

ANOTHER VIEW | LAKEFRONT

Defend the Public Trust Doctrine at Milwaukee lakefront



Mark and Linda Keane

This rendering shows an alternative proposal for the Couture site downtown along Lincoln Memorial Drive, as proposed by Preserve Our Parks.

By *Bill Hibbard*

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Should Milwaukee County sell its underused Transit Center site on the downtown lakefront to a developer who wants to build the Couture, a 44-story multi-use tower on the land?

Preserve Our Parks, a local organization dedicated to saving parks and other green spaces from commercial development, says a resounding:

No!

Here are the reasons:

- Old maps, many of them official public records, show that Lake Michigan water once covered roughly two-thirds of the site. Under Wisconsin's Public Trust Doctrine, this means no commercial development or private ownership of this filled lakebed land. (The maps are on file with the Milwaukee City engineer, Milwaukee County Register of Deeds and Public Land Commissioners; pertinent maps also are available at the County Historical Society, at the University of Wisconsin-Milwaukee Library's digital collection and in commercial plat books.)

- The Legislature's late insertion into the state budget bill — with no advance notice, public hearing or committee debate — of a provision declaring a new, fictitious shoreline that doesn't include the Transit Center site. This seems to our organization like a curious and illegal way to try to amend the state constitution. We believe the lake — not the Legislature — sets its shoreline.

- Over nearly a century of transferring Lake Michigan shoreline land to the city and county, the state has specified each time that this filled lakebed be used for public purposes. And the Public Trust Doctrine reserves these lands for the use and enjoyment of the public, with no dilution or interference with the public's rights by private development.

- If the Couture is allowed to proceed at the proposed site, it opens opportunities for development of filled lakebed land all along the Lake Michigan shoreline. And its implications could be felt across Wisconsin; similar legislation could lead to the statewide loss of waterways and wetlands to commercial development.

Preserve our Parks wants to make clear that it does not oppose the proposed Couture high-rise; the group simply objects to building it on this site that's clearly governed by the Public Trust Doctrine. Preserve our Parks has been accused of being anti-development. That's not true, either.

As a matter of fact, Preserve our Parks commissioned prominent Milwaukee architects and urban planners Mark and Linda Keane to prepare a concept for development of the area to create a striking Grand Gateway to Milwaukee.

This exciting concept would include a sweeping traffic circle at the busy intersection of E. Michigan St. and Lincoln Memorial Drive, with lots of green space and activity around it. They emphasize the importance of our great natural resources and recreational assets. The plan would expand the area's park-like qualities and make it a focal point for recreation and fun, an inviting development that would add to the city's tax base. It would ease traffic flow through a point of congestion, and by moving the

Couture site to nearby land that will be freed by planned relocation of freeway ramps, the 44-story tower will not dominate Milwaukee's "front yard" and will bring it into compliance with the Public Trust Doctrine.

Preserve our Parks encourages public officials, lawmakers, organizations and individuals who believe in active stewardship of our natural assets to join us in defense of the environmental landmark called the Public Trust Doctrine.

Bill Hibbard is a board member of [Preserve our Parks](http://www.preserveourparks.org). Contact the group at info@preserveourparks.org

The Editorial Board supports development of the Couture project. We regularly publish opinions in this space that either disagree with our viewpoint or offer a fresh perspective.