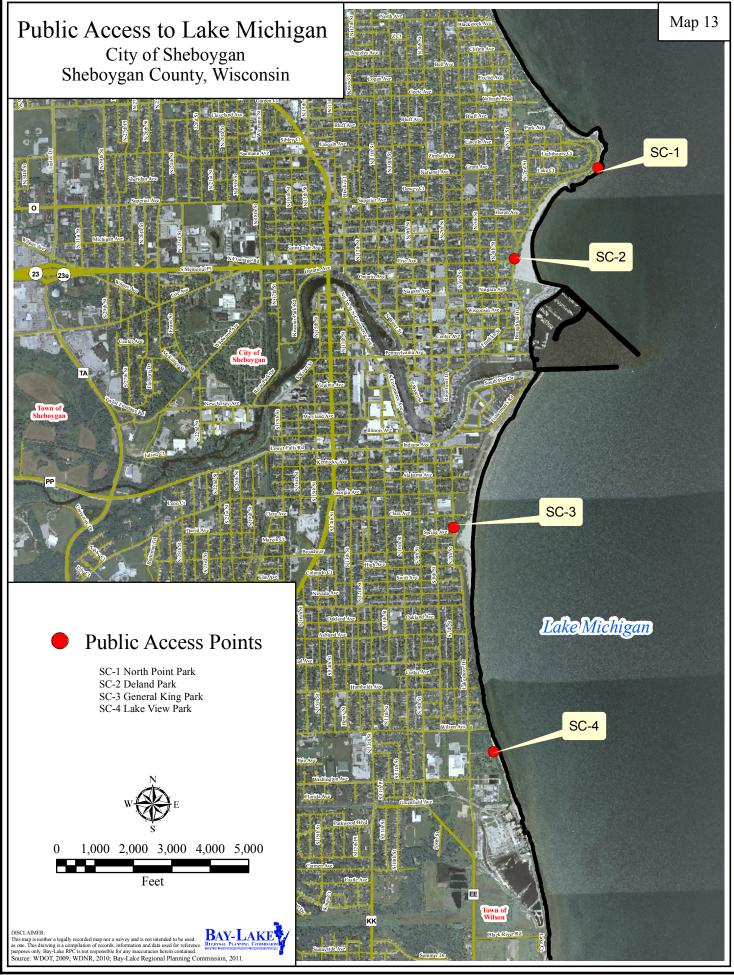




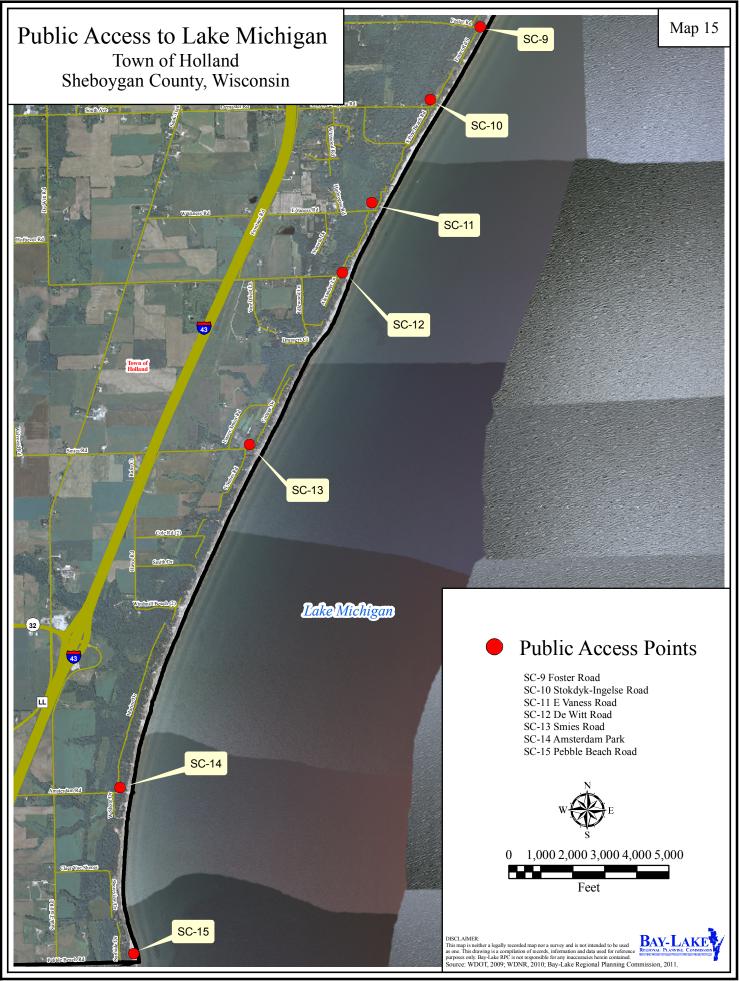












The attached CD contains a full color, digital copy (PDF) of this report and a Google Earth digital file with pictures of the inventoried public access sites along Lake Michigan within the study area. The digital file of the sites with pictures is a KMZ file that can be downloaded and viewed in Google Earth. The CD also contains downloadable copies of Adobe Reader and Google Earth to enable viewing of the included files.

Bay-Lake Regional Planning Commission

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