

Town of Onalaska “Leased Shorelands” Waterfront Property-Owner Responsibilities

History: In 1937, the U.S. Army Corps of Engineers (USACE) closed the gates on Lock & Dam #7, creating Lake Onalaska as a backwater of the Mississippi and Black Rivers. The shoreline of most waterfront properties in the Town of Onalaska is actually owned by the USACE and is identified by USACE boundary signs.

Lease: The Town of Onalaska has a 30-year lease agreement with the USACE. The Town:

- provides public access to the water through Town boat landings;
- issues Town Shoreland Use Permits to construct and maintain docks and stairs; and
- issues Town concession permits to adjacent property owner businesses.

Property owners connected to these federal shorelands have distinct privileges and responsibilities associated with the leased land. The lease stipulates that leased land is to be **kept as natural as possible**. Although some activities are allowed, both the Town and adjacent property owners are responsible for ensuring leased land is maintained and managed. All are encouraged to help with the management of invasive species and both the DNR and USACE have information to assist with identifying and managing invasive species.

Public Accessibility: While the public does not have the right to access leased land through your private property, or to use your private property (docks/stairs) **the public has the right to use and otherwise access leased lands.**

Docks and Rip-Rap: The WDNR exempts the installation of docks and rip-rap from permits if the project meets all of the criteria/complies with the guidelines in the following two documents. If your project **does not** fall within these guidelines, a permit from the WDNR is needed.

- Docks: https://dnr.wi.gov/topic/waterways/factsheets/pier_planner_082012.pdf
- Rip-Rap: <https://dnr.wi.gov/topic/waterways/documents/permitExemptionChecklists/riprap.pdf>

In addition, the USACE has authority for shoreline stabilization projects. Most projects of this nature are covered by a nationwide permit, but permission from USACE is still required as they are the riparian landowner.

Other Projects on Leased Land: If you wish to do a lakebed/bank project or alter the shoreland area either on federal or private land, you need to first obtain permits and/or permission from the appropriate agencies. If you do not own the land, as in the case with leased land, you may need the landowner to be a co-applicant or otherwise grant permission for the project. Projects can include dredging, dock construction, aquatic weed control (see ch. NR 109, Wis. Adm. Code, for criteria for permit waivers), grading, filling, constructing, building or other land base activity on the federal property or within the shoreland zone on the owner's private property. Tree cutting and other land-based vegetative modification on federal property requires USACE permission.

Shoreland Regulations applicable to all shoreland properties:

- **Town of Onalaska:** general regulations regarding nuisance, building ordinances and land use, as well as the Federal Shoreland lease
- **La Crosse County:** shoreland zoning ordinance applicable to all areas within 1000 feet of Lake Onalaska including a structure setback limit of 75' from the ordinary high-water mark.
- **The State of WI/WI Department of Natural Resources (WDNR):** regulations related to wetlands, navigable waters, aquatic vegetation removal, dredging (or any activity affecting the lakebed) and grading on the bank of the lake. See the following for more information of waterways and wetlands: <https://dnr.wisconsin.gov/topic/Waterways> and <https://dnr.wisconsin.gov/topic/Wetlands/permits>.

USACE Map of Leased Land to the Town of Onalaska

