

Scenic Urban Waterway

What, you may ask, is a scenic urban waterway? I am sure this term means a lot of different things to different people. It certainly has special meaning to the Wisconsin lawmakers.

On May 4, 1984, the Wisconsin Legislature and the Governor enacted a law defining the term “scenic urban waterway” and assigning certain duties to the Wisconsin Department of Natural Resources (the DNR) with regards to scenic urban waterways.

It was the intent of the legislature to improve some rivers and their watersheds. The purposes of this law was to afford the people of the State of Wisconsin an opportunity to enjoy water-based recreational activities in close proximity to urban areas, to attract out-of-state visitors, and to improve the status of the state’s tourist industry. This law specified that no river shall be designated as a scenic urban waterway without legislative act.

The legislature then, as a part of this law, designated three waterways as scenic urban waterways, and went on to state that these waterways shall receive special management as provided in this law. These three are The Illinois Fox River and its watershed, the Fox River extending from Lake Winnebago to Green Bay, and its watershed, and three specifically identified segments of the Rock River. To this day, these are still the only three.

As a part of this law the Wisconsin Department of Natural Resources was charged with certain responsibilities. These responsibilities included the following:

- (a) Provide active leadership in the development of a practical management policy.
- (b) Consult with other state agencies and planning committees and organizations.
- (c) Collaborate with municipal governing bodies and their development committees or boards in producing a mutually acceptable program for the preservation, protection and enhancement of the rivers and watersheds.
- (d) Administer the management program.
- (e) Seek the cooperation of municipal officials and private landowners in implementing land use practices to accomplish the objectives of the management policy.
- (f) Act as coordinator under this section.
- (g) Develop the Wisconsin Fox River scenic urban waterway, as designated in sub. (2), as a historic and recreational site.

This law gave the Wisconsin Department of Natural Resources certain additional powers over and above these responsibilities in order to:

(a) Acquire and develop land for parks, open spaces, scenic easements, public access, automobile parking, fish and wildlife habitat, woodlands, wetlands and trails.

(b) Lay out and develop scenic drives.

(c) Undertake projects to improve surface water quality and surface water flow.

(d) Provide grants to municipalities, lake sanitary districts, as defined in s. 30.50 (4q), and public inland lake protection and rehabilitation districts to undertake any of the activities under paragraphs (a) to (c), above.

The following is a link to this law as it is presently published in the Wisconsin Legislative Documents:

<https://docs.legis.wisconsin.gov/statutes/statutes/30/II/275/4/d/1>

Now, what is the import of all of this? The law is very specific. Only three of all of the Waterways in the State of Wisconsin have been designated scenic urban waterways. The purpose of this law is very clearly to improve these waterways for water-based recreational activities for the people of the State of Wisconsin, to attract out-of state visitors, and improve the status of the state's tourist industry. These are the beneficiaries of this law, not just the riparian owners of the WWMD.

Commissioners and volunteers of the WWMD have met with members of the DNR to make them more aware of this law. Similarly, Commissioners and volunteers of the WWMD have met with Wisconsin legislators and local government officials for the same purpose. It is the hope of the WWMD that its riparian owners will become better informed about this law, and recruit support in persuading not only the DNR, but the State of Wisconsin and its people of the need to invest in this specific scenic urban waterway.