


# The State of Wisconsin



ORDINANCE OF THE GOVERNOR

## EXECUTIVE ORDER NO. 102

WHEREAS, the Great Lakes are vitally important to the historic, economic and environmental health and well-being of the State of Wisconsin; and

WHEREAS, Great Lakes' coastal resources provide commerce and recreation, food and water to forty-three percent of Wisconsin's population, a bounty shared with all state residents and our visitors; and

WHEREAS, the future growth and prosperity of Wisconsin is becoming ever more dependent upon the state's coastal resources; and

WHEREAS, the increasing attraction to the Great Lakes coast poses serious problems in regard to the allocation and protection of coastal resources; and

WHEREAS, both state and local units of government share responsibility for the overall management of our state's coastal resources -- the preservation, protection, development, and enhancement of Wisconsin coastal areas; and

WHEREAS, with the full participation of and cooperation among state agencies, local governments, the university, legislators, and the general public, the State of Wisconsin has developed and adopted a coastal management program effectively improving the management of coastal areas through coordination, simplification and greater implementation of existing authority supporting other measures that strengthen the state and local capacity for effective management of coastal resources; and

WHEREAS, the people of the State of Wisconsin reiterate their commitment to the wise use and protection of the Great Lakes and their shorelines, for our generation and the generation to come;

NOW, THEREFORE, I, ANTHONY S. EARL, Governor of the State of Wisconsin, pursuant to the authority vested in me by the Constitution and laws of this state, do hereby:

1. Reaffirm the policies, principles and functions of the Wisconsin Coastal Management Program as adopted by the state and endorsed under the Federal Coastal Zone Management Act of 1972.
2. Order, pursuant to the provisions of Section 14.019, Wisconsin Statutes, the creation of the Wisconsin Coastal Management Council, to advise the Governor on issues pertaining to the Great Lakes coast and provide policy direction for Wisconsin's coastal management efforts, with specific responsibility to:
  - a. examine the authority and responsibility for coastal management now vested in state agencies in terms of its adequacy and the potential for improvement;
  - b. develop and recommend state coastal policies that emphasize a balanced use of coastal resources;
  - c. coordinate and stimulate the coastal management activities of state agencies, regional planning commissions, local governments and other public and private organizations and the activities of the federal government affecting Wisconsin's coastal areas;

- d. designate key areas of significant natural, recreational, scientific, or historic value, and those areas especially suited for water dependent economic development, providing special attention to their management and identify hazard areas;
  - e. advocate the wise and balanced use of our coastal environment and the improvement of coastal management efforts before state, local and federal agencies and the general public;
  - f. adopt and periodically update a state coastal management program;
  - g. make public Council reports as an educational tool in informing the general public on those concerns and issues relating to our coastal areas;
  - h. review state policies and programs for consistency with the adopted state coastal management policies; and
  - i. perform other duties that may be designated to accomplish the goals and purposes of the Council.
3. The Council shall consist of representatives of the Legislature, state agencies, local governments, the university, citizens, and tribal governments, the chairperson to be designated by the Governor.
  4. Order that citizens shall be provided opportunities for full participation in Wisconsin's Coastal Management Program and to further this end, the Coastal Management Council should establish citizens' advisory committees on key issues, to advise the Council on decisions affecting the Great Lakes' coast.
  5. Designate the Department of Administration, Bureau of Coastal Management, as the agency responsible for receiving and administering federal program grants and for overall program implementation.
  6. Direct the Council that federal actions which fail to meet existing state statutes and regulations shall be considered inconsistent with the Wisconsin Coastal Management Program as adopted by the State of Wisconsin and endorsed under the Federal Coastal Management Zone Act of 1972; the Council shall notify the appropriate federal agency of such findings.
  7. Direct the Coastal Management Council to report periodically to the Governor, the Legislature, state and local governmental units, and the general public on the progress of the Coastal Management Program, and when necessary, offer recommendations for improving management of Wisconsin Great Lakes' coast.
  8. Instruct state agencies, to the fullest extent possible, consistent with their statutory responsibilities, to cooperate with the Coastal Management Council and act consistently with the adopted state coastal management policies.
  9. Instruct the Secretary of the Department of Administration to provide the Council with such sums of money that are necessary for legitimate functions as provided by the Joint Finance Committee under Section 20.404 (5)(a), Wisconsin Statutes.
  10. Reaffirm that the following are the adopted state coastal management policies:
    - a. The state policy on coastal water quality is to improve the quality and management of the waters of the coastal area; to restore the chemical, physical and biological integrity of its waters; to protect public health, safeguard aquatic life and scenic and ecological values; and to enhance the domestic, municipal, recreational, industrial, agricultural and other uses of water. The state policy on coastal air quality is to improve the quality of the air resource through restricting any new air contaminant point sources and restricting the discharge of hazardous pollutants.

- b. The state policy on natural land and water resources is to conserve and enhance these resources by:
- 1) Designating and managing special areas of the state, including scientific areas, state parks, state forests, and state wildlife areas, so as to protect and enhance fish and wildlife habitat, forest resources, lakes and streams, recreation resources, and endangered plant and animal species;
  - 2) Providing special management attention to the conservation and enhancement of Great Lakes fisheries resources by conducting fish rearing, fish stocking and fisheries research programs, by regulating sport and commercial fishing, and by designating certain portions of the Great Lakes as fish habitat protection areas; and
  - 3) Ensuring that the following activities that are engaged in or are subject to regulation by state agencies are conducted so as to minimize the destruction or degradation of coastal wetlands and the public interest therein. These activities include: (a) the acquisition, management and disposition of state lands and facilities; (b) construction activities assisted by or directly undertaken by state agencies; and (c) regulation of land and water uses in coastal wetland areas.
- c. The state policy on natural hazard areas is to mitigate risks to public health and safety and risks of property damage by:
- 1) Providing that all development in areas subject to serious flooding will not materially alter the natural capacity of the lake or river so as to intensify the magnitude of floods, expose citizens to hazards, or cause future public expenditures for flood disaster relief; and
  - 2) Regulating those earth moving, devegetation and construction activities now reviewed by state agencies so as not to accelerate the rate of shoreline erosion or bluff recession.
- d. The state policy on coastal community development is to ensure the orderly and balanced development of coastal communities, giving full consideration to economic, ecological, human resource, cultural, historic, recreational and aesthetic values, and existing and future needs by:
- 1) Requiring local ordinances that ensure the efficient use, conservation, development and protection of the state's coastal resources in rural areas;
  - 2) Ensuring that subdivisions are laid out in an orderly fashion, are properly surveyed, and make adequate provision of public access to coastal waters;
  - 3) Ensuring that the state's significant historic, architectural and archaeological resources are identified, recognized and protected in all state activities and that efforts are undertaken to ameliorate any potential adverse effects caused by state action;
  - 4) Designating and aiding in the restoration of blighted waterfront areas so as to protect and enhance public safety, aesthetics and economic well-being;
  - 5) Acquiring additional recreational lands in heavily populated areas of the state; and
  - 6) Ensuring that shoreland alterations are not detrimental to fish and wildlife habitat, navigation, flood flow capacity or the public interest.

- e. The state policy on economic development is to stimulate desirable economic development that broadens the coastal area economy and to encourage the designation and reservation of areas of significance to activities requiring a coastal location by:
- 1) Providing special planning, management and promotional attention to Great Lakes port and transportation issues;
  - 2) Coordinating, stimulating and promoting the orderly and environmentally sound provision of business and tourism facilities; and
  - 3) Managing the planning for and siting of electrical generating and transmission facilities so as to ensure protection of water quality, public and riparian rights and orderly land use:
- f. The state policy on government interrelationships is to ensure intergovernmental communication, cooperation and coordination in all aspects of coastal management through:
- 1) Creating and operating an interagency, intergovernmental Coastal Management Council with representation from all directly affected agencies and levels of government and citizens within the state;
  - 2) Creating and maintaining technical/citizen committees to ensure coordination of specific projects and programs;
  - 3) Maintaining a workable system of interagency reviews and comments on coastal program activities; and
  - 4) Requiring state and federal agencies to consult with and obtain the comments of other agencies with respect to any significant environmental impact involved in their major actions.
- g. The state policy on public involvement is to provide citizens with full opportunities for early and continuous involvement in coastal management through effective communication and participation.

Nothing contained herein shall diminish the rights and responsibilities of the Council or supersede state or federal policies, programs, or legislation pertaining to the intent and purpose of the establishment of the Wisconsin Coastal Management Council.

To the extent any provision of this executive order is inconsistent with any previous executive order the provision of this order shall govern.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this eighteenth day of June in the year of Our Lord, one thousand nine hundred eighty-six.

*Anthony S. Earl*  
ANTHONY S. EARL

By the Governor:

*Douglas La Follette*  
DOUGLAS LA FOLLETTE  
Secretary of State