

Editorial | Wisconsin Waters

Don't bar counties' ability to protect shore land

June 16, 2015

In late May, Republicans added to the state budget with little discussion an item that would bar counties from imposing stiffer [zoning requirements along shorelines](#) than those in state law. As one of today's letter writers notes, the provision weakens local control and adds to the budget a measure that has nothing to do with the budget, things that legislators often oppose on the campaign trail but rarely in practice. At the very least, the measure should be removed from the budget and reintroduced as a separate bill for full debate and its own vote. At best, it should be removed from the budget and never again see the light of day. We're not the only ones to argue that: Sixteen state conservation and environmental groups, including the Wisconsin Wildlife Federation, Trout Unlimited and Wisconsin Lakes, have signed on to a letter asking that the item be removed. The Wisconsin Counties Association, Wisconsin Land and Water Conservation Association, Wisconsin County Code Administrators and Wisconsin County Planning and Zoning Administrators sent a memo to the finance panel, asking that the zoning changes be removed from the budget and debated separately. Various counties and lake associations also have voiced their opposition.

They're right.

Sen. Tom Tiffany (R-Hazelhurst) argues that state water quality standards are not changing, and that Republicans are striving to balance competing goals of environmental protection and property rights: "We are saying (shore land zoning) has to be uniform across the state. We are returning property rights to people."

He's wrong. Yes, there should be minimum state requirements for shore land zoning for lakes and rivers. But it's absurd to think that one size fits all, especially considering there are 15,000 lakes in Wisconsin with

different levels of development around them. Counties should have the authority to work out improved controls for the lakes in their jurisdictions when warranted and in conjunction with property owners and lake associations.

"The language (in the measure) both prohibits counties from enacting or enforcing stronger standards than the statewide minimum standards, and also relaxes some of the provisions in the state's standards," the conservation groups wrote in their letter. "Shore land zoning has already been the subject of compromise for many years, so seeing policy language that has no fiscal impact inserted into the budget with no opportunity for stakeholder or public input has many water users and lakefront property owners scratching their heads."

The reason they're scratching their heads is that the state Natural Resources Board rewrote shore land zoning regulations for the first time in 40 years in 2009, after seven years of study and a series of listening sessions and public hearings, as a Journal Sentinel article noted. The regulations were updated in 2013.

About 20 counties — most of them lake-rich, northern counties — have adopted more protective standards than the state's minimum standards since 1995, Lynn Markham, a land use specialist with the University of Wisconsin Extension and the Center for Land Use Education at UW-Stevens Point, told the Journal Sentinel.

A driving factor, she said, is that numerous studies have shown a relationship between the growth in driveways, decks and roofs and diminished water quality. Also, she said many counties think lakes are different across the state and believe zoning should reflect that.

It should. Barring counties from providing that zoning eliminates their ability to ensure water quality and a healthier habitat for wildlife.

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Cubcake

One county in Wisconsin has put forth onerous rules about lawn mowing, plant selection, and vegetation maintenance plans. This county requires a "maintenance plan" be submitted IN WRITING, and the county be given unlimited access to private property to ensure that grass is being mowed no shorter than allowed.

That is a violation of privacy, and ignores our freedom from unreasonable search and seizure, our right to be secure in our homes. The DNR and the county have actually threatened... » more

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orewhore

Tiffany's attack on the shoreline oning and his trying to take away power of local governments to control air quality from agricultural smells, (CAFOs) seems to be retribution against the good people of Northern Wisconsin who did their research and pointed out Tiffany and Walker's unseemly involvement with GTac. He will harm Wisconsin in order to prove he is the strongest bully on the playground. Walker and the republicans support this kind of running and ruining Wisconsin.

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Grace Knot

They want to punish the people that live in counties that did not support Walker.

This is taxation without representation.

Watch them scum up the lakes all over the state.

Cheapskate builders that will rip apart the shoreline, remove all the vegetation.

What do you call this type of heavy handed government.

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tcnhs

At some point, it'd be refreshing to see the JS editorial board admit that the important issues upon which they have taken a stand lately- in support of the UW and K-12, local water and shoreline standards, against public money for private education- are only there because of actions by the very people that the JS so often endorses at election time.

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Fallsbadger

Dummies. The GOP doesn't want to protect the state's environment, they want to pay back their monied supporters. The paper is being a bit naïve in calling on them to act in the public interest.

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MikeAAA

Open and full debate on its own. That is not how policy is passed in Wisconsin any more. Tack on as an amendment to other issues. No debate, no public input, no discussion. Pass about 1:30 AM on a voice vote and get back to the pressing issue of raising more cash for the next election cycle. Rinse and repeat as needed.

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mrkgun

It is clear from the comments made here that clean water, respect for the land, and environmental protection mean FAR less to the Republican mind than property rights and economic development. It is exactly the kind of attitude that Aldo Leopold fought when he called for a true conservation ethic, not just a conservation ethic from the outlook of economic expediency. But if Republicans had any respect for Leopold, they wouldn't be Republicans.

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Fallsbadger

Duh.

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Government Is Broken

Very stupid idea. The Great Lakes are already gone and too heavily polluted to be saved. They knew in the 70s that the Great Lakes couldn't support human and manufacturing growth which is why the jobs left. The question now is relocating and retraining the mass of population that will no longer be able to live in Wisconsin because of the unabated pollution.

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MillerMan

@Government Is Broken - WI and the US is cleaner than in the 70's. Remember Acid Rain?

We are the most over regulated Country in the World, which is why our jobs are going offshore.

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Fallsbadger

@MillerMan lies. The jobs are going offshore to increase profits and stockholders' values. He is a liar.

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AlanG

Nice. This editorial will certainly change the "minds" of climate denying, science hating, representatives of the robots who elected them (most of whom were supported by this neocon rag).

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nigellabotomy

@MillerMan

Good point. Anyone that owns waterfront property understands the layers of BS that need to be addressed to do anything on your land.

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orewhore

@nigellabotomy True. But if everyone who owns waterfront property understood that it is in their best interest to protect the water and life of the water they "own", we wouldn't be having this conversation. Some of you care more about having to take in your docks than all of the harm draining a water causes to the ecosystem. Eventually the fish will be harmed and then you same waterfront owners will blame the wolves and injuns and otters.

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Mad Madge

Democrats loosing the Walker recall. Failure of Act 10 protesters. Judge Shirley removed from the chief judge position. This all goes to the Milwaukee County pension scandal and that continues to reflect in less support to retain county government.

Counties are not going to win voter support through protecting natural resources because the local county courts are not trusted to rule fairly.

Wisconsin is going to continue to rank very low on economic development and poverty for decades... » more

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MillerMan

Recently I sat through a Town Planning Commission meeting out here in Waukesha Co. The hoops that the County was having the property owners jump through was over the top. More than once the representative from the County said, "you know, what we would really like to see", and in each case, it was simply a matter of the County flexing their muscle, and adding costs to the property owners, when there was no Code that required what the County (read the rep) would "like to see".

Having the Counties... » more

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C Wright Mills

@MillerMan

What specific benefit does the county provide in this matter.

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MillerMan

@C Wright Mills - None, other than to impose the will of the County employee, with no Code to back it up, yet if the property owner does not bend, they don't get the permits.

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luvtheovals

@MillerMan - have to agree here. Buy a home on a lake , and can't improve the frontage unless they say you can. Doesn't make sense.

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JaneDoeSpeaks

I'm sorry but no I support the Republicans here. I also shift position to support the Waukesha water plan.

There are too many issues of injustice being ignored from the left that only fake it to protect the environment. Judge Pocan just ruled in my case as expected in more same old, same old. Milwaukee County never did protect the environment and kept the parks as a half baked show of support. Its time for the county parks to be sold to put the emphasis on job creation.

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Fallsbadger

At the risk of being banned for speaking the truth to other posters, you are an idiot.

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nigellabotomy
@Fallsbadger

Jane never fails to puzzle the reader.

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