

Property Rights Discourse and Lake Clean-Up Efforts

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Objective:

This research aims to understand how policy makers implement and enforce local policies and how such policies are received and understood by farmers and shoreline homeowners.

Methodology:

- ❖ Participant observation at public meetings (Local Work Group meetings, Planning Resource and Development meetings)
- ❖ Job shadowing of policy actors at Agricultural Services Center
- ❖ Focus group meeting held with shoreline home owners
- ❖ Surveying farmers and lake shoreline homeowners
- ❖ Interviews with different policy actors and land users (note: this includes interviews from previous year by Rachel Frana)

Policy Background:

WI Constitution Article IX (Public Trust Doctrine):

- ❖ Lakes and rivers are public resources owned in common. This allows for regulations protecting these waters, including those that protect public rights to water quality.

Shoreland Protection Ordinance:

- ❖ Passed in Dunn County in 2012 after the state of Wisconsin ordered shore land-wetland ordinances be revised throughout the state.
- ❖ It set a July 1, 2015 deadline for landowners to have a **35 foot natural vegetative buffer** on land adjacent to any navigable waters.
- ❖ The 2015-17 state budget includes a provision that limits local ordinances to state minimum shoreland standards, invalidating some parts of Dunn County's ordinance.

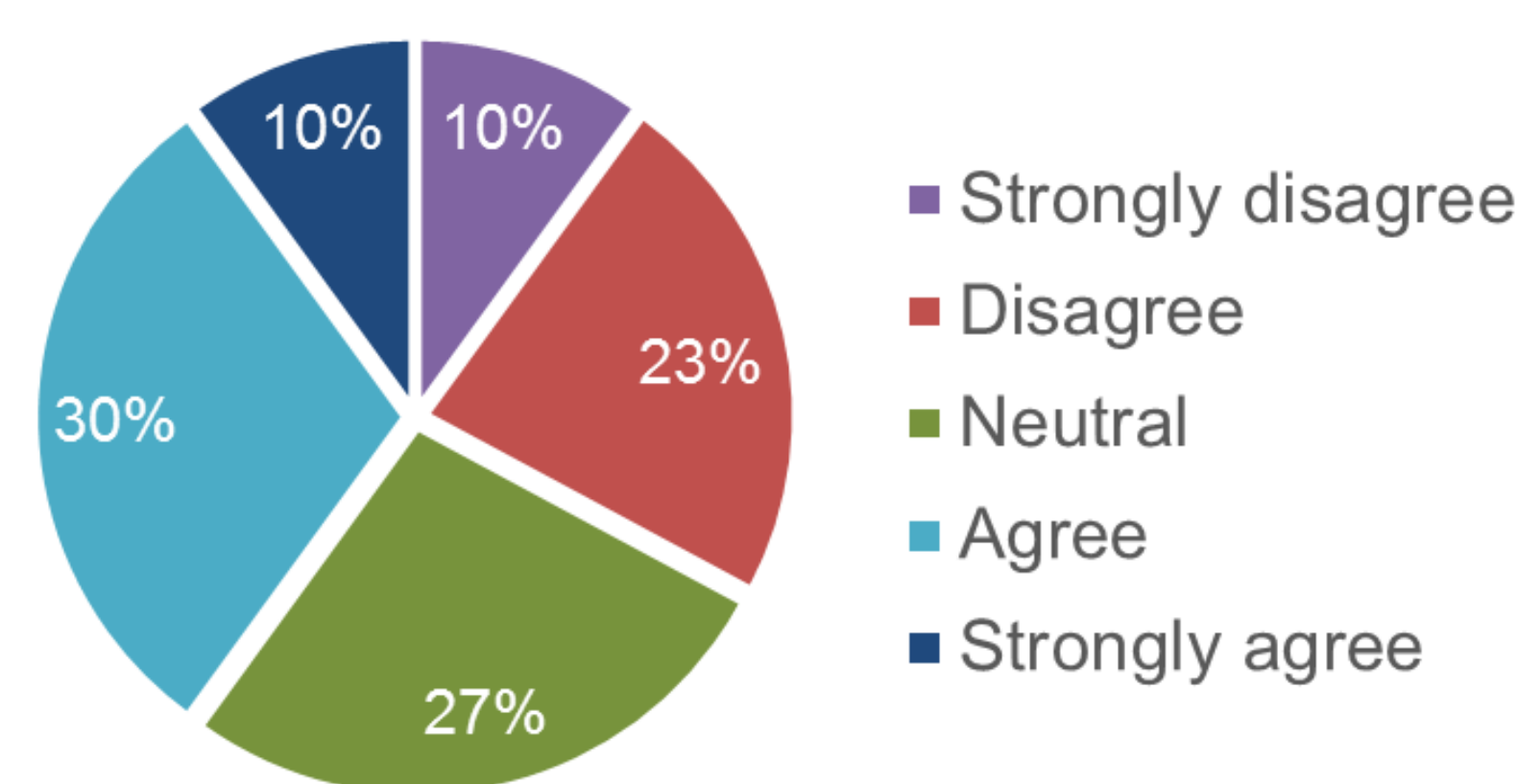


Results:

Discourses on individual property rights and land ownership were common. These ideas **both facilitate and hinder** efforts to clean Lake Tainter and Menomin.

Survey Data

"Laws to protect the Environment Limit My Choices and Personal Freedom"



Note: Farmer survey data courtesy of Yanira Campos and Joshua Herron

Narratives

Value of Property

"I would say positively **our life quality has gotten better**. We're more relaxed...There's something about the life style you don't get somewhere else...I'm only 10-15 minutes away from work, it's convenient, but yet I still get wild life, I can wake up everyday and see something outside and that's awesome." -- Homeowner

"When we bought this home, we didn't look at the front end so much. It was the lake end. This was what we were buying it for." --Homeowner

"I think---really I think from my point of view, **my home is more of an emotional value** so probably more apt to be involved because I find tranquility in my fishing, my quality of life is improved" -- Homeowner

Anti-Regulation

"In a lot of cases we run into this attitude that 'This is my land... I'll do whatever I damn well please on my property.' --NGO member

"I live on the lake for the [lake] view, not to view all grass...To pay premium taxes for my property and not be able to landscape it to what I want?" --Homeowner

"...Just in general conversation through town, the ones who don't want to do it, aren't willing at this point to look at it...they just say **"it's my land and I'll do what I want."** --Business owner

Conditional Support

Focus group participants wanted a clean lake and were willing to participate: "**I didn't buy the lake property to hurt the lake**. So if you tell me that something we're doing is hurting the lake, we'll address it. But help me understand it and figure it out and not make me feel intimidated" Others chimed in to agree and one said: "You don't want to pollute the lake. You did buy and pay for your property."

Conditional Support (cont)

"All of a sudden we bought this home and now, what did we walk into?...How much money do we gotta put into this? And I know they said that maybe "just don't mow your lawn." Well that's not simple. Just don't mow my lawn means I got snakes out there. **Just don't mow my lawn, you know, that's my living space.**" --Homeowner

"...The underlying factor with the Dunn shoreline ordinance is, it's to make your property look, the shoreland should be beautiful. **Beautify the shoreland. That's subjective**...I don't believe I want to know who's the beauty cop. Who's the person who's gonna go out and determine whether mine is beautiful? -- Homeowner

Conclusions:

- ❖ Individuals have the right to do as they wish on their property
- ❖ However, some choices infringe on the right of others—including a right to enjoy better water quality
- ❖ Discourse and attitudes on property rights influence behavior which impacts water quality.

Government officials prefer education to foster compliance rather than enforcement: "We're hoping this is going to be sustainable into the future and we can keep building our communities and having the landowners work on the problem and have them **take ownership as much as we're trying to enforce it**, and trying to work with them as well so everybody is a part of the solution" --County Official

It is imperative to change how negative individualized narratives on landownership are discussed. Instead, such narratives should be made to be more collective and inclusive since the quality of the lake effects everyone. By changing such language, it will be possible to move forward with efforts to clean the lake In addition, how people value their land should be harnessed in order to motivate people to work together.

