



Sawyer County

Agenda

Land, Water, & Forest Resources Committee Meeting
Wednesday, August 10, 2022 @ 8:30 AM
Assembly Room

Page

1. CALL TO ORDER

- a. To view or participate in the **virtual meeting** from a computer, iPad, or Android device please go to <https://zoom.us/j/99719807086> You can also use the dial in number for listening only at **1-312-626- 6799** with the Webinar ID: 997 1980 7086. If additional assistance is needed please contact the Sawyer County Forestry Office at 715-634-4846 prior to the meeting. This meeting will be recorded and will be available on our website at: <https://sawyercountygov.org>. If you are on a computer, click the "Raise Hand" button and wait to be recognized. If you are on a telephone, dial *9 and wait to be recognized.

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. CERTIFICATION OF COMPLIANCE WITH THE OPEN MEETINGS LAW

5. PUBLIC COMMENTS

- a. At this time, members of the public will be given the opportunity to address the Committee on items not on the agenda. Please adhere to the following when addressing the Committee:
 - Comments will be limited to 3 minutes or less per individual.
 - Comments should be directed to the Committee as a whole and not directed to individual Committee members.
 - The Committee cannot respond to your comments during this time.
 - Please sign in and fill out a public comment sheet if you wish to speak on an item.

6. CONSIDER APPROVAL OF MINUTES FROM PREVIOUS MEETING

- a. [7.13.22 LWFRC Minutes DRAFT](#)

7. EVENTS (DISCUSSION AND POSSIBLE ACTION)

8. LAND RECORDS AND COUNTY SURVEYOR DEPARTMENT REPORT

9. REVIEW BOARD POLICY & PROCEDURE MANUAL UPDATES (DISCUSSION AND POSSIBLE ACTION)

10. SAWYER COUNTY FORESTRY DEPARTMENT

- | | | |
|----------|----|---|
| | a. | Recreational Trails Report
Motorized-
Non-motorized- |
| 7 - 9 | b. | County Forestry Report
July 22 forestry report |
| 10 - 11 | c. | DNR Forestry Report
DNR Forestry Report July 2022 |
| 12 - 13 | d. | Proposal to allow class I E-Bikes on Sawyer County Trails
Proposal to Permit Class 1 E-bikes-Sawyer County |
| 14 - 183 | e. | Sawyer County Forest Comprehensive Land Use Plan - Final Approval
(discussion and possible action)
1) Sawyer County Forest Comprehensive Land Use Plan Final Draft
2) Summary of Plan Corrections-Changes
3) Resolution 2022 - Approval of 2021-2035 Sawyer County Comprehensive Land Use Plan |
| | f. | Closed Session: Trail Right-of-Way -- 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public lands, or conducting other specified public business, whenever competitive bargaining reasons require a closed session.

Open Session (discussion and possible action RE: closed session) |
| | g. | Land Purchase Proposal - Richard & Denise Cooper NESW Section 18T41N - R8W 40.00 acres and FRAC NWSW Section 18 T41N - R8W 44.16 acres, Town of Hayward (discussion and possible action) |
| | h. | Closed Session: Consider Forest Land Purchase -- 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public lands, or conducting other specified public business, whenever competitive bargaining reasons require a closed session.

Open Session (discussion and possible action RE: closed session) |

11. ZONING/ CONSERVATION DEPARTMENT

- a. County Report
- b. Nelson Lake Drawdown (Discussion/Action)
[2022 DRAWDOWN PROPOSAL](#)
- c. USDA report
- d. LCO report

12. CARBON TAX CREDIT UPDATE

- a. Closed Session – Pursuant to Wisconsin Statute 19.85(1) (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.
- b. Open Session - Possible motion on topic of closed session

13. FUTURE AGENDA ITEMS

14. LWFRC ROLES & RESPONSIBILITIES (DISCUSSION AND POSSIBLE ACTION)

- a. [LWFRC Roles and Responsibilities](#)

15. CORRESPONDENCE, REPORTS FROM CONFERENCES AND MEETINGS, OTHER MATTERS FOR DISCUSSION ONLY

16. ADJOURNMENT

DISCLAIMER:

A quorum of the County Board of Supervisors or of any of its committees may be present at this meeting to listen and observe. Neither the Board nor any of the committees have established attendance at this meeting as an official function of the Board or committee(s) or otherwise made a determination that attendance at the meeting is necessary to carry out the Board or committee's function. The only purpose for other supervisors attending the meeting is to listen to the information presented. Neither the Board nor any committee (other than the committee providing this notice and agenda) will take any official action with respect to this noticed meeting.

Copy sent via email to: County Clerk and News Media. Note: Any person wishing to attend whom, because of a disability, requires accommodation should call the Sawyer County Clerk's office (715.634.4866) at least 24 hours before the scheduled meeting so appropriate arrangements can be made.

Land, Water, and Forest Resources Committee Mission Statement: "Develop, guide and implement policies that protect and ensure the sustainability of our bio-diverse community."

**Minutes of the July 13th meeting of the Sawyer County
Land, Water & Forest Resources Committee
Of the Sawyer County Board of Supervisors
Assembly Room; Sawyer County**



Voting Committee Members (X) Present:

- ☒ Chair: **Jesse Boettcher**
- ☒ Vice Chair – Marc Helwig - Virtual
- ☒ Ed Peters
- ☒ Brian Bisonette
- ☒ Jason Weaver - Virtual
- ☒ Kevin Sheptick

Others Present:

Lynn Fitch	Andy Albarado
Alex Butterfield	Dan Ploeger
Jay Kozlowski - Virtual	Roy Zubrod
Kyle Cummings	Linda Zillmer
Cathy LaReau	
Janeen Abric	

Call to Order – Chair Jesse Boettcher called the meeting to order at 8:30 am.

Certification of Compliance with the open meeting law was met. Roll Call was taken; a quorum was met.

Meeting Agenda –

Public Comments – Barb O’Brien

Minutes from the previous meeting – A motion was made by Mr. Peters to approve the minutes of the June 8, 2022, second by Mr. Sheptick. Motion carried without negative vote.

Events –

Sawyer County Treasurer’s Department – Ms. Aibric and Mr. Albarado presented ACT 216 which provides an avenue to change County land sales processes. It extends the timeframe of returning the net proceeds going back to the land-owner in the event of the sale. Mr. Albarado shared a memo he drafted stating the current policy for sales and proposing a new process going forward whereby the Treasurer can make the sale at auction or outright at the counter rather than going to committee if the price is at market or higher.

A motion was made to approve the sale of the three OTC parcels in the Town of Bass Lake by Mr. Peters; second by Mr. Sheptick. Motion carried without negative vote. The parcels approved are Tax ID #s 002-136-10-2100, #002-136-09-3500, and #002-109-10-1900.

Land Records and County Surveyor Department Report – Mr. Ploeger reported that the counter is busy with public requests.

Review Board Policy & Procedure Manual Committee Roles & Responsibilities -- The current LWFRC roles and responsibilities were presented for consideration. Public Comment was made by Linda Zillmer. Mr. Boettcher requested that clear identification of the Committee name should be made in the policy section. Mr. Albarado will also include statute 28.11 in its jurisdiction scope. We will keep this item on the agenda for August.

Zoning/Conservation Department Report – Written reports were provided. Mr. Kozlowski reported that the division has been completing multiple site visits and reviewed other highlights of his report. Meetings for the Upper Brunet Dam repair project have begun.

Mr. Sheptick provided a report on USDA activities.

LCO – Mr. Bisonette advised that bear nuisance calls continue. There was a bacterial fish kill on Gurnoe Lake that could show up on other lakes in the area. They are monitoring the lakes to see if it presents itself.

Sawyer County Forestry Department Report – Written reports were provided. Kyle Cummings reported that one of the two Tuscobia Trail grants was awarded. Trail maintenance continues. Ms. LaReau shared the trail counter stats showing heavy usage.

Mr. Cummings provided a review of the timber sales. In August, they will begin treating any oak wilt infections they find and are treating an ash borer infection in the Moose Lake area.

DNR – A written report was provided; Mr. Zubrod reviewed the highlights. The DNR will complete a detection flight for oak wilt in August and pass on results to Mr. Peterson. Due to the ash borer infection in Moose Lake, they are prohibiting the harvesting of firewood in that area.

9:26 am -- Closed Session – A motion was made by Mr. Bisonette; second by Mr. Peters to move to closed session pursuant to Wis. Statute 19.85(1)(e) to deliberate or negotiate the purchase of public properties, the investing of public lands, or conducting other specified public business, whenever competitive bargaining reasons require a closed session. A roll call vote was taken and resulted in a 6-0 vote in favor. “Aye” votes were from Mr. Boettcher, Mr. Peters, Mr. Weaver, Mr. Helwig, Mr. Bisonette and Mr. Sheptick.

A motion was made by Mr. Peters; second by Mr. Bisonette to resume open session. Motion carried without negative vote @ 9:35 am.

Open Session – Mr. Boettcher advised that no action was taken in closed session.

Carbon Tax Credit -- 9:36 am -- A motion was made by Mr. Peters; second by Mr. Sheptick to enter closed session pursuant to Wisconsin

Closed Session – A motion was made by Mr. Bisonette; second by Mr. Peters to move to closed session pursuant to Wis. Statute 19.85(1)(e) to deliberate or negotiate the purchase of public properties, the investing of public lands, or conducting other specified public business, whenever competitive bargaining reasons require a closed session. A roll call vote was taken and resulted in a 6-0 vote in favor. “Aye” votes were from Mr. Boettcher, Mr. Peters, Mr. Weaver, Mr. Helwig, Mr. Bisonette and Mr. Sheptick.

9:49 – A motion was made by Mr. Bisonette; second by Mr. Peters to resume open session. Motion carried without negative vote.

9:49 am – Open session – Mr. Boettcher advised that no action was taken in closed session.

Other Topics for Discussion Only -

Meeting Date/Time – The next meeting of the Land, Water & Forest Resources Committee will be Wednesday, August 10, at 8:30 am in the Assembly Room.

Meeting adjourned at 9:51 am
Minutes recorded by Lynn Fitch, County Clerk

Forestry Report July 2022

Active Sales

9 sales listed as active in month of July

Sale Date	# of Sales	Acres	Bid Value	Received	Est. Remaining
4/7/17	0	0	\$0	\$0	\$0
11/3/17	0	0	\$0	\$0	\$0
4/6/18	0	0	\$0	\$0	\$0
11/2/18	0	0	\$0	\$0	\$0
5/3/19	2	159	\$96,339.00	\$92,385.56	\$9,309.83*
11/01/19	1	68	\$107,711.10	\$88,478.64	\$19,232.46
5/5/20	1	15	\$15,675.00	\$5,172.75	\$10,502.25
11/3/20	2	114	\$159,946.40	\$83,129.55	\$73,816.85
5/7/21	3	214	\$202,023.00	\$46,104.18	\$155,918.82
10/22/21	1	111	\$65,270.00	\$0	\$65,270.00
5/11/22	0	0	\$0	\$0	\$0
Totals	9	681	\$643,964.50	\$315,270.68	\$334,050.21

Inactive Sales

Sale Date	# of Sales	Acres	Bid Value	Received	Est. Remaining
4/7/17	3	292	\$111,410.00	\$73,725.13	\$47,186.79*
11/3/17	3	413	\$172,365.00	\$10,000.00	\$162,365.00
4/6/18	1	91	\$50,440.00	\$0	\$50,440.00
11/2/18	4	264	\$116,751.75	\$42,294.77	\$74,456.98
5/3/19	6	417	\$179,730.00	\$77,781.54	\$103,628.99*
11/01/19	7	561	\$456,459.74	\$235,567.07	\$231,397.36*
5/5/20	6	446	\$369,735.26	\$13,802.99	\$355,932.27
11/3/20	7	684	\$526,661.50	\$147,419.40	\$379,242.10
5/7/21	17	1405	\$1,202,026.60	\$116,069.33	\$1,085,957.27
10/22/21	13	1028	\$898,064.20	\$0	\$898,064.20
5/11/22	21	1456	\$1,355,750.12	\$0	\$1,355,750.12
Totals	88	7057	\$5,439,394.17	\$725,795.23	\$4,735,286.08

* Sales having overruns

** Sales having underruns

No sales closed out in July.

Timber Sale Value (sold contracts-uncut) on file = **\$5,069,336.29**

<u>Timber Revenue</u>	<u>July</u>	<u>YTD</u>
Timber Sales	\$128,691.41	\$722,349.81
<u>Christmas Trees/Boughs</u>	\$0	\$0
<u>Performance Bond Cashed</u>	\$0	\$0
<u>Other Revenue</u>		
<u>Camping/Firewood/Access/Hay</u>	\$0	\$65.00
<u>Park Reservations</u>	\$100	\$550
		<u>Budget</u>
Gross Timber Sale Revenue	\$722,349.81	\$1,850,000
10% Payment to Towns	\$ 72,234.98	
Non-County Forest Sale Revenue	\$ 5,172.75	
Net Timber Sale Revenue	\$650,114.83	
Total Other Revenue	\$ 100.00	
Timber Sale Revenue Billed Out	\$199,422.73	

Timber Sale Inspections	<u># month</u>	<u>YTD</u>
	15	121

Comments: Goal for timber sale inspections is generally one inspection per week while sale is actively being harvested or wood is being hauled.

Tract Establishment	<u># sales month/ YTD</u>	<u>acres month/YTD</u>	<u>Goal</u>
	0/22	0/1715	3600

Comments:

Recon Acres Updated	<u>July</u>	<u>YTD</u>	<u>Annual Goal</u>
	394	7244	6,000 acres

Comments: Recon is the assessment of geographic, structure and compositional attributes of forest stands. Field information is stored in the Wisconsin Forest Inventory & Reporting System (WisFIRS). Basic resource information is collected, stored and updated systematically and continuously. Database is used to analyze existing resources, evaluate management alternatives and assist in the development and implementation of management plans.

Good Neighbor Authority (GNA) Hours		
<u>July</u>	<u>FY22 Contract</u>	<u>YTD</u>
0	145	142.75
<u>Current Contract:</u>		
Sawyer County – DNR FY22 Stands		
Approximately 575 hours timber sale admin. \$40,046.54.		

Comments: Under the federal Good Neighbor Authority, the USDA Forest Service is authorized to enter into cooperative agreements with states to perform forest management activities on national forest lands. WDNR has entered into a GNA agreement with the Chequamegon-Nicolet National Forest (CNNF). WDNR is authorized to contract with counties to assist with forest management activities on national forest lands. The focus of the GNA program is to assist in the implementation of the CNNF Forest Plan, which will provide:

- Forest products to the local economy
- Collaboration between federal, state and county forest managers
- Improved health and resiliency of forestlands and watersheds within Wisconsin

Oak Wilt:
Nothing new to report, detection flights and treatment for sites likely to begin in August.

Emerald Ash Borer:
Infestation reported near Moose Lake.

Mountain Bike Trails:
Nothing new to report.

Birkie Trail:
Nothing new to report.

ATV/UTV/Snowmobile Trails:
Nothing new to report.

Parks:
Hatchery Park: Nothing new to report.

Nelson Lake Park: Nothing new to report.

Sawyer County Land, Water & Forest Resources Committee Meeting
Wednesday, August 10th, 2022
DNR Forestry Report for July 2022

Forestry:

Forest Certification Audit: For the week of August 1st through August 5th, a forest certification audit will take place in the following counties: Florence, Forest, Marinette, Oconto. Results will be presented when a report is made available. Sawyer County is scheduled for audit in 2023.

North Central Forest Regional Master Plan: DNR is seeking public comments on the North Central Regional Master Plan for properties managed in the North Central Forest Ecological Landscape. The comment period is open through August 15th. DNR properties include state parks, trails, natural areas, fishery areas and state forests.

A regional master plan, guided by Chapter NR 44 of the Wisconsin Administrative Code, establishes the level and type of resource management and public use permitted on department-managed properties. Most of the DNR-managed lands in this region will have new master plans developed as part of this planning process. Existing plans for properties in the region that are already compliant with Chapter NR 44 will be referenced during the planning process. The DNR will evaluate whether any updates need to be made to these existing plans.

The public can learn about the planning process and how to submit comments by visiting the DNR website:

<https://dnr.wisconsin.gov/topic/fl/PropertyPlanning/NorthCentralForest>

Wildlife:

White Tailed Deer Antlerless Tags: At the end of June NRB approved the 1050 antlerless harvest quota for Sawyer County. The tag allocation is as follows: 3,000 tags for private and 875 tags for public. The tags will go on sale Monday, August 15th.

2022 Elk hunting season: Successful applicants were drawn in June for the upcoming 2022 Elk hunting season and have been contacted. There is one tag left and will be awarded through a drawing sponsored by Rocky Mountain Elk Foundation (RMEF). The deadline for drawing is Saturday, August 13th via Facebook with tickets available on the RMEF website. Unlimited entries at \$10 each. Entry rules are the same as for a regular WI state license. All proceeds are donated towards WI elk management and research. This will be the 5th and final year RMEF will receive a WI elk tag for raffle.

Field Season Work: Survey season is underway for deer observations and game bird brooding surveys. General public can assist with deer observations by participating in Operation Deer Watch, visit the Wisconsin DNR website for details. Mowing maintenance and planting of hunter walking trails and wildlife openings are also taking place.

Report submitted by Roy Zubrod, DNR Forester on 8/1/2022.

Proposal to Permit Use of Class 1 E-bikes on Sawyer County Forest Trails

Preface

The Chequamegon Area Mountain Bike Association (CAMBA) has been discussing the potential use of e-bikes on CAMBA managed trails on the Sawyer County Forest for several years. Discussions have centered on commonly held concerns and reservations that most mountain bike organizations have also encountered. Principal among these are: potential physical impacts to trails (sustainability), potential for higher speeds and insufficient rider skills (safety), and differing views and acceptance of pedal assist bikes on the trails (social).

While the electric motor that assists the rider has the potential to create more torque, the acceleration of an e-bike is not likely to spin the rear tire and cause soil displacement. E-bike users may also be able to travel further on trails creating the potential for greater impact. It is CAMBA's position that these impacts, while important to consider over time, do not present a threat to the sustainability of the trails. CAMBA is also cognizant of any potential safety concerns and will monitor and address issues as they arise.

CAMBA has considered the possibility of conducting on-the-ground research to objectively measure physical impacts and concluded that such an effort is beyond our means and technical capability. Instead, we defer to an existing [study conducted by the International Mountain Bike Association \(IMBA\)](#). While not perfect, it is the best available research and concluded that e-bikes have no greater impact than regular bikes.

Classes of E-bikes

Significant within the discussion of permitting e-bikes on off-road trails is the distinction between three classes of e-bikes currently manufactured. Wisconsin is one of many states that has adopted this three-class system to regulate e-bike use on streets and pathways. It should also be noted that Class 1 e-bike use is already prevalent on mountain bike trails, regardless of current restrictions.

Class 1 is a bicycle equipped with an electric motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour. Class 1 e-bikes are defined as non-motorized by the Consumer Products Safety Act ([Pub.L.107-319](#), Para. 420.5a).

Class 2 is a throttle-assisted bicycle equipped with an electric motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.

Class 3 is a bicycle equipped with an electric motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour.

On-going Developments

Much has changed over the years and e-bike popularity has grown significantly and is, in fact, among the strongest segments of the market. Throughout the country, opinions of e-bike use on local pathways and streets are generally positive. There is public interest in using them for several reasons. E-bikes assist users with physical challenges and disabilities, allowing them to enjoy an activity in which they would not otherwise be able to participate. E-bikes do not produce harmful emissions when in use. Social acceptance has also grown, not just for those with physical or age-related disabilities or limitations, but in all segments, as simply another way to enjoy cycling. In addition, in many areas they are used during special events by event staff, to provide emergency assistance, and perform trail maintenance.

There has also been significant developments on the legal front with regard to the definition of e-bikes and places where they may be used. Today, according to [People for Bikes' research](#), a large majority of states stipulate that

Class 1 e-bikes are to be treated the same as regular bikes on paved routes and streets. While consideration of allowing the use of e-bikes on unpaved/off-road (mountain bike) trails is still evolving, it has similarly gained broader acceptance. [Throughout the state of Wisconsin, Class 1 e-bikes](#) are allowed on paved roads and pathways but not necessarily allowed on natural surface trails designated for non-motorized use. The state regulation leaves it up to land managers to designate use of e-bikes on these trails. The U.S. Forest Service has recently amended its [Travel Management Manual](#) to include criteria and guidance for designating e-bike use on trails that is very favorable to permitting e-bike use on singletrack trails.

Stipulations

In adopting e-bike use on the trails, CAMBA would propose the following stipulations and actions:

Singletrack trails would be open to Class 1 e-bikes only and use also permitted on any other trail or route open to regular bikes. In the context of this proposal, “Class 1 e-bikes” refers to pedal assist mountain bikes with traditional mountain bike construction and a tire size of no less than two inches in diameter.

Class 2 and Class 3 e-bikes would not be permitted on singletrack trails. It is felt that these classes are more closely identified as a motorized vehicle and cross the line of non-motorized use and create safety hazards.

Through its website and social media network as well as trailhead signage, CAMBA will encourage all riders to be considerate of e-bike users on the CAMBA trails and promote safe riding practices.

Signage: CAMBA will post appropriate signage at all designated mountain bike trailheads indicating the permitted use of e-bikes on those trails and encouraging safe riding practices.

Notice of permitted use: CAMBA will post information on its website, newsletter and other social media channels of the permitted use of e-bikes on the CAMBA trails.

Monitoring: CAMBA will make its best effort to monitor trails where e-bike use is occurring, but acknowledges that monitoring will be a visual inspection only.

Maintenance: As stewards of the CAMBA trails, CAMBA will continue to maintain all singletrack trails open to e-bikes and will be responsible for addressing any impacts as part of its ongoing maintenance efforts.

Conclusion

The CAMBA Board of Directors supports the use of Class 1 e-bikes for recreational and other appropriate uses on trails, routes, and roads currently open to mountain bike use on the Sawyer County Forest and requests that this use be authorized by the Sawyer County Forestry Department.

Continued use will be reviewed after a one-year trial period. Upon full approval, CAMBA requests that the County Forest Comprehensive Land Use Plan be amended to authorize e-bike use as stipulated herein.

Thank you for your consideration.

**SAWYER COUNTY FOREST COMPREHENSIVE LAND USE PLAN
2021-2035**

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SAWYER COUNTY FOREST COMPREHENSIVE LAND USE PLAN

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110 COUNTY FOREST COMPREHENSIVE LAND USE PLAN

SAWYER COUNTY FOREST COMPREHENSIVE LAND USE PLAN POLICY

This plan shall incorporate or reference all official County Forest policies, pertinent county regulations, planning documents and the needs and actions for the period 2021 through 2035.

This plan is the authority for management on county forest lands enrolled under Wisconsin County Forest Law s.28.11. This plan may be encompassed within required local planning efforts.

110.1 MANAGEMENT PLANNING OBJECTIVES

Management planning shall be used to establish objectives, policies, procedures, rules and regulations, and to promote an efficient and orderly program of development and management of the County Forest in the interest of:

1. Determining needs and priorities.
2. Achieving goals set forth in the mission statement of this plan.
3. Satisfying the statutory requirements of s. 28.11, Wis. Stats.
4. Satisfying requirements for participation in various state and federal aid programs.
5. Providing broad long-term and detailed short-term guidelines for actions.

110.2 DEVELOPMENT OF THE PLAN

Section 28.11, Wis. Stats., places the responsibility for the plan development on the Land, Water, and Forest Resource Committee with technical assistance from the Department and other agencies. The County Forest Administrator will take the lead at the committee's request. During development of the plan public participation should be utilized to provide for public participation throughout the planning process. Public participation and inputs into the plan should consider s. 28.11, Wis. Stats., which governs the County Forest program and provides the sideboards to which this plan must adhere.

approval. The annual county board approved work plan, budget, and annual accomplishment report are appended to the plan and do not require official DNR approval. In addition, changes to Chapters 1000, 2000, 3000, 4000 do not require a plan amendment or official DNR approval, with the exception of the official County Forest Blocking map.

110.6 COORDINATION WITH OTHER PLANNING

The development of this plan and any future amendments to this plan will include considerations, and if warranted, participation in other local and regional planning efforts.

115 FOREST RESOURCE PLANNING

The Committee will utilize procedure as set forth in the Department of Natural Resources Public Forest Lands Handbook no. 2460.5.

Silviculture Guidance ,supported by Wisconsin's forestry community and Silvicultural Guidance Team may be referenced in forest management activities WisFIRS will be utilized as the primary tool for forest management planning decisions. Additional resources such as forest habitat type classification, soil surveys, and DNR's Best Management Practices for Water Quality guidelines maybe utilized in management decisions.

115.1 FOREST CERTIFICATION GROUP ADMINISTRATION

As the certification group manager, the Department of Natural Resources will be responsible for overall administration of third-party certification efforts. The DNR County Forest & Public Lands Specialist will work in close cooperation with the Wisconsin County Forests Association in coordinating this effort. The group manager's responsibilities will include:

- Record keeping of certification
- Coordinating communication with the certification auditing firms
- Reporting and payment of fees
- Processing new entries and departures from the groups
- Internal compliance monitoring

120 COUNTY AUTHORITY

The County Forest Comprehensive Land Use Plan is the official County Forest authority. The Land, Water, and Forest Resource Committee of the County Board enforces the regulations governing the use of the County Forest.

120.1 ORDINANCES

The county ordinances that apply to the administration and management of the Sawyer County Forest can be found in Chapter 1000, Section 1005.2 In addition, the following will be considered in planning process.

- County Owned Land Ordinance
- Zoning ordinance
- Floodplain Zoning ordinance
- Shoreland-Wetland Protection Ordinance
- Non-Metallic Mining Ordinance
- Non-Metallic Mining Reclamation Ordinance

125 HISTORY

125.1 STATEWIDE HISTORY AND DEVELOPMENT

In 1927, the State Legislature passed the Forest Crop Law, authorizing counties to create county forests. An opinion of the Attorney General with reference to the Forest Crop Law stated that the counties would be exempt from the owner's share of annual tax. In 1929 the law was amended to create the County Forest Reserve Law. In 1963, several major revisions were made, creating the County Forest Law s28.11. The most notable change was the creation of a permanent program of forests that would be managed in accordance with a 10 Year Comprehensive Land Use Plan developed by the county, with the assistance of the Department of Natural Resources. Several grants and loans were created and remain available to counties to compensate for public uses of these county forest lands as stipulated in s28.11. To fulfill additional statutory obligations acreage share payments to towns are currently \$.30/acre, and towns with county forest land receive a minimum of 10% of the stumpage revenue from their respective County Forest each year.

1937: The first recorded County Forest withdrawals occurred.

1939: Portions of Section 21, Township 42 North, Range 8 West were withdrawn for purposes of exchanging land to obtain flowage rights on the Totogatic Flowage. Also, in 1939, upon recommendation of the State and resolution of the County Board, County lands within the boundaries of the Flambeau River State Forest were traded for State lands within the boundaries of the Sawyer County Forest. At this time, the Sawyer County Forest was in excess of 70,000 acres.

1941: Starting about this time, lands that could be purchased for a reasonable price within the County Forest boundaries were acquired. Among the lands acquired was the Hans Thompson property in Section 7, Township 42 North, Range 7 West. These purchased lands, together with lands acquired through tax delinquency were entered under the Forest Crop Law.

1947: A resolution was adopted that all fire lanes in Sawyer County maintained by the State be turned over to Sawyer County to be maintained and operated under the direction and supervision of the Sawyer County Conservation Committee. Later, many of these roads were turned over to the individual Townships to be entered under the Town Road Systems.

1964: The total acreage of the Sawyer County Forest was 113,079 acres.

1960's: First snowmobile trail was developed.

1973: Johnson Timber chipping mill opens just outside Hayward, increasing demand for nearly unmarketable aspen timber.

1976: The County receives a Federal grant to develop a skiing and hiking trail. The trail eventually becomes known as the American Birkebeiner Trail.

(WCFA). This Association was incorporated on May 15, 1968 under Chapter 181 of the Wisconsin Statutes, without stock and not for profit. The WCFA Board of Directors is composed of fifteen delegates elected from County Forestry Committees who are members of the Association and two members at large.

WCFA provides a forum for consideration of issues and policy that are common to all of the county committees responsible for their respective County Forest programs, including those programs encompassed under s. 28.11 and chapter 77, Wis. Stats. WCFA also provides leadership and counsel to County Forest administrators and forestry committees through regular meetings and active committees on legislative and recreational issues. WCFA develops and implements a strategic plan. The organization's mission statement is as follows:

Wisconsin County Forests Association provides leadership uniting the interests of the world's largest county forest program while ensuring long term forest health and sustainability.

125.4 TRENDS

The values and uses of the Sawyer County Forest contribute significantly to fulfilling many of society's ecological and socioeconomic needs now and in the future. Changing trends will impact the values and uses of the Forest in coming years.

- Wisconsin's forests are naturally changing due to forest succession. Most of the County Forest acreage statewide is a result of regeneration or planting from the early to mid-1900's. Mid to late successional northern hardwood forests are replacing the early successional aspen-birch, oak and jack pine forests of the 1940's through the 1970's. The aspen cover type is key habitat for many of the state's premier game species including deer, ruffed grouse, snowshoe hare and woodcock. The county forest system currently has 15% of the State's public land base and 24% of the aspen resource.
- Conflict over timber management practices will likely continue to increase as more individuals and groups demand greater involvement in forestry decisions. Practices such as clearcutting and even-aged management will continue to be controversial.

COUNTY FOREST COMPREHENSIVE LAND USE PLAN

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CHAPTER 200

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200 GENERAL ADMINISTRATION

Objectives

1. To comply with and implement the provisions of the County Forestry Ordinance.
2. To administer and manage the County Forest in accordance with s. 28.11, Wis. Stats.
3. To cooperate with the Department of Natural Resources and other agencies and organizations in the interest of furthering the optimum management of the forest on a sustainable basis.
4. To provide adequate financial support for the program by using county designated revenues and appropriations, along with funds available from federal and state sources.
5. To maintain an adequate system of accounts, records and reports for the orderly administration of the forest and evaluation of program needs and implementation.
6. To facilitate the administration of the forest by authorizing personnel, equipment and facilities necessary to assist the Committee and the administrator in carrying out their duties.

205 ROLES

Sawyer County has a board of supervisors with 15 elected members. The County employs an Administrator to coordinate and direct all administrative and management functions of the county government. 5 County Board Supervisors and 1 Farm Bureau representative are assigned to serve on the Land, Water, and Forest Resource Committee.

The County and the Department have a mutual interest in administration of the County Forest. It shall be the policy of the County Board through the Land, Water, and Forest Resources Committee to cooperate with county and Department personnel in carrying out the program on the county forest. The County/Department roles are further defined in the Public Forest Lands Handbook, 2460.5.

205.1 COUNTY BOARD OF SUPERVISORS

Powers of the Sawyer County Board, relative to the management of county forest lands are defined in s.28.11(3) and additional authority may include:

- Approval of Forestry Department Annual Work Plan.
- Adoption of budget and amendments.

Water, and Forest Resources Committee meetings.

3. The County Clerk or designee will record minutes of each meeting and distribute as appropriate, as well as maintain a permanent minutes record.
4. The Forest Administrator will serve as the Director of the Forestry Department in coordinating the programs of work of staff members and other matters as directed by the Committee.
5. The Forest Administrator will supervise the timber sale program, tree planting, site preparation, timber stand improvement, road and firebreak construction and maintenance, land acquisition, entry and withdrawal of county forest lands, trespass investigations, recreation program, and long and short-term planning, all within the restrictions of s. 28.11 Wis. Stats.
6. Supervises recreational trail use programs both within county forest and state funded motorized recreational trails throughout county.

205.2 DEPARTMENT OF NATURAL RESOURCES

The role of the Department in the County Forest program is to:

1. Encourage technically sound management of the County Forest resources.
2. Protect the public rights, benefits and investments in County Forest lands.
3. Administer state compensation to the county for the public rights, benefits and privileges the county forest lands provide as required by s. 28.11-(8) Wis. Stats.
4. Provide County Forest assistance consistent with those identified per the [Public Forest Lands Handbook](#).

205.2.1 Division of Forestry

It is the function of this Division to:

1. Certify and make forest aid payments (variable acreage and project loans) to the county and audit county expenditures of the forestry fund account pursuant to s. 28.11(8)(b), Wis. Stats.
2. Certify and make acreage payments to towns pursuant to s. 28.11(8)(a), Wis.

4. Maintain for the Department a record of forest management accomplishments, forms and maps.
5. Assist in preparation of projects, plans and estimates.
6. *Provide assistance to the Committee in the preparation of the annual budget, annual work plan and the County Forest Comprehensive Land Use Plan. (Individual Counties evaluate this one)*
7. Assist in County Forest timber theft and larceny investigations.
8. Organize and prepare minutes of annual partnership meeting as required in the [Public Forest Lands Handbook](#).

205.2.2.2 Other DNR Program Functions

1. Fire Management - Maintain a system of communications, equipment, and trained personnel to prevent and suppress forest fires, assist with prescribed burns: and enforce forest fire related laws.
2. Forest Pest Control - Provide technical services for prevention, detection and suppression of forest pests in the district.
3. Wildlife Management - Conduct surveys of wildlife populations, habitat, and public use. Wildlife personnel use this information when providing technical assistance on long term ecosystem planning as well as wildlife habitat management, habitat improvement and wildlife health. Attend committee meetings as requested.
4. Fisheries Management - Maintain the quality of the fishery resource in the waters of the Forest to produce a balanced return to the angler, consistent with sound management principles.
5. Law Enforcement - Enforce state natural resource laws and regulations and assist in the enforcement of county and federal natural resource laws and ordinances.
6. Environmental Protection - Enforce and provide technical assistance in matters related to water and shore land management, pollution detection and waste disposal.
7. Endangered Resources - Provide technical expertise on rare, threatened or

materials and equipment, fire or other damage collections, or other revenue received by the Forestry Department shall be deposited in the county general fund. This includes, but is not limited to:

- Firewood permits
- Christmas Tree permits
- Low Use Access permits
- Camping permits

215.2 OUTSIDE SOURCES OF REVENUE

215.2.1 State Funds

In addition to other state funds that may subsequently become available for county use, the following state funding sources will be used where appropriate in administration of the Forest:

1. Variable Acreage Share Loan (s. 28.11(8)(b)1., Wis. Stats.). The county may apply for variable acreage share loans in the amount of up to fifty cents per acre of regular entry County Forest land by December 31. Payment is made to the county on or before March 31st of each year and deposited in the State Forest Aid fund. Application is made by County Board Resolution.
2. Project loans (s. 28.11(8)(b)2., Wis. Stats.) are available to undertake acquisition and development projects of an "economically productive nature". Fish and game projects or recreation projects do not qualify. Application is made by County Board Resolution.
3. County Forest Administration Grant Program (s. 28.11-(5m) Wis. Stats). Annual grants are available to fund up to 50% of the salary and fringe benefits of a professional forester in the position of county forest administrator or assistant county forest administration. Benefits may not exceed 40% of salary. Application along with an approved Annual Work Plan by January 31, with payment by April 15th of each year.
4. Sustainable County Forest Grants. Annual grants made for short-term unanticipated projects that promote sustainable forestry. Details are contained

Other potential funding sources are groups such as Ducks Unlimited, Ruffed Grouse Society, Trout Unlimited, Whitetails Unlimited, National Wild Turkey Federation, local sportsman's clubs, service organizations, etc.

The Land, Water, and Forest Resources Committee will consider donations, endowments and other gifts, whether real estate, equipment or cash. The county corporation counsel may be consulted to ascertain whether such gifts benefit the county.

215.3 COUNTY EXPENDITURES

All purchases and expenditures shall comply with County purchasing policy, and state statutes.

220 COUNTY RECORDS

The County Forest administrator will keep concise and orderly records and accounts of all revenue received, expenditures incurred and accomplishments resulting from the operations of the forestry department. A job description, time and expense report, and training record will be kept on each employee.

220.1 ACCOUNTS

All accounts and bookkeeping procedures will be handled by the Forest Administrator and Administrative Assistant or as otherwise directed by the Committee. All accounting procedures will be done in accordance with County policy under the general oversight of the Accounting Manager.

220.1.1 State Aid Forestry Account

Variable acreage share loans (s. 28.11(8)(b)1., Wis. Stats.), project loan funds (s. 28.11(8)(b)(2.)Wis. Stats.), and sustainable forestry grants (s. 28.11(5r), Wis. Stats., and s. NR 47.75, Wis. Adm. Code) that are distributed by the DNR are deposited in this account. Expenditures of variable acreage share funds from this account are restricted to the purchase, development, preservation and maintenance of the county forest. Expenditure of project loan funds are governed by the conditions of project approval. Sustainable Forestry grants from this account must be spent specific to the approved project. Revenue received from the sale

following items:

1. Timber sale cutting notice and report (Form 2460-1)
2. Timber sale narrative (Form 2460-1A)
3. Contract and all addendums
4. Timber sale map
5. Ledger account of scale
6. Timber sale inspection journal / notes
7. Pertinent correspondence
8. Liability insurance
9. FISTA training
10. Financial assurance (performance bonds, ILC, etc...)
11. Field scale sheets
12. Lock box tickets (if applicable)

220.2.2 Closed Files

Once sales have been completed and audited by DNR only the following items need to be maintained in the file as a permanent record:

1. Timber sale notice and cutting report
2. Contract and addendums
3. Timber sale map
4. Pertinent correspondence
5. Financial ledger/summary

225 PERSONNEL

The Forest Administrator shall have authorization to organize the workload of the forestry department employees and contractors. Personnel of the forestry department will be governed by the work policies as set forth by the county, and their respective work policies.

225.1 COUNTY FOREST STAFF

The following positions are essential for the operation of the Forest: The permanent employees of the County Forest at this time are the Forest Administrator, Two

Courthouse Area is used to store equipment and supplies used in operation of the forest and parks program.

3. Hatchery Creek Park - Located in the Town of Hayward, includes pavilion , toilets, picnic tables and grill.
4. Waysides and Day Use Areas, such as Nelson Lake Wayside, Eagles Landing Park and scattered waysides and boat landings, some of which have picnic tables and toilets.
5. Birkie Trail facilities- “OO” trailhead facility and maintenance buildings, and trailhead buildings located at Mosquito Brook, Gravel Pit, Boedecker, and Seeley Fire Tower trailheads. Maintained by ABSF.

COUNTY FOREST COMPREHENSIVE LAND USE PLAN

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CHAPTER 300

DESCRIPTION OF FOREST AND MANAGEMENT PLANNING

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300.2.3 Geology and Soils

The soils of Sawyer County have been derived largely from the weathering of the glacial drift deposits and show a great variation within relatively short distances. Since the glacial period, the soils have been modified by water action, wind, and the accumulation and incorporation of organic material. Soil types on the County Forest range from sandy loams in the northern and western portions of the Forest to silt loams in the southern and eastern part of the county. A generalized soil map can be found in the Appendix. Detailed soils information is available from the USDA Web Soil Survey (websoilsurvey.nrcs.usda.gov).

300.2.4 Ecological Landscapes

Ecological Landscapes are regions in Wisconsin containing similar ecology and management opportunities. Each landscape can present unique management opportunities and challenges. These landscapes are essentially based on the National Hierarchical Framework of Ecological Units (NHFUE) (Cleland et al. 1997). More information on the 16 Ecological Landscapes defined within Wisconsin is available at:

<https://dnr.wi.gov/topic/landscapes/index.asp?mode=Choose>

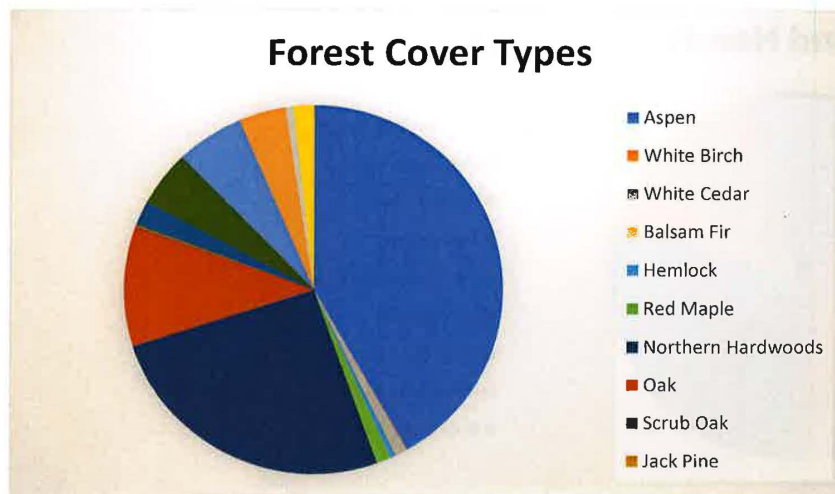
The majority of the Sawyer County Forest lies within the North Central Forest Ecological Landscape, with smaller areas of County Forest also within the Northwest Sands Ecological Landscape and the Forest Transition Landscape.

The North Central Forest Ecological Landscape is found across northern Wisconsin. Soil types are generally sandy loams, sands and silts with forest types dominated by northern mesic forest types such as northern hardwood, aspen-birch, and spruce fir.

The Northwest Sands Ecological Landscape is found in northwest Wisconsin, an area of County Forest in the northwest portion of the county lies within this landscape. Soils are generally well drained sands or loamy sands with forest types dominated by pine, aspen-birch and oak.

The Forest Transition Landscape lies along the northern border of Wisconsin's tension zone through the central and western part of the state. An area of county forest in the southwest corner of the county is found within this landscape. Soil types are primarily well drained sandy loams but there is considerable diversity of soil attributes including

Forest Type	Forest Type Description	Stands	Acres	Percent of Forested Acres	Percent of Recon Acres
A	Aspen	882	40,022	42%	35%
BW	White Birch	7	45	< 1%	< 1%
C	White Cedar	13	887	1%	1%
FB	Balsam Fir	5	59	< 1%	< 1%
H	Hemlock	13	487	1%	< 1%
MR	Red Maple	35	1,195	1%	1%
NH	Northern Hardwoods	481	24,454	26%	21%
O	Oak	246	9,967	10%	9%
OX	Scrub Oak	1	117	< 1%	< 1%
PJ	Jack Pine	6	136	< 1%	< 1%
PR	Red Pine	99	2,065	2%	2%
PW	White Pine	141	4,684	5%	4%
SB	Black Spruce	65	5,550	6%	5%
SH	Swamp Hardwoods	115	3,853	4%	3%
SW	White Spruce	37	611	1%	1%
T	Tamarack	85	1,734	2%	2%



NON-FORESTED COMMUNITIES

300-5

Herbaceous vegetation- ground cover predominated by herbaceous species with bracken fern, sweet clover, giant ragweed, sting nettle, upland aster, goldenrod, and prairie dock being common.

Shrub opening- primarily upland site less than 10% stocked with tree species but having 50% or more of the area stocked with taller growing, persistent shrubs. This includes hazel, dogwood, junberry, sumac, alder, willow, and prickly ash.

Rock outcrops- include rocky talus and bedrock.

See Chapter 830 for detailed discussion on Biological Community Types.

Wetlands, Non-forested areas of the County Forest include:

Forest Type	Forest Type Description	Stands	Acres	Percent of Non-Forested Acres	Percent of Recon Acres
K	Marsh	35	1,423	8%	1%
KB	Muskeg - Bog	11	1,415	7%	1%
KEV	Emergent Vegetation	3	32	<1%	<1%
KG	Lowland Grass	22	846	4%	1%
L	Water	5	380	2%	<1%
LB	Lowland Brush	54	5,816	31%	5%
LBA	Lowland Brush - Alder	47	6,312	33%	5%
LBW	Lowland Brush - Willow	2	26	<1%	<1%
LM	Minor Lake	19	761	4%	1%
LMS	Minor Stream	2	74	<1%	<1%
WSA	Wetland Shrub - Alder	2	407	2%	<1%

milkweed, sneezeweed, mint and several species of goldenrod and aster.

Scrub/shrub- these areas, which include bogs and alder thickets, are characterized by woody shrubs and small trees such as tag alder, bog birch, willow and dogwood.

Forested- these areas, include bogs and forested floodplain complexes, are characterized by trees 20 feet or more in height such as tamarack, white cedar, black spruce, elm, black ash, green ash and silver maple.

Forest management is conducted on many of the forested wetlands with activities occurring primarily during frozen conditions. See Chapter 830 for detailed discussion on Biological Community Types.

300.2.6 Fish and Wildlife

Wisconsin supports over 650 different types of mammals, birds, reptiles, amphibians and fish as well as millions of invertebrates. Management of county forest lands and the biotic communities they support provide a mix of habitat types and ages for a wide range of wildlife species. Each species, or interacting group of species, do best under different conditions. County forest lands provide a full range of habitats from open grasslands/barrens to mature forests, from bogs to forested wetlands, from spring ponds to lake shorelines. County forest staffs work closely with WDNR fish and wildlife managers and conservation organizations to identify and manage critical habitat for breeding, migrating and wintering fish and wildlife.

While the Sawyer County Forest provides for a wide range of fish and wildlife species, current management strategies or programs have emphasized the following species and/or communities:

- Elk reintroduction

- Ruffed Grouse management through age class diversity programs within the Aspen cover types throughout the forest.

Note: An entire listing of the outstanding and exceptional resource waters can be found in Wisconsin Admin. Code NR102.10 and 102.11.

300.3 CULTURAL FACTORS

300.3.1 Economy

The importance of the County Forests to Wisconsin's economic health continues to rise. County Forests sustain over 60,000 full-time jobs derived from logging, trucking, paper production, manufactured building materials, and lumber. Many other jobs are created in such businesses as the expanding printing industry and are located far from the forested northland. County Forests contribute to the 24-billion-dollar forest industry in Wisconsin.

In addition, the lands managed by these 30 counties provide an important recreation resource to complement our state's valuable tourism industry. Tourists spend valuable money at local businesses. By providing 2.4 million acres of public recreation land, we bring tourists to our state. As population increases and public access to privately owned forestland decreases, the need for accessible lands unquestionably will assume an ever more important role. More information on the economic impact of the County Forest program can be found at <https://www.wisconsincountyforests.com/>

Production of forest products and spin-off industries derived from the recreational opportunities on the Forest and the forest products it produces are vitally important to Sawyer County's economic well-being. Forest industry is the #2 ranked employer in the County. Recreation and tourism are ranked # 1. This information can be found at the following link: <https://dnr.wi.gov/topic/forestbusinesses/factsheets.html>.

300.3.2 Education and Research

Education and research continue to be critical components in making decisions that affect our natural resources. As public needs and demands of our forest and its products increase, we must be prepared to assure that sound decisions result. To this end, Sawyer County encourages and supports research efforts that relate to the forest, and educational opportunities that will

COUNTY FOREST COMPREHENSIVE LAND USE PLAN

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FOREST OWNERSHIP

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CHAPTER 400 OBJECTIVE

The purpose of Chapter 400 is to identify policy and procedures relating to:

1. The acquisition of land to be enrolled in County Forest pursuant to s. 28.11(4)(b), Wis. Stats. or other lands possessing special or unique values areas that are not suited primarily for timber production to be entered under s. 28.11(4)(c), Wis. Stats., special use classification.
2. The acquisition of lands throughout the county for the purpose of future trading for priority parcels to be enrolled in County Forest pursuant to s. 28.11(4)(b), Wis. Stats.
3. The acquisition of land interests such as conservation easements, first right of refusal, or other land rights of the benefit to county forests.
4. Location, identification, and protection of county forest ownership boundaries.

400 COUNTY FOREST OWNERSHIP

The majority of the County Forest lands throughout the State were previously in private ownership and came under public ownership in a substantially degraded condition, by way of real estate tax delinquency and subsequent tax deed to Counties. Continued attempts to sell much of the degraded tax deeded lands were unsuccessful. In response to the lack of demand from private owners, counties worked in cooperation with State and Federal Agencies to restore these lands into productive forests and recreational assets. ("The County Forests of Wisconsin", WI Conservation Dept., 1938)

Over time, counties have realized benefits from continuing to retain select tax deeded land, acquiring select land from willing sellers by purchase, trade, or gift, and the continual protection of county forest ownership boundaries.

405 LAND OWNERSHIP GOALS

It is the goal of Sawyer County to acquire land from willing landowners for fair prices established pursuant to Uniform Standards of Professional Appraisal Practices or other method approved by the County. See section 420 for criteria on how to achieve these goals.

410 COUNTY FOREST BLOCKING

Since the beginning of the County Forest Program in the State of Wisconsin, counties

Certain lands are considered to be of higher priority for acquisition due to:

1. Lands that improve management efficiencies such as reducing the length of private/public boundaries or improve access to existing county forest.
2. Lands that will increase the counties inventory of productive timberland and provide a consistent source of raw material to the forest products industry.
3. Lands that conserve surface and groundwater, maintain undeveloped shoreline, and increase public access to water features.
4. Lands that are threatened by private development or fragmentation that may result in a long-term negative impact on adjacent public lands.
5. Lands that are threatened by private development or fragmentation that may result in a long-term net negative impact to local and county governments.
6. Lands that will provide for priority trail connections and expansions or reduce or eliminate existing user conflicts.
7. Lands that contain threatened or endangered plant, animals, or communities; or other natural features considered to be of high conservation value.
8. Lands that, when acquired by the county, will not result in an unreasonable negative impact to local tax collections as determined by the Committee in consultation with the affected Towns.

425 ACQUISITION OF LAND OUTSIDE THE COUNTY FOREST BLOCKING BOUNDARY

Counties may consider acquisition of lands outside the blocking boundary in instances where:

1. Land becomes available to the County which possess values consistent with the priority criteria listed above and is eligible to be enrolled as County Forest Special Use under s. 28.11(4)(c) Wis. Stats.
2. Land becomes available to the County that, if acquired by the County, will facilitate a fair trade or other transaction resulting in county ownership of land within the county forest blocking boundary.

430 ACQUISITION OF LAND RIGHTS

400-5

1. Fund balance that has resulted from previous county forest withdrawal proceedings.
2. Fund balance that has resulted from the sale of tax deed parcels.
3. Funds appropriated through the County's capital budgeting procedure.
4. Grants and Loans, including:
 - A. Loans
 - i. County Forest Project Loans ([s. 28.11\(8\)\(b\)\(2\)\), Wis. Stats](#))
 - ii. Variable Acreage Share Loans ([s. 28.11\(8\)\(b\)\(1\)\), Wis. Stats](#))
 - iii. Board of Commissioners of Public Lands State Trust Fund Loan Program ([s. 24.61\(3\)\(a\)\(2\), Wis. Stats.](#))
 - B. Grants
 - i. Warren Knowles-Gaylord Nelson Stewardship Program ([s. 23.0953, Wis. Stats.](#))
 - ii. County Forest Stewardship Subprogram ([s. 23.0953, Wis. Stats.](#))
 - iii. Acquisition and Development of Local Parks Subprogram ([s. 23.09\(20\), Wis. Stats.](#))
 - iv. Lake Protection ([s. 281.68 Wis. Stats.](#))
 - v. River Protection ([s. 281.70 Wis. Stats.](#))
 - vi. County Forest Wildlife Habitat ([s. 20.370\(5\)\(as\)\), Wis. Stats.](#)
 - vii. County Forest Fish and Game Projects ([s. 23.09\(12\), Wis. Stats.](#))
 - viii. ATV/UTV Trail Aids ([s. 23.33\(9\), Wis. Stats.](#))
 - ix. Snowmobile Trail Aids ([s. 23.09\(26\), Wis. Stats.](#))
 - x. Federal Funding ([s.20.370\(5\)\(cy\), Wis. Stats.](#))

445 ENTRY OF LANDS

Lands to be entered under the regular classification of the County Forest Law must be suitable for forestry purposes and be within the County Forest blocking boundary. Lands designated for classification as County Forest -Special Use need not be contained within the county forest blocking boundary nor suitable primarily for timber but they must be suitable for scenic, outdoor recreation, public hunting and fishing, water conservation or other multiple-use purposes.

445.1 TIME OF ENTRY

formulating its withdrawal proposal.” Section. 28.11(11)(a) Wis.Stats. also states: “The county board shall not take final action thereon until 90 days after such referral or until the report thereon of the forest committee has filed with the board.”

Consequently, if the county board takes final action on a withdrawal application without referring it to the County Forestry Committee, the application is not valid. On the other hand, if the County Forestry Committee does not report to the county board within 90 days after receipt of the referral, the Board may act upon the application without a Committee recommendation.

455 LAND SURVEYING

The importance of survey corner monumentation is recognized in the interest of avoiding the problems of trespass both by and against the County, facilitating the settlement of those cases which would occur, and aiding in the proper transfer of property.

455.1 LEGAL SURVEYING

Of prime importance are the forest boundaries and property lines in common with other owners. All such surveying shall be under the supervision of a registered surveyor. When the office of the county surveyor is not staffed, the committee will comply with the provisions of Chapter 59, Wisconsin Statutes by hiring registered surveyors to perform the necessary running of property lines. Section corners, one-quarter corners and forty corners (1/16 corners) will be reestablished where needed and Certified Land Corner Restoration forms filled out in duplicate as time permits, under the direction of registered land surveyor.

455.2 LOCATION OF LINES BY OTHER THAN LEGAL SURVEY

Forestry personnel who are not registered surveyors may, with all possible prudence, establish lines for forest management purposes including those necessary for ordinary management activities such as timber sales and road / trail locations using available equipment including, but not limited to, air photos, quadrangles, county surveyor's records and known corners. In the absence of known corners, lines abutting other ownership may be established by mutual agreement to avert trespass claims. At a minimum, notify the adjoining landowner(s) of the

- C. Any instances of potential or accomplished obliteration of survey monumentation discovered in the course of field operations should be brought to the county surveyor's attention.

460 TERMS OF LAND SALE OR TRADE

All sale or trading of county lands within the forest boundaries shall be subject to terms established between the Land, Water, and Forest Resources Committee and the party which will receive the land from the County.

460.1 VALUES AND ACREAGE OF LAND SALE/TRADES

Lands within the County Forest Boundary will not normally be considered for withdrawals from the County Forest law. Requests for purchasing or trading for any of these lands by the private sector will be discouraged by the Committee. If, in the opinion of the Committee, the land will be put to a better and higher use and will benefit people of the county and state to a greater extent, the withdrawal procedure outlined in section 450 will be followed. A higher and better use is to be determined by the Committee and County Board taking into consideration the monetary value, or the value/acreage of lands received in trade along with the proposed use of the lands being withdrawn. The legal mean by which counties may apply for withdrawal of lands from the County Forest status is provided by s. 28.11, Wis. Stats.

460.2 ASSOCIATED COST

All costs such as appraisals, legal surveys, abstracts, title insurance, transfer fees, recording fees, notices, etc. shall be borne by the party initiating the land transaction. Withdrawal applications shall clearly state the person or entity responsible for such costs.

460.3 PUBLIC HUNTING AND FISHING RIGHTS

The county may retain the public right of ingress and egress for the purpose of hunting and fishing when lands are sold or traded. The Committee will make these determination on a case by case basis.

460.4 MINERAL RIGHTS

improvements to another party for a specified period of time, for monetary or other consideration. Specific County Forest Law provisions regarding leases can be found in ss. 28.11(3)(i) and (j), Wis. Stats. Leases on County Forest lands shall be negotiated for the shortest possible period of time and in no case shall they exceed ninety-nine years.

- C. Permit: A permit is a written document conferring a right, power or privilege to do a particular act or series of acts on land of another without possessing any interest therein. A permit can be revoked with cause and cannot be assigned to other parties. A permit, unlike an easement, does not imply an interest in the land and is not transferred with the land. Permits issued on County Forest lands shall be issued for the shortest possible period of time and in no case shall they exceed ninety-nine years.

Permits shall be the preferred property rights conveyance for private driveways and most other activities dealing with the private individuals using County Forest lands. Driveway permits expire when the land changes ownership. A prospective new property owner may receive a driveway permit in advance of completing a property purchase. Advance permits will not become effective until the new property purchase is recorded by the Register of Deeds office. The County will retain the right to revoke a driveway permit with cause. "Cause" can include, but is not limited to, violation of permit terms, misuse of County land, damage to County property, and noncompliance with County ordinances.

- E. Agreement: An agreement is a written document executed by two or more persons or entities expressing a mutual and common purpose. An agreement details the responsibilities, obligations, conditions, liabilities, etc. of all parties concerned and would be an appropriate instrument for dealing with activities such as public school forests, flowages, gravel crushing operations, and concessions. Agreements shall be effective for the shortest possible time.

465.1 TERMS OF PROPERTY RIGHTS CONVEYANCES

Forest boundaries and may be added to the County Forest lands. The following procedure shall be observed:

1. The County Treasurer advises the Forest Administrator who examines the property and determines if it should be added to the County Forest.
2. The Forest Administrator advises the Land, Water, and Forest Resources Committee, which considers the proposal and decides whether or not to add the land to the County Forest.
3. If the proposal for addition is approved, the Land, Water, and Forest Resources Committee shall apply to the Wisconsin Department of Natural Resources to enter the land under County Forest Law.

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CHAPTER 500

LAND MANAGEMENT AND USE

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500 LAND USE

500.1 OBJECTIVES

1. To identify policies and procedures employed to effectively manage, utilize and sustain the resources of the County Forest.
2. To identify regulated management activities, land uses and special resource areas.
3. To layout proper permits needed for certain activities on the County Forest

505 TIMBER SALES

Regulated cutting of timber is essential to the goals and objectives of this plan. Timber harvesting will be conducted to achieve a sustainable harvest level. Harvest areas will be distributed in the forest to accommodate such needs as biodiversity, wildlife, aesthetics, watershed protection and other biological needs. WisFIRS will be used for planning all timber harvests activities on the County Forest. All sales will be established, administered and reported in accordance with the DNR Timber Sale Handbook (2461). All sales on the forest are to be advertised for public bidding, with the exception of small sales with an estimated value less than \$10,000 or less than 500 cord equivalent or sales that would qualify under a salvage provision (s. 28.11(6)(c), Wis. Stats.). These sales may be sold direct without advertising.

505.1 FIELD PREPARATION OF TIMBER SALES

The County and the DNR will cooperate to locate, designate and prepare harvest areas for sale. The Forest administrator and DNR liaison forester shall jointly be responsible to see that the field work on sales is accomplished. Administrator and Liaison will also jointly be responsible for ensuring that all proper documentation for each timber sale is properly filled out and routed for signatures.

505.2 ADVERTISING FOR BIDS

After field work is completed and necessary reports receive DNR approval, the administrator shall prepare a sale prospectus and make it available to interested loggers. Under s.28.11(6)(b) Wis. Stats, timber sale advertisements, at a minimum, will be by

advantageous to the county. Grounds for rejecting bids may include without limit:

- A. Non-compliance with County Forest contract requirements.
 - B. Delinquent financial obligations.
 - C. Unsatisfactory past performances.
 - D. Inability to demonstrate financial or professional capability. Evaluation criteria on timber sales will be price and documented ability to satisfactorily complete the contract. Factors to be assessed may include proposed equipment and operation, references, proof of financial stability, past performance and documented training completed. The award of contract to the successful bidder shall be based upon the bid determined most advantageous to the County.
2. Tie bids may be settled by toss of a coin if both parties are agreeable; otherwise the bids on that tract will be rejected and the sale re-advertised.
 3. Sales remaining unsold after being advertised for one bid opening may be sold direct at not less than the appraised value even though their estimated value exceeds \$10,000. (See DNR [Timber Sale Handbook](#)).

505.6 SALE CONTRACTS

1. Contracts will be prepared with copies provided to the logger with the original filed in the Forest Administrator's office.
2. Contracts are to be signed by the successful bidder within 30 days of the sale or before cutting begins, whichever occurs first, with payment being made according to the County Timber Sale Bond and Advance Stumpage Payment Schedule. Failure to sign the contract within 30 days may result in forfeiture of the bid bond.

505.7 TIMBER SALE PERFORMANCE BOND

1. Surety bonds or an irrevocable letter of credit issued by a bank which is a member of the Federal Reserve System or insured by the Federal Deposit Insurance Corporation may be used in lieu of cash as a performance bond on sales. The letter of credit or surety bond must be in effect for a period of time equal to the term of the contract, plus a sufficient time to allow for possible extension(s) and for

considered by the committee only in the event of special justification. Special stumpage rate adjustments may be made.

- D. If purchasers do not wish to have contracts renewed or extended and do not finish the sale prior to expiration, appropriate penalties may be assessed. The performance bond will be forfeited either in part or in full based upon costs to reestablish and advertise timber sale as well as loss of stumpage value, growth losses and impact to harvest rotation schedules.
- E. The contractor may request a contract release due to severe physical or financial disability. The committee shall determine whether a release shall be granted and may withhold all or a portion of the performance bond deposit for damages.

505.8.4 Termination of Contract by Seller

Contracts may be terminated upon a breach made by the purchaser or at other times deemed necessary by the Forest Administrator, as per the terms of the timber sale contract.

505.8.5 Performance Bond, Damages, Future Contracts

This section of the contract is to identify the dollar amount and the duration of the performance bond. Also covered under this section of the contract are items to which the performance bond may be used to cover damages. This section also addresses County powers should damages exceed the performance bond amount. Examples of damages include:

- A. Undesignated timber removed
- B. Removal of timber without payment
- C. Damage to residual timber, roads or other infrastructure
- D. Restoration of sale area
- E. Costs associated with resale of uncut timber
- F. Other costs associated with breach of contract as determined by the County.

Upon termination of the contract the County will determine damages as applicable

operations. At a minimum, the contract holder and one “in-woods” person actively responsible for each logging site must be a “Qualified Professional”.

505.8.10 BMPs, Roads, Landings

Location, construction, and use of logging roads are subject to advance approval by a representative of the forestry department. Upon sale completion, all roads must be returned to the same or better condition. All roads and landings shall comply with all the recommended BMPs for Water Quality guidelines as described in “Wisconsin’s Forestry Best management Practices for Water Quality” published by the WDNR, publication Pub-FR-093. A copy of this publication is available upon request by the contract holder. Contract holder’s certification in Wisconsin BMP training or equivalent through a FISTA coordinated BMP workshop is also required. The contract holder shall make every attempt to comply with Forestry BMPs for Invasive Species as described in “Wisconsin’s Forestry Best Management Practices for Invasive Species” published by the WDNR, publication Pub-FR-444-09.

505.8.11 Soil Disturbance and Rutting

Soil compaction and rutting can reduce the productivity of a site, disrupt surface drainage and infiltration, and contribute to erosion and sedimentation. Compaction occurs over broad areas, but does not necessarily result in visible depressions. Ruts are depressions, such as furrows or trenches, created by breaking through the forest floor.

Existing road systems will be utilized when environmentally appropriate. The Forest Administrator will have the final approval in designating the location of roads, landings, and skid trails, and may consult with other County and DNR staff. Wisconsin Forestry Best Management Practices for Water Quality and this plan will be followed during all phases of the timber sale to prevent or reduce erosion and sedimentation to surface waters and wetlands. Expanding the footprint of roads, landings, and skid trails to maneuver

25 feet in any 100 feet.

- Total rut length on skid trails may not exceed 10% of the total length of skid trails.

General Harvest Area

- The rutted area for an acre of general harvest area may not exceed 5% (six inches or deeper).
- The average rutted area per acre may not exceed 2% of the total harvest area.

Measurements

Forest Road Rut Length is determined by measuring the length of ruts with depths of 6 inches or greater.

Skid Trail Rut Length is determined by measuring the total length of ruts and dividing by the total length skid trails. The length of rut made by each wheel or track is measured separately.

General Harvest Area Rutted Area is determined by measuring the length and width, in feet, of ruts, greater than 6 inches in depth, in an acre of harvest to determine square feet of rutted area.

505.8.12 Liability and Workers Compensation Insurance

All contracts should require proof of insurance. The proof of insurance shall be kept in the sale folder and must cover the entire operation period of the contract.

505.8.13 Scaling and Conversion Factors

All logs will be scaled with the Scribner Decimal C log rule. All sawlogs shall be scaled by the County prior to hauling.

Conversion of MBF (thousand board feet) to cords or cords to MBF will be 2.40 cords per MBF for softwoods and 2.20 cords per MBF for hardwoods. Pulpwood sold by weight will be converted using conversion rates outlined in the WDNR Timber Sale Handbook.

When peeled cordwood is measured, it is agreed that 12.5% will be added to

harmless the County and the County's employees and agents from and against all causes of action, claims, demands, suits liability or expense by reason of loss or damage to any property or bodily injury to any person, including death, as a direct result of operation under the contract or in connection with any action or omission of the purchaser, who shall defend the County and the County's employees and agents in any cause of action or suit.

- I. Independent contractor: Purchaser holds itself out as an independent contractor, it is understood that there is no employee-employer relationship between the seller and the purchaser, and any subcontractor of the purchaser.
- J. Assignment (sub-contracting): The contract cannot be assigned in whole or in part.
- K. Right of inspection by seller: County shall, at all times have the right to ingress and egress for any and all purposes.

505.8.16 Attachments to Contract

Attachments to the contract shall include the timber sale map, payment schedule and all cutting requirements including the timber sale prospectus. All addendums to the contract including contract extensions shall be made part of the contract.

505.9 TIMBER SALE RESTRICTIONS

- 1. To minimize resource damage, the types of logging equipment, methods, and times of operation used on sale areas may be restricted by the county.
- 2. Special restrictions may be required in accordance with county aesthetic policy, if applicable.
- 3. Seasonal restrictions may be applied to protect roads, minimize recreation use

2. The standard unit of measure for cordwood is measuring 4' x 4' x 8' of unpeeled wood. A pulpwood tree contains at least one 1. 8' stick, to a minimum top diameter as defined in the contract.
3. The DNR [Timber Sale Handbook](#) will be used as a guide in determining the conversion rates for posts, poles, bolts, chips, weight- scaled wood or other types of forest products.

505.12.2 Utilization Standards

Utilization standards will be specified on individual contracts to provide maximum utilization of all merchantable timber and will be based on the scaling standards noted in 505.8.8.

505.12.3 Methods of Accountability

Wood harvested from the sale area must be accounted for and payment made in accordance with existing policy and procedure. One or more of the following may be used on an individual sale:

1. The ticket system utilizes serialized three-part tickets, based on the approximate stumpage value of the wood to be hauled. One ticket must accompany each load of wood to the mill. Mill scale will be accepted for volume determination.
2. Wood may also be scaled on the landing. This method is generally used for sawlogs. Payment for wood products scaled is normally due within 30 days of the date of issue of an invoice from the County.
3. Lump sum sales may be utilized and divided into cutting units when practical. Payment for a cutting unit must be received in full before any cutting begins in that unit.

505.13 SPECIAL FOREST PRODUCT PERMITS

1. A written permit for taking fuelwood for personal use must be purchased for a specific area designated on the permit.

dealt with promptly and in a consistent manner. The following procedures will be used in all cases of suspected encroachments:

1. The county will establish property boundaries; if necessary, a legal survey will be conducted.
2. The county will gather all facts.
3. The Committee, in consultation with the forest administrator, county legal counsel, and the DNR, will make a decision as to the disposition of the case.
 - A. All above ground encroachments that are movable will be removed from county property.
 - B. Permanent type facilities, such as homes, garages, and septic systems shall be addressed individually and may be removed or handled by a land use agreement. Sale or transfer of the encroachment should remain an option depending on the circumstances involved and the viability of an adverse possession claim (s. 893.29 Wis. Stats.).
 - C. Provisions in the land use agreement, if that option is pursued, may include granting the encroacher permission to encroach on the County Forest lands with the following stipulations: no other encroachments will be allowed; the permit is non-transferable; the county must be notified once encroachment is terminated; county continues full ownership and control of property; permittee agrees to waive any rights to any future declaration of ownership or interest in the encroached county property; county reserves the right to cancel the permit and the permit is to be filed in the office of the County Forestry Department and all fees related to the land use permit shall be paid by the permittee.

520 SPECIAL USES

1. Recognizing the vast potential for a variety of special uses of the County Forest by governmental units, businesses, organizations or individuals, the committee may designate specified areas for special uses. Specific management methods are to be

until sand/gravel removal and reclamation of the site is completed. Upon completion of reclamation to the satisfaction of the county and the state, the lands shall be reapplied for entry under the County Forest Law.

520.2 EXPLORATION, PROSPECTING, AND MINING

1. The committee may investigate all mineral exploration, prospecting and mining requests as they are received.
2. The DNR shall be notified of all requests as they become known in accordance with s. 28.11(3)(i) and (j) and with DNR Manual Code 2712.1 or other codes which may be subsequently adopted.

The [Public Lands Handbook](#) should be referenced for more detailed procedure.

520.3 SANITARY LANDFILLS

The use of County Forest lands for sanitary landfills will not be allowed unless the lands involved are withdrawn from the County Forest Law.

520.4 MILITARY MANEUVERS

Military maneuvers on County Forest lands will be considered under a lease or written land use agreement. Upon receipt of a written request from the military the Committee, other necessary County staff, Military, and DNR representatives will discuss the issue at a public Committee meeting. After the needs have been outlined, the site shall be field checked, DNR input and consistency with the County Forest Law sought, and town officials advised. Depending on the scope of the project, a public hearing may be appropriate. If all aspects and concerns are addressed and agreed to, a legal instrument will be drafted. The matter will then be brought back to a Committee meeting for final input and approval. The [Public Forest Lands Handbook](#) will be used for further direction in this matter.

520.5 PUBLIC UTILITIES.

Easements for public utilities may be considered by the Committee. Underground

public good.

520.6.1 Temporary Access

Requests for temporary access across County Forest Lands will be reviewed for any potential conflicts with management activities or public access. If impacts are minimal, access for short term needs will be permitted through the use of access agreements or letters of authorization. Temporary access is generally for activities such as access to maintain utilities (rail, powerline, etc.) or for logging access on private lands. The recipient of temporary access is required to restore the roadway to at least its prior condition and to expand coverage of any performance deposits or liability insurance to cover the use of the County road.

520.6.2 Access Agreements

Requests for access to private lands may be made by private parties to build or improve access roads through the County Forest. Access agreements will be considered on a case-by-case basis and with the understanding that the County is not legally obligated to provide access to private lands.

A fee will be assessed by the Committee for access permits. The Committee may elect to waive these fees in cases of agreement renewals or in cases of existing roads or driveways.

Access across County Forest lands must be demonstrated by the applicant as the route of last resort, including evidence of an offer of fair compensation for access across other private lands. The following stipulations will be included in access agreements:

1. Permits are made by and between the County and the property owner. The permits are not transferrable and subsequent property owners must secure their own agreement.
2. Permits are for a five-year period.
3. Gates, signs, or other articles of the permittee are not permitted on County

Resources Committee.

520.8 COMMUNICATION TOWERS

The siting of communication towers on the Sawyer County Forest will be considered by the Committee on a limited basis. Requests will be considered on a case by case basis subject to the following conditions:

1. It must be demonstrated that the site is the most practical location for such a tower.
2. Land selected for such a tower is no longer suitable for continued entry in the County Forest program. According to section 28.11(4), Wis. Stats, any accompanying lands needed for tower support wires that inhibit the practice of forestry and are no longer suitable for scenic, outdoor recreation, public hunting & fishing, water conservation or multiple use purposes may also need to be withdrawn from County Forest Law. Withdrawal is subject to approval by both County Board and DNR.
3. A request to withdraw lands from County Forest Law by a private communication company shall follow withdrawal protocol.
4. Any agreement should also consider the inclusions listed under 520.5 (Items 1-8).

520.9 OTHER

Other types of special uses of the county forest may be considered by the committee. Regulations governing these uses will be developed on an individual basis. These may include, but are not limited to: research, independent study and scientific areas. Regulations governing these uses will be developed on an individual basis.

525 TREATY RIGHTS: GATHERING MISCELLANEOUS FOREST PRODUCTS

1. Any treaty rights participant interested in gathering firewood, tree bark, maple sap, lodge poles, boughs, marsh hay or other miscellaneous forest products (except fruits, seeds, or berries not enumerated in County ordinances) from

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PROTECTION

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OBJECTIVE

To protect and manage the resources of the forest from preventable losses resulting from fire, insects, diseases and other destructive elements including those caused by people. Protective methods shall include proper silvicultural methods.

The DNR provides statewide technical guidance that will be used to inform local decisions. This guidance will be referenced to make decisions at the county level.

605 FIRE CONTROL

Damage to the forest caused by uncontrolled fire can create an important challenge in the management of the forest. Loss of resource values caused by fire will be minimized through organized prevention, detection and suppression methods. Maintaining a healthy forest is key to fire management. The DNR is responsible for all matters relating to the prevention, detection and suppression of forest fires outside the limits of incorporated villages and cities, as stated in s.26.11(1), Wis. Stats. The DNR works cooperatively with local fire departments in all fire control efforts. Sawyer County Forest is part of the Intensive Forest Fire protection area. The Fire Management Handbook No. 4325.1 and the Area Operations Plan shall serve as the guidelines for fire control activities.

605.1 COOPERATION WITH THE DEPARTMENT OF NATURAL RESOURCES

Pursuant to s. 26.11(4) and s. 28.11(4)(f), Wis. Stats., and of the Sawyer County Forest Ordinance, the county may cooperate with the DNR in the interest of fire prevention, detection and suppression on the County Forest. This is accomplished through agreements authorizing the DNR to use County Forest land or to utilize county personnel and equipment for fire protection activities.

605.1.1 Personnel

County Forest personnel, upon request from the DNR, shall be made available for forest fire control efforts within the county in accordance with an established memorandum of understanding (MOU). The DNR is responsible for training and directing the activities of county personnel in accordance with the rules identified in the Fire Management Handbook, No. 4325.1.

All prescribed burning on County Forest lands will follow the DNR recommendations. See Prescribed Burn Handbook No. 4360.5 for details. Prescribed fire may be an effective management tool on the County Forest.

605.5 COUNTY FOREST FIRE HAZARD AREAS

The DNR places primary emphasis will be placed on fire control efforts in pine areas. Maps of these areas are available at the local DNR field office. The County will cooperate with DNR Fire Control in providing for firebreaks or access ways. Existing access roads, firebreaks and water access points will be maintained as deemed necessary. Secondary emphasis will be placed on hardwood areas with no firebreaks developed or maintained. However, access roads will be maintained as defined in Chapter 700 of this plan.

610 CONTROL OF FOREST PESTS & PATHOGENS

610.1 DETECTION

Damage to the forest caused by insects, other pests and diseases can adversely affect management of the forest resources. Losses to resource values impacted by forest pests will be minimized through integrated pest management methods, with emphasis on silvicultural prescriptions (timber sales). The detection and control of pest problems will be accomplished by county and DNR personnel in cooperation with other agencies.

610.2 PEST SURVEYS

Pest surveys are conducted under the direction of the DNR's forest health specialists. The County may cooperate by providing personnel and equipment to assist in these operations.

610.3 SPECIFIC PESTS AND PATHOGENS OF CONCERN

Integrated pest management for the purpose of this Plan, is defined as follows:

"The maintenance of destructive agents, including insects, at tolerable levels, by the planned use of a variety of preventive, suppressive, or regulatory tactics and strategies that are ecologically and economically efficient and socially acceptable."

The integrated pest management control and methodology shall be determined jointly by the County Forest Administrator, and DNR liaison forester in consultation with the DNR

from Ips can occur for 2-3 years after the jack pine budworm outbreak collapses. This mortality and top-kill create fuel for intense wildfires.

It will be Sawyer county's strategy to harvest at the appropriate rotation age, maintain high stand densities (without overcrowding), and use good site selection for jack pine. This will be an effort to help avoid budworm-caused tree mortality and reduce the threat of damaging wildfires while still providing suitable conditions for jack pine regeneration. Prompt salvage following an outbreak will also help reduce the possibility of wildfire. Esthetic strips and/or islands should not be used. Leaving these esthetic strips/islands can prolong the outbreak by giving the budworm areas for breeding. Use of insecticides is not warranted in combating this forest pest on the County Forest.

610.3.1.3 Oak Wilt

Oak wilt, *Bretziella fagacearum*, is a destructive disease of oak trees. It is responsible for the death of thousands of oak trees in forests, woodlots, and home landscapes each year. Oak wilt is caused by a fungus that invades and impairs the tree's water conducting system, resulting in branch wilting and tree death. Trees in both the red oak group and white oak group are affected. There is no known cure once a tree has oak wilt. Prevention of new oak wilt infection centers is the best management option and involves avoiding injury to healthy trees and removing dead or diseased trees. Counties should use the [Oak Harvesting Guidelines to Reduce the Risk of Introduction and Spread of Oak Wilt](#) for management guidance. . If pruning is necessary or damage is incurred during the growing season,, e.g. through construction activities or storms, the wounds should be painted immediately with a wound paint.

It will be Sawyer County's policy to remove infected trees harvest or burn and/or chemically treat trees and/or stands of trees confirmed to be infected with oak wilt. A vibratory plow, or similar implement, may also be used to sever root grafts on isolated pockets where feasible. Timber harvest of red oak will be restricted between April 15 and July 15. Additionally, any trail or road

comprises a significant component in the northern hardwood timber type and can be found in nearly pure stands in some lowland areas. Adult EAB beetles feed on foliage but it is the larvae that cause mortality by feeding on the phloem and outer sapwood of the ash trees.

The [Emerald Ash Borer Silviculture Guidelines](#) are available to help resource managers make informed stand-level decisions to manage forests that are not yet infested by EAB, as well as implement salvage harvests and rehabilitation in stands that have already been impacted by EAB.

It is Sawyer County's policy to follow the Emerald Ash Borer Silviculture Guidelines.

610.3.1.7 Heterobasidion Root Disease

Heterobasidion root disease (HRD, previously called annosum root rot), is caused by the fungus, *Heterobasidion irregulare*. It is a serious disease that causes pine and spruce mortality in Wisconsin, but over 200 woody species have been reported as hosts. Red and white pine trees are most commonly affected in plantation-grown stands subjected to thinning. The disease was first confirmed in Wisconsin in 1993 and has since been found in a number of counties throughout Wisconsin. Diseased trees, including overstory trees and understory seedlings and saplings, will show fading, thin crowns with tufted foliage, and eventual mortality. Currently there are no curative treatments to eliminate the HRD pathogen from a stand once it is infested, so preventing disease introduction is the best approach.

Infection most often occurs when HRD spores land and germinate on a freshly cut stump. The pathogen then grows into the root tissue and progresses underground from tree to tree through root contact. As the pathogen spreads, and trees decline and die, an ever-expanding pocket of mortality is formed. HRD fruit bodies, or conks, may be found at the base of dead trees and old stumps. Fruit bodies are most commonly observed in the fall but can be found any time of the year.

allowed to remain due to extent and financial ability to control them. The County will continue to train staff in invasive species identification as well as attempt to secure funding sources to control them as much as is practical. Invasive plants on the forest should be documented as well as potential response to new infestations.

605.5.1 Funding and Partnerships

Grant opportunities for invasive species control funding can be found on the [Financial Assistance webpage](#) of the Wisconsin Invasive Species Council. The number of grants for local governments and county forest is limited, especially for terrestrial invasive plant control. Some grants, such as the Department of Natural Resource's [turkey stamp program](#), support invasive plant control as part of larger efforts to promote certain outcomes and might be applicable.

The Department of Natural Resources promotes the formation of cooperative invasive species management areas (CISMAs) through its [Weed Management Area – Private Forest Grant Program](#). While activities funded by this grant are restricted to non-industrial private forests, CISMAs are encouraged to partner with other groups in their area and some can provide technical support to county forests. The CISMA's of Wisconsin can be found on this [map](#).

605.5.2 Best Management Practices

In 2009, the Department of Natural Resources and many stakeholder groups approved a series of Best Management Practices (BMPs) for minimizing the spread of forest invasive plants. The full text of the [BMPs](#) is found on the Wisconsin Council on Forestry website. Voluntary use of the BMPs during forestry stewardship activities reduces the spread of invasive plants that can impede forest regeneration in county forests.

BMPs used before, during and after a harvest promote forest regeneration. Reasonable efforts to clean vehicles, equipment, footwear and other clothing

capsules. Garlic mustard can quickly colonize disturbed forests as it often follows corridors such as game trails or man-made roads/paths. As garlic mustard spreads, it quickly displaces native plants and is known to radiate chemicals into the soil that disrupt associations between mycorrhizal fungi and native plants. Small populations can be hand pulled, while larger populations are better controlled with prescribed fire and/or herbicide. All pulled plant materials should be bagged and removed from the forest as seeds have been known to mature on dead plants left on site. Treatment should be repeated until the seed bank is depleted, which takes multiple years. Garlic mustard sites should be monitored annually, until no plants are discovered for several years.

605.5.3.3 Honeysuckle

Bush Honeysuckles (*Lonicera maackii*, *L. tatarica*, *L. morrowii*, *L. X bella*) were introduced from Eurasia as ornamentals, wildlife cover and soil erosion control. Bush honeysuckles are upright deciduous shrubs, ranging from 5 - 12 feet tall with gray shaggy bark. The leaves are opposite, simple, oval and untoothed and can be smooth, to velvety depending on species. Flowers are fragrant and tubular ranging in colors of white, red and pink. They bloom May through June and then form red to yellow berries that are found as pairs on the leaf axils. Honeysuckles replace native forest shrubs and herbaceous plants by inhibiting growth of understory plants due to early leaf-out which shades out herbaceous ground cover and depletes soil moisture. Control options include hand pulling small infestations and prescribed burning which kills seedlings and top kills mature shrubs. Herbicide options include cut stump treatment and foliar spraying. With all control efforts repeated monitoring is needed.

605.5.3.4 Spotted Knapweed

Spotted knapweed (*Centaurea stoebe*) is an herbaceous, short-lived perennial native to Eurasia that can grow 2 – 4 feet tall. This plant first appears as a basal rosette of somewhat silvery leaves and may persist this way for several years before developing pink-purple flowers on long spreading stems. The flowers are thistle-like with many petals and stiff bracts. Knapweed invades dry-upland

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ROADS AND ACCESS

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700 ACCESS CONTROL & HISTORY

Resource management, protection activities, recreational uses, and other public uses on the Sawyer County Forest require several different types of access. The Sawyer County Forest is large and has a diverse acreage throughout which a broad network of access routes has developed. A combination of geography, soils, vegetation, surface waters, seasons of the year, presence/absence of roads or trails, ownership of adjoining lands, and public regulations interact to control access to any part of the Forest.

Many of the existing roads and trails were originally developed as logging roads, forest fire protection lanes, or trails used to reach popular hunting and fishing areas. The locations and standards for these earlier roads were not routinely established by county personnel, nor were they maintained on a regular basis.

Over the years, the road density and frequency of vehicle use on the Forest has increased in response to an expanding number of motorized recreational vehicles and to provide access for our harvest program. Often times, different uses have occurred on the same trails with minimal conflicts. But the diverse demands for, and uses of, the County Forest have reached the point where integrated access management planning is needed. The plan will address the following areas:

User conflict between groups: e.g., snowmobiling versus cross-country skiing; hunting on foot versus use of vehicles for access to game populations; biking versus hunting, etc.

Safety: e.g., pleasure riding of horses on the same trail with ATV vehicle traffic, or hiking.

Erosion: soils eroding due to use, or over-use by vehicles without routine maintenance.

Damage to access: rutted or impassable roads requiring costly repair by the county or other specific user groups (e.g., snowmobile/atv club).

Litter: depositing garbage and waste on the Forest.

Over-utilization of a resource: ruts, sediment on roads and trails and little or no ground vegetation e.g. reduced availability of trophy-sized deer, excessive harvest of ruffed

grouse along trails.

Crowding: e.g. complaints from hunters about intensified competition for traditional hunting areas as a result of better access. Complaints about intensified competition from multiple recreation uses on road and trail systems.

Fires: e.g. increased exposure of the resource to forest fire occurrence.

Endangered species management: identification and protection of endangered plant and animal species.

Invasive species: e.g. introduction of invasive exotic species along travel routes.

Developmental trends: e.g. preservation of the County Forest solitude by limiting access versus development of high intensity use by additional roads and unlimited access.

Road placement, design, and sustainability: e.g. some roads should be closed for improper location and evaluated for replacement.

705 CHAPTER OBJECTIVES

1. Provide direction to the committee and resource managers in order to maintain a network of roads and trails on the County Forest. This will meet the needs for resource management and protection activities, as well as provide public access for recreation opportunities. The goal of the plan is to provide balanced access to a wide variety of user groups while still protecting the natural resources.
2. Identify the distribution, density, and types of roads and uses of roads and trails needed to establish a safe and efficient transportation and recreation system that complements the economic, environmental, and social interest in the County Forest.
3. Identify the existing and future County Forest roads eligible for transportation aids under s.86.315(1), Wis. Stats.
4. Identify areas on the County Forest where the access is limited or restricted.
5. Identify the provisions and criteria that will be policy when addressing management issues on the County Forest.

Forest roads in this category qualify for the County Forest Road Aids program. Qualifying roads in this program must meet minimum design standards set by WI Statute Section 86.315 (4) (a) and 86.315 (3) and administered by WI DOT. A yearly aid payment is used to maintain and improve these certified public roads. At this time, Sawyer County has no roads that fall in this category. As funding allows, roads will be prioritized to be considered for upgrades to primary roads and potentially County Forest Roads.

710.2 PERMANENT SECONDARY ROADS

These roads often serve a variety of uses including forest management, fire protection, and recreation. These roads are maintained as part of a permanent road system but are often narrower than permanent primary roads and are built and maintained to lower standards. Some of these roads are designed for use only when the ground is frozen or firm.

Some roads in this category are located in areas on the Forest where motor vehicle use is limited or restricted. In these instances, the roads will be blocked and/or signed as restricted. In instances where motorized traffic is restricted, vehicle access will only be authorized for planned management activities, fire protection, and in cases where motorized handicapped access has been approved. Foot traffic is allowed on all roads.

710.3 TEMPORARY ROADS

Many of the roads on the Forest fall into this classification. These roads are designed and constructed for short-term use for a specific project; often for timber harvest access. These roads are used only for a short duration and when the activity is done, the temporary road is closed. These roads are naturally or artificially revegetated and closed by use of earthen berms/bunkers or other physical barriers. In some cases, roads are completely closed with slash and debris to prevent future use and to encourage natural regeneration of trees.

County Forest when dealing with drainages, wetlands and stream crossings. Some of these are temporarily placed culverts that are used during a specific project then removed, while others are permanent structures.

In all instances, culverts should be placed according to required DNR permitting procedures and should follow BMP's for culverts that can be found in chapters 4 and 5 of the WI BMP's for Water Quality PUB FR-093 2010.

Routine maintenance of these structures should also be completed to make sure structures are adequately working. The county may want to consider documenting the location of culverts on the forest and provide a list of the culverts that should be routinely checked.

710.7 FORDS

The County Forestry Department has found that culverts typically require a high degree of maintenance, especially on those trails open to public motor vehicle travel. The County began to test rock ford crossings during the late 1990's. A ford crossing is constructed by replacing stream bottoms with four to eight-inch (4-8") rocks, while maintaining the original elevation of the stream bottom. This allows traffic to cross through the water without causing erosion or sedimentation. The following are ford crossings in use on the County Forest:

1. Cold Brook – SWNE of Section 5, T42N – R9W.
2. Unnamed stream in the NENW of Section 24, T37N – R5W.
3. Unnamed stream in Section 27, T37N – R9W.

715 RESTRICTED ACCESS AREAS

In addition to providing trails for motorized vehicle use, the Forest may also provide and designate areas where motorized equipment is not permitted unless authorized by the

- A. Interpretive Signs - to educate the general public about forest management practices.
 - B. Public Land Signs - to identify the land as Sawyer County Forest property.
 - C. Trail Markers - to provide direction and safety to trail users.
 - D. Scientific, Historical or Geological Markers - to identify points of interest.
 - E. Recreational Facility Markers - to identify park entrances, etc.
 - F. Directional Markers.
2. Regulatory Type Signs - to regulate the use of the Forest in specific areas.

730.1 SIGNING STANDARDS

To assure that signs will serve a purpose without damaging aesthetics, the following standards will be maintained:

- 1. All signs will be mounted on posts, not trees.
- 2. Signs must be of neat appearance.
- 3. Signs on trails must conform to any applicable snowmobile, ATV, bike etc. state standards and be approved by the Land, Water, and Forest Resources Committee.
- 4. All authorized signs shall be protected by the Recreational Sign Ordinance from being damaged, defaced, obstructed, removed, or possessed by unauthorized persons.
- 5. Individuals erecting unauthorized signs may be prosecuted under s.943.13(3), Wis. Stats.

730.2 RECREATIONAL TRAIL SIGNS

The Wisconsin Department of Natural Resources (DNR) Trail Signing Handbook will be used as the guide for posting standardized signs and will assist in promoting uniformity for trail signing through the County. Only trail signs that provide

maple, basswood, mixed hardwood and aspen. The topography is generally flat with many lowland areas. Logging is done mainly in the winter months over frozen ground. When the logging is completed on most tracts, the access road will be closed with an earthen berm. In certain circumstances, if it is determined the access road is suitable to be left open, then the Forestry Department may decide to leave it open to the public, or gate it so it could be mowed. A number of roads have been left open, but are not drivable when the ground is not frozen. These roads are slowly growing shut. Other roads have been left open as access roads for recreational use.

2. Seeley Hills Block

This block has generally a sandy loam soil type. Timber types are mostly of the oak, aspen and pine types. Topography is rolling to hilly. Because of the hills, logging is more of a summer activity. Very few wetlands exist in this block. Sawyer County had a CCC Camp located near Little Smith Lake, south of Telemark. These workers created many fire lanes through this block of County Forest. Because of them, the public has always had very good access to this block. The distance between roads at this time is generally less than one (1) mile in any direction.

3. Sissabagama Block

This block generally has sandy loam type soils. The predominate timber types are oak and aspen. The topography is generally rolling. This block contains a number of wetlands and also a number of small pothole lakes. This is a long, narrow block. An open access road runs through the block provided access.

4. Edgewater Block

This block has soils that are mostly loamy to sandy loam. The timber types vary from maple and basswood to oak and aspen. The area is somewhat hilly with many lowland wet areas at the bottom of the hills. Stoney Hill Road and Zettle

by the County and/or private contractors working under County supervision, other public resource agencies and in cooperative agreements with non-profit organizations. The specifications for road/trail construction and maintenance may vary with the frequency, duration, and planned use of each road/trail.

745.1 SUSTAINABLE ROAD/TRAIL DEFINITION

A sustainable road/trail is defined as:

1. Located, designed, and constructed to shed water effectively from the surface of the road/trail without causing damage or erosion to the road/trail surface or to the surrounding area.
2. Road/trail can also be maintained in an environmentally, and socially acceptable condition for its designed purpose with a minimal, reasonable and affordable maintenance schedule.

745.2 ROAD/TRAIL SPECIFICATIONS AND DESIGNS

All new roads and trails will be constructed in accordance with the standards outlined in Wisconsin's Forestry Best Management Practices for Water Quality Handbook. All new roads and trails will be ditched and crowned as shown in the figure following.

timber harvesting, timber sale establishment, etc.) with prior approval from the County Forest Administrator.

Every road and trail on the County Forest have been inventoried, numbered and designated with classifications as to the type of allowable or restricted use. No undesignated roads or trails are part of the road inventory and classification. There are three major classifications of roads and trails on the County Forest. As part of these major classifications, there are also several designations within each class. They are defined as follows:

Please see definitions of ATV/UTV in Section 775.

750.1 OPEN ACCESS

Road is open to all motor vehicle travel, providing the vehicle is either a state licensed or state registered vehicle.

750.1.1 Open Access (Forest Road)

Road is designated as a forest road. Open to all state licensed or state registered vehicle.

750.1.2 Open Access (ATV/UTV/Snowmobile Trail)

Road is designated as an ATV/UTV/Snowmobile trail but is open to all motor vehicle travel as defined in the Open Access classification.

750.1.3 Open Access (ATV/UTV/Snowmobile/Mountain Bike Trail)

Road is designated as an ATV/UTV/Snowmobile/Mountain Bike trail. Open to all motor vehicle travel as defined in the Open Access classification.

750.1.4 Open Access (Snowmobile Trail)

Road is designated as a snowmobile trail, open to all motor vehicle travel as defined in the Open Access classification.

750.3 CLOSED ACCESS

Road is open to non-motorized access only.

750.3.1 Closed Access (Forest Road)

Road is designated forest road open only to non-motorized traffic.

750.3.2 Closed Access (Hunter Walking Trails)

Road is designated Hunter Walking Trail, open only to non-motorized traffic. Use of non-motorized wheeled vehicles (with the exception of game retrieval carts) is prohibited from September 15 to December 31 of each year. Trail is maintained and mowed periodically.

750.3.3 Closed Access (Recreational Exclusive)

Trail is maintained as non-motorized recreational trail exclusively to include:

750.3.3.1 Single Track Bicycle Trails

Trail is designated and designed and built specifically for mountain bike use. Foot travel and snowshoe also allowed.

750.3.3.2 Ski Trails

Trail is designated for cross country ski use. During non-snow conditions open for all non-motorized trail use.

755 SIGNAGE

In order to communicate to the public, the designations of uses on forest roads and trails, signs will be posted as to the uses allowed. The roads and trails will be signed as follows:

755.1 CLOSED ACCESS

Either signed as closed, or road/trail will be gated or bermed.

will be exempt from the closure period:

- Snowmobiles and snow grooming equipment
- County and State vehicles performing assigned duties.
- Logging equipment on a site-specific basis if pre-approved by the Forestry Committee
- Emergency vehicles
- Maintenance vehicles with prior approval of the Forest Administrator.
- Other needs as brought to the attention of the Land, Water, and Forest Resources Committee.

760.2 ADDITIONAL CLOSURES

Trail use may be temporarily or permanently closed and/or relocated for the protection of the Forest environment and/or protection of the users.

The County Forest Administrator may temporarily close any road or trail for a period of 45 days, for the safety of the users and to limit environmental damage until the Forestry Committee can make a formal decision on a course of action.

765 RECREATIONAL TRAIL CONSTRUCTION AND MAINTENANCE

Requests for recreational trails must be reviewed and approved by the Land, Water, and Forest Resources Committee. Groups requesting specific trail development or use must present a plan for the long-term funding and maintenance of proposed trails.

765.1 RECOMMENDED PROCESS REGARDING REQUESTS TO CONSTRUCT AND/OR MODIFY RECREATIONAL TRAILS

- Present concept, area, rough location and design to the Sawyer County Forest Administrator for approval to layout and flag.
- Physically layout, flag and GPS trail.
- Present plan to Forest Administrator for preliminary review to determine if plan is consistent with Forest Plan.

- The vehicle is a non-motorized type of hand-pulled cart and is designed for and being utilized for carting/removal of large game from the forest, or
- County or State employees in the performance of their job duties, or
- By permission from the Forest Administrator for special circumstances.

775 ATV/UTV DEFINITIONS

775.1 ATV DEFINED

For the purpose of use on County Forest Lands, the definition of an ATV is described in s. 340.01(2g) Wis. Stats. as follows:

- A commercially designed and manufactured motor-driven device
- Engine driven device having a new weight of 900 pounds or less
- Width of 50 inches or less
- Seat designed to be straddled by the operator
- Travels on 3 or more tires

775.2 UTV DEFINED

For the purpose of use on County Forest Lands, the definition of an UTV is described on ss 23.33(1) Wis. Stats. As follows:

- A commercially designed and manufactured motor driven device that does not meet federal motor vehicle safety standards in effect on July, 1 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle, that is designed to be used primarily off of a highway.
- A weight, without fluids, of 2,000 pounds or less.
- Four or more tires.

COUNTY FOREST COMPREHENSIVE LAND USE PLAN

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INTEGRATED RESOURCE MANAGEMENT

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800 CHAPTER OBJECTIVES

To introduce and communicate to the public, the County Board of Supervisors, and to the Wisconsin DNR, the integrated resource approach that forestry, wildlife and other natural resource staff will use on the Sawyer County Forest during this planning period.

805 INTEGRATED RESOURCE MANAGEMENT APPROACH

Integrated Resource Management is defined as: "the simultaneous consideration of ecological, physical, economic, and social aspects of lands, waters and resources in developing and implementing multiple-use, sustained yield management" (Helms, 1998).

This balance of ecological, economic, and social factors is the framework within which the Sawyer County Forest is managed.

The working definition of Integrated Resource Management means, in large part, keeping natural communities of plants and animals and their environments healthy and productive so people can enjoy and benefit from them now and in the future.

The remainder of this chapter is written to help communicate how the Forest is managed on an integrated resource approach.

810 SUSTAINABLE FORESTRY

"the practice of managing dynamic forest ecosystems to provide ecological, economic, social and cultural benefits for present and future generations" NR 44.03(12) Wis. Adm. Code and s.28.04(1)(e), Wis. Stats.

For the purpose of this chapter, sustainable forestry will be interpreted as the management of the Forest to meet the needs of the present without knowingly compromising the ability of future generations to meet their own needs (economic, social, and ecological) by practicing a land stewardship ethic which integrates the growing, nurturing, and harvesting of trees for useful products with the conservation of soil, air and water quality, and wildlife and fish habitat. This process is dynamic, and changes as we learn from past management.

Ecological landscapes distinguish land areas different from one another in ecological characteristics. A combination of physical and biological factors including climate, geology, topography, soils, water, and vegetation are used. They provide a useful tool and insight into ecosystem management. Land areas identified and mapped in this manner are known as ecological units.

Generally accepted silvicultural systems are prescribed on a stand level scale, in recognition of the position within an ecological landscape.

810.1.5 Integrated Pest Management

“The maintenance of destructive agents, including insects, at tolerable levels, by the planned use of a variety of preventive, suppressive, or regulatory tactics and strategies that are ecologically and economically efficient and socially acceptable”

The Committee has the authority to approve and direct the use of pesticides and other reasonable alternatives in an integrated pest management program on the Forest.

Refer to Chapter 600 (610.3) for more detailed discussion and integrated pest management strategies.

810.1.6 Best Management Practices for Water Quality

The most practical and cost-effective method to assure that forestry operations do not adversely affect water quality on the County Forest is to utilize "best management practices" (BMP's) as described in Wisconsin's Forestry Best Management Practices for Water Quality. Publication number FR-093.

Consistent with the aforementioned manual (page 6), Sawyer County will use BMP's on the Forest with the understanding that the application of BMP's may be modified for specific site conditions with guidance from a forester or other natural resource professional. Modifications will provide equal or greater water quality protection or have no impact on water quality. Areas with highly

- Wetland Resources: WDNR, Army Corps of Engineers, County Zoning
- Navigable Streams: WDNR, Army Corps of Engineers, County Zoning
- Floodplains: County Zoning
- Cultural Resources: WDNR, State Historical Society
- Entomology / Pathology: WDNR
- Endangered Resources: WDNR
- Forestry: Cooperative Field Trials, see WDNR website
- Other subjects as needed

810.1.9 Local Silvicultural Field Trials

To date, numerous field trials have been completed or are ongoing on the Sawyer County Forest. These trials include:

- Red Oak Regeneration, Pre-harvest scarification including prescribed fire for seed bed preparation and release. Located throughout county blocks containing suitable oak stands.
- Northern Hardwood, even-aged treatments. Shelterwood/Seed Tree with pre-harvest scarification. Located throughout county blocks

815 MANAGEMENT CONSIDERATIONS TO REDUCE LOSS

815.1 RISK FACTORS

815.1.1 Wind

Wind events have and will continue to occur on the County Forest.

Although these events are not preventable, the County can take steps to reduce loss in the event of a wind storm. Planning of timber harvest to minimize risk of wind-throw on shallow soils and other areas prone to damage is one method of reducing risk. When wind damage occurs, the quick response of the department is critical to salvage forest products before

815.1.5 Timber markets

Volatile timber markets are a common issue faced by the forest products industry and will likely continue to be. Managing for a diverse forest is one way to help mitigate this issue. By having a variety of species and types of forest products available, market fluctuations in one species or product can be offset by other available species and products. Establishing timber harvests in a variety of timber types each year according to the annual allowable harvest will make a variety of species and products available that can help reduce impacts of the markets.

820 PLANT COMMUNITIES MANAGEMENT

Sawyer County recognizes the importance of maintaining the diversity of the forest under an ecosystem approach. The process involved in making management decisions to encourage or not encourage specific species or communities is complex. It includes an understanding of:

- Objectives of the County
- Integration of landforms, soils, climate, and vegetative factors
- Habitat classification
- Past, present and future desired condition
- Surrounding ownership patterns and general objectives
- Wildlife habitat and other values
- Social needs

820.1 SILVICULTURAL PRACTICES/TREATMENTS

Silviculture is the art and science of controlling forest composition, structure, and growth to maintain and enhance the forest's utility for any purpose. These practices are based on research and general silviculture knowledge of the species being managed. The goal is to encourage vigor within all developmental stages of forest stands, managed in an even aged or uneven aged system. The application of silviculture to a diverse forest needs a unified, systematic approach. The DNR Public Forest Lands Handbook (2460.5) and DNR Silvicultural Guidance will be used as

managing for all aged)

820.1.1.4 Prescribed Burning

Prescribed burning may be utilized as a tool to promote regeneration. A number of forest types in Sawyer County are ecologically tied to fire. Burning may create seeding conditions or release regeneration from competing vegetation. Prescribed fire may be used for regeneration of red oak, jack pine or white pine. See section 810.1.7, and 605.4.

820.1.1.5 Soil Scarification

Scarification is a technique used to prepare a seedbed beneath forest stands scheduled for harvest and regeneration. This mechanical disturbance that exposes bare mineral seedbeds and creates conditions necessary for regeneration of pine species. Disturbance that mixes seed into duff and soil layers creates optimal conditions for regeneration of oak, white birch, fir and others. Sawyer County utilizes salmon blades, root rakes, and straight blade for soil scarification.

820.1.1.6 Other

Other natural regeneration techniques may be considered where necessary and appropriate. New methods for natural regeneration are continually tested for effectiveness.

820.1.2 Artificial Regeneration

When natural regeneration fails, or when tree species present do not coincide with management objectives for the site, artificial means will be employed to establish a desirable stand of trees. Artificial regeneration on a site usually requires some form of site preparation followed by seeding or planting.

820.1.2.1 Mechanical Site Preparation

Mechanical site preparation includes the use of soil disturbance

820.1.3 Intermediate Treatments

Intermediate treatments are those practices used to enhance the health and vigor of a forest stand. In general, intermediate treatments are applied to forest stands managed as even aged.

820.1.3.1 Mechanical Release

Mechanical release is the removal of competing vegetation by means other than herbicide or fire. Mechanical may include releasing young pine plantations from competing vegetation using chain saws or other hand-held equipment; or mowing to release regeneration.

820.1.3.2 Chemical Release

Chemical Release is the removal of competing vegetation from desirable trees through the use of herbicides. It should be used sparingly and in situations where mechanical treatment is not expected to provide the level of vegetative control needed. Chemical will be applied in strict accordance with label recommendations, requirements and under the oversight of a certified applicator. A written prescription for each herbicide application will be prepared and kept on file.

820.1.3.3 Non-Commercial Thinning (TSI)

In general, most thinning needs are accomplished through commercial harvest operations. Non-commercial thinning may be considered if the individual site requirements, funding and/or available labor make it desirable.

820.1.3.4 Thinning / Intermediate Cuts

Management of some even aged forest types necessitates the use of commercial thinning, also known as intermediate harvests, to maintain forest health and vigor. Thinning is generally prescribed in forest types such as red pine, red oak, and in cases of even aged hardwood management. Thinning may be prescribed on other even aged types as

accomplish this by regenerating mature aspen stands with clear-cuts and other even-aged harvesting techniques. Aesthetic concerns can be mitigated by retaining pine, spruce, fir and/or red oak tree species on the sites, limiting the size of harvests, and creating irregularly shaped harvest boundaries.

<u>Shade tolerance:</u>	Intolerant
<u>Intermediate treatments:</u>	None
<u>Median rotation age:</u>	50
<u>Primary regeneration method:</u>	Natural
<u>Harvest method:</u>	Clearcutting with coppice
<u>Habitat value:</u>	Early successional related species
<u>Economic value:</u>	Fiber production / bolts
<u>Insect disease considerations:</u>	Hypoxylon and other cankers
<u>Trends:</u>	General declines on statewide acreage
<u>Landscape considerations:</u>	Retain/Increase acreage where possible

820.2.1.2 Jack Pine

These are types where jack pine makes up more than 50% of the stems. Common associates in Sawyer County are pin oak, aspen, and white birch. Jack Pine cover types make up a very small component of the county forest. It is the intention of Sawyer County to maintain or increase the acreage of jack pine on the forest.

<u>Shade tolerance:</u>	Intolerant
<u>Intermediate treatments:</u>	Plantation/Planting Release
<u>Median rotation age:</u>	50 years
<u>Primary regeneration method:</u>	Planting/seeding/presale
<u>scarification Harvest method:</u>	Clear-cut
<u>Habitat value:</u>	Conifer and early successional species
<u>Economic value:</u>	Fiber production,
<u>bolts Insect disease considerations:</u>	Jack Pine Budworm
<u>Trends:</u>	Declining on a statewide
<u>basis Landscape considerations:</u>	Retain/increase where possible

820.2.1.3 Red Pine

Red Pine comprises 50% or more of the stems. Red Pine on the Sawyer County Forest is typically plantation origin. The majority of the plantations were established in the 1930's by the Civilian Conservation Corps. Natural stands of red pine also occur on the County Forest. Red Pine is managed for high quality timber production. Typical management of red pine plantations consist of a row

extended rotation of 120 years or more.

Regeneration of white pine can be accomplished through intermediate thinnings that encourage natural regeneration to establish. Shelterwood harvest to release existing regeneration followed by seed tree harvests when regeneration is well established can be successful in regenerating white pine. Scarification of the site to expose mineral soil and reduce competition will be used to enhance regeneration.

<u>Shade tolerance:</u>	Intermediate
<u>Intermediate treatments:</u>	Plantation Release, Row Thinning, single tree selection.
<u>Median rotation age:</u>	80-120+ years
<u>Primary regeneration method:</u>	Natural seeding, planting
<u>Harvest method:</u>	Intermediate row and single tree selection, shelterwood, seed tree
<u>Habitat value:</u>	Conifer and early successional species along with extended rotation large tree species.
<u>Economic value:</u>	Fiber production, bolts, logs, utility poles
<u>Insect disease considerations:</u>	Bark Beetles, Heterobasidion Root disease, white pine blister rust, tip weevil.
<u>Trends:</u>	Maintaining Acreage
<u>Landscape considerations:</u>	Retain acreage where possible

820.2.1.5 Northern Red Oak

Northern Red Oak (*quercus rubra*) is found throughout the County Forest. It occurs in nearly pure stands and as a component of Northern Hardwood and Aspen/Birch stands. The management of red oak concentrates on production of quality saw timber and retention of oak for its value to wildlife. Oak is typically managed on an even-aged basis. In pure oak stands, several thinnings may occur before regeneration of the stand is needed. Individual tree selection to improve stand quality occurs during these thinnings. Regeneration is accomplished through shelterwood or seed tree harvests. Ground scarification in conjunction with prescribed fire is often required to provide a suitable seed bed for the germination of acorns. Deer browse on regeneration is a significant problem, areas with high deer populations may pose a significant challenge to the regeneration of oak.

Weather conditions, sites require frozen ground access and market limitations for ash are the limiting factors with management options on these sites in a large scale.

Silvicultural systems that are used in swamp hardwood can either be even-aged or uneven-aged. For even aged management, strip clear-cuts, seed tree, and overstory removal harvests are generally accepted practices. For uneven-aged management, single tree selection and group selection are accepted practices.

Due to possible impending infestation by EAB, swamp hardwood stands that are dominated by black ash will be managed by removing a majority of black ash while leaving as many of the associated species as possible to encourage conversion to non-ash dominated stands, as market conditions allow.

<u>Shade tolerance:</u>	Intolerant
<u>Intermediate treatments:</u>	None.
<u>Median rotation age:</u>	80-120+ years
<u>Primary regeneration method:</u>	Natural seeding, stump sprouting
<u>Harvest method:</u>	Strip Clear-cut, clear-cut with reserves, shelterwood, seed tree.
<u>Habitat value:</u>	Lowland swamp related species.
<u>Economic value:</u>	Fiber production, bolts, logs.
<u>Insect disease considerations:</u>	Emerald Ash Borer, flooding, swamping.
<u>Trends:</u>	Declining Acreage likely
<u>Landscape considerations:</u>	Convert where feasible.

820.2.1.7 Swamp Conifers (Black Spruce and Tamarack)

Swamp conifer stands are made up of 50% or more of wither black spruce (*Picea mariana*) or tamarack (*Larix laricina*). Associated species include northern white cedar (*Thuja occidentalis*) and balsam fir (*Abies balsamea*). Tamarack and black spruce are considered different cover types, they are most often managed in the same manner. Accepted management for both cover types include strip clearcutting in two or three entries, with each subsequent strip being cut when previously cut strips have adequate regeneration.

<u>Shade tolerance:</u>	Intolerant
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820.1.1.1 White Birch

White birch (*Betula papyrifera*) on the County forest is usually found in conjunction with other species such as aspen, red maple, balsam fir and red oak, it is seldom found in pure stands of significant size. White birch is a desirable and valuable species used by wildlife and sought after for paper and lumber production.

Management of white birch is typically done on an even-aged basis. Stands that are predominantly white birch (>50% of the overstory) and regeneration of white birch is planned require removal of the majority of the overstory in all or part of the stand in conjunction with ground scarification either pre or post-harvest. The overstory removal can be then accomplished through a shelterwood harvest.

White birch cover types make up a very small component of the county forest. It is the intention of Sawyer County to maintain or increase the acreage of white birch on the forest.

<u>Shade tolerance:</u>	Intolerant
<u>Intermediate treatments:</u>	Thinning using single tree selection
<u>Median rotation age:</u>	50-70 years
<u>Primary regeneration method:</u>	Natural seeding, stump sprouts.
<u>Harvest method:</u>	Strip Clear-cut, shelterwood with scarification.
<u>Habitat value:</u>	Early successional, potential cavity trees
<u>Economic value:</u>	Fiber production, bolts, logs.
<u>Insect disease considerations:</u>	Bronze birch borer, leaf miner.
<u>Trends:</u>	Acreage declining.
<u>Landscape considerations:</u>	Retain or increase where possible.

820.2.2 Uneven-Aged Management

A forest stand composed of trees in various age and size classes. The typical cutting practice is selection cutting, where individual trees are removed from the stand. Regeneration is continually occurring after the stand is cut. Uneven-aged

820.3.4 Eastern Hemlock (*Tsuga canadensis*) is a highly preferred deer and small mammal browse species. Regeneration is difficult and remnant stands will be retained to provide seed sources for future management activities

820.4 FOREST TYPES REQUIRING INTENSIVE EFFORT TO REGENERATE

There are certain forest types within the County Forest that are difficult to regenerate. In many cases, this difficulty may be related to the exclusion of fire from the landscape, deer herbivory or other factors. The following list itemizes forest types with difficult regeneration and County management goals:

820.4.1 White Birch

White birch is a shade intolerant species normally found in even aged stands. It appears white birch evolved to regenerate after disturbances such as fire. The County is committed to retain as much of the existing acreage of white birch as possible. Regeneration efforts will include pre-sale salmon blade scarification.

820.4.2 Northern Red Oak

Northern red oak is a shade intolerant to mid tolerant species found in primarily even aged stands. Northern red oak appears to require disturbance to regenerate and herbivory appears to be a limiting factor on regeneration success. The County is committed to retain as much of the existing acreage of northern red oak as possible. Regeneration efforts will focus on timing soil scarification with good acorn crops and shelterwood harvests. Regeneration may require prescribed burning to release seedlings from competing vegetation.

820.5 INVASIVE PLANT SPECIES OF CONCERN

Invasive plants can cause significant damage to the forest. Invasive species can displace native plants and hinder the forest regeneration efforts. Preventing them from dominating forest understories is critical to the long-term health of the forest. There are a number of invasive plant species in varying densities on the County Forest. Some warrant immediate and continual treatment efforts while others may be allowed to remain due to extent and financial ability to

The characteristics of desirable reserve trees are highly variable and depend on the intended benefits, the species present, stand condition, and site. Desired compositional and structural attributes may be present when trees are selected and stands are rotated, or additional time may be required for development.

Typical characteristics of desirable individual reserve trees (either scattered or within patches) include:

- Large size (tree height, diameter, crown dimensions) for the species and site. If large trees are lacking, then potential future large trees can be selected.
- Older trees with large size and rough bark.
- A mix of vigorous and decadent trees.
 - Vigorous trees of long-lived species can enable long-term retention and potentially yield a variety of benefits.
 - Decadent trees can provide current and future cavity trees, as well as future snags and down coarse woody debris.
- A mix of species, including locally uncommon species and mast tree

The development and maintenance of large structures (vigorous trees, cavity trees, snags, down woody debris) and species diversity is typically encouraged.

Generally, poor candidates for individual reserve trees include:

- Relatively small (height, diameter, crown), suppressed to intermediate trees.
- Relatively young trees within the stand.

These smaller, younger trees are retained in reserve groups and patches along with larger, older trees.

Exceptions to these typically desirable and generally poor reserve tree characteristics will occur.

Benefits of Reserve Tree Retention

Silvicultural practices are designed to manipulate vegetation to achieve management objectives. At its foundation, silviculture is based on understanding and working with ecological processes. Silvicultural practices that more closely emulate natural disturbance and

- Retain visually unique trees
 - Provide diversity in future stand
- Water and Soil Quality
 - Reduce run-off
 - Reduce erosion
 - Maintain water and nutrient cycles
- Miscellaneous
 - Buffer adjacent stands
 - Protect cultural resources
 - Landmarks, such as marker trees and witness trees

Potential Costs of Reserve Tree Retention

The retention of reserve trees in actively managed stands can provide ecological benefits desired by landowners and society. However, there are also costs or trade-offs. The primary potential cost is reduced timber yield at the stand-level. Also, retention can result in less available habitat for some wildlife species, particularly those that prefer open, treeless habitat. However, impacts on long-term forest ecosystem sustainability and productivity are uncertain; current understanding suggests that the maintenance of ecological complexity will more likely sustain long-term productivity.

Some specific potential costs include:

- Potential additional operational costs to manage reserve tree retention
- Potential for reduced timber growth rates maintained by larger, older trees
- Potential for reduced short-term stand-level timber yields by foregoing harvest of some trees
- Potential for epicormic branching
- Potential for stem and crown damage during stand harvest
- Potential for crown dieback and mortality following harvest
- Potential for windthrow, particularly on wet or shallow soils, or for shallow rooted species
- Potential damage to younger stand if reserve trees are harvested during mid-rotation
- Reduced growth rates of regeneration occurring beneath reserve trees

Insect and disease issues and potential impacts on tree health should be another consideration in reserve tree selection and design. Regeneration methods are designed to foster the vigor of the regenerating stand. Although the imminent mortality of some reserve trees may be desirable or acceptable, typically some vigorous trees will be retained with the expectation of continued growth and survival (perhaps for a long time). When regenerating a stand and retaining reserve trees, potential risks to tree health should be evaluated, and methods implemented to reduce risks while achieving stand management objectives. In most cases, well designed regeneration and retention strategies can minimize risks; however, stand and site conditions may limit options in some cases. Refer to the cover type chapters in this handbook and forest pest management guidelines to appropriately consider and address insect and disease risks when selecting and designing regeneration methods and reserve tree retention for a specific stand and site.

Two examples of how insect and disease considerations can influence reserve tree selection and design:

- Red pine: Retaining red pine reserve trees when regenerating a new red pine stand may significantly increase the risk of *Sirococcus* and *Diplodia* incidence within the young stand. This risk is highly variable geographically; where experience has shown the risk to be significant, then retaining red pine reserve trees over red pine regeneration would be poor silviculture. In such cases, retain other species (e.g. oak) as reserve trees if available; if not available, then it may not be possible to retain reserve trees as generally recommended, but consider including representation of other species as part of stand regeneration to provide increased options for future managers. Red pine can be an excellent reserve tree when regenerating other species (e.g. aspen or oak).
- Jack Pine: In general, retaining jack pine reserve trees when regenerating a new jack pine stand is not recommended, because of the risk of budworm outbreaks. When regenerating jack pine, other species (e.g. oak) should be retained as reserve trees if available. Jack pine can be retained as a reserve tree when regenerating other species.

Representation of reserve trees can range from none to many. If silviculture is to simulate, to some extent, natural disturbance processes, then most actively managed stands should include

(large trees, snags, and coarse woody debris) and seed sources.

Retention of irregularly dispersed individual trees and small groups provides another strategy; this can be particularly useful to develop feathered edges to stands and reduce abrupt transitions and edge effects.

The general recommended strategy is to retain irregularly distributed patches along with scattered groups and individuals.

Table 24.1 Patch sizes for retention and approximate dimensions (circular and square)		
Area (acres)	Diameter (feet)	Square (feet)
0.1	74	66 x 66
0.25	118	104 x 104
0.5	167	148 x 148
0.75	204	181 x 181
1.0	236	209 x 209
1.5	288	256 x 256
2.0	333	295 x 295

Stand representation and spatial distribution patterns of reserve trees can be highly variable. The goal of heterogeneity of conditions indicates a wide array of retention strategies. Retention design, including amount to retain, species, and distribution, can enable the production of increased benefits and minimize potential costs. Criteria to consider when determining desired representation and distribution include: landowner goals and stand management objectives, current and desired stand and community condition, characteristics of current and desired plant and animal species, potential damaging agents, site, and landscape characteristics. Detailed landscape analysis and planning that clearly addresses the sustainable allocation of resources, including the production of timber and the conservation of biodiversity, can improve upon stand-based management guidelines (such as those offered herein).



Photo by Joe Kovach

Recommendations for Retention in Managed Stands: Reserve Trees, Mast Trees, Cavity Trees, and Snags

Sustainable forest management is implemented within a framework defined by landowner goals and objectives, ecosystem condition and potential, and sustainable silvicultural systems and practices. Forests are cultivated to provide a variety of socio-economic and ecological benefits. Sustainable forest management integrates multiple management goals and objectives into most silvicultural systems and the management of most stands and landscapes.

Most stands that are actively managed include timber production as a management goal (often in concert with other goals). Tree retention typically focuses on crop tree selection and regeneration methods. To satisfy multiple objectives and provide multiple benefits, retain additional trees to achieve non-timber management objectives. Integrate the following recommendations for tree and snag retention into the management of most forest stands:

- Even-aged rotations
 - Retain ≥ 3 (if available), preferably large, snags per acre.
 - Retain reserve trees and/or patches at 3-15% crown cover or stand area, including large vigorous trees, mast trees, and cavity trees. Reserve tree retention is a generally recommended silvicultural practice for stands ≥ 10 acres. It is encouraged in smaller stands, but operational, shading, and other biological issues may limit application.

consideration.

- Retention of both vigorous and decadent trees will provide an array of benefits.
- In general, species diversity is encouraged when selecting trees to retain.
- Large trees and snags are >12 inches dbh, and preferably >18 inches dbh.
- Trees retained can be scattered uniformly throughout a stand or irregularly dispersed, as single trees, groups, and patches. The general recommended strategy is to retain irregularly distributed patches along with scattered groups and individuals.
- Retention in aggregated patches generally provides the most benefits for wildlife and biodiversity. Also, patches retained can satisfy multiple benefits; for example, at stand rotation, an internal or adjacent unharvested buffer along a stream (RMZ) could provide a portion of reserve tree retention as well as satisfy BMP (water quality) recommendations. Patches should be >0.1 acres and generally <2.0 acres, but can be larger; reserve tree patches, particularly large ones, should be documented as retention patches.
- Harvesting of reserve trees may occur in the future or may be foregone to achieve other benefits. Retain reserve trees for at least one-half the minimum rotation age of the new stand (e.g. retain reserve trees at least 20-25 years if regenerating aspen). Consider retaining some trees to develop into large, old trees and to complete their natural lifespan; these trees will often become large cavity trees, snags, and coarse woody debris.
- Retain as many snags as possible. Retention of snag diversity (species and size) can potentially provide the greatest array of benefits. Snags that are determined to be a threat to human safety can be cut and retained on site as coarse woody debris.
- Clearly designate, in writing and/or by marking, which trees should be retained prior to any cutting operations.

820.8 BIOMASS HARVESTING GUIDELINES

Biomass harvesting is the practice whereby all or nearly all of the above ground portions of a tree are harvested and utilized. This includes the bole, limbs, twigs and leaves/needles. In traditional harvesting, only those parts of the tree that are larger than four inches in diameter are utilized. Issues of concern regarding biomass harvesting include the removal of woody debris that may serve as habitat for a variety of plants and animals as well as the removal of the vegetative matter which will eventually decay and become part of the soils. Studies have been conducted that show that biomass harvesting leaves sufficient woody debris on site through incidental breakage and the

techniques to accomplish desired forest and wildlife management goals.

825.2 GUIDELINES

DNR operational handbooks including the Public Forest Lands Handbook (2460.5), manual codes and guidance documents are important references and guidelines to utilize in fish and wildlife planning efforts.

825.3 INVENTORY

Habitat needs will be determined by analysis of forest reconnaissance information. Population estimates will be conducted periodically by DNR wildlife, endangered resources personnel, and other trained cooperators. Currently, Department Wildlife staff conduct the following surveys on or adjacent to the Sawyer County Forest:

- Biotic Inventories
- Summer deer observations
- Brood surveys
- Furbearer tracking
- Frog and Toad Surveys
- Bat Monitoring
- Bear bait surveys
- Snapshot Wisconsin
- Elk population monitoring

825.4 RESOURCE MANAGEMENT CONSIDERATIONS FOR WILDLIFE

The following areas of focus are identified for achieving plan objects and for benefit of wildlife.

825.4.1 General Management Policies

Forest management practices may be modified to benefit wildlife and diversity. The following will be considered when planning for management activities:

- Even-aged regeneration harvests (clear-cuts) should vary in size and shape and include retention considerations.
- A diversity of stand age, size and species.
- Mast-bearing trees and shrubs, cavity trees, and an adequate number and variety of

conditions favorable for American woodcock, ruffed grouse, white-tailed deer and non-game species such as golden-winged warbler, Kirkland's warbler and black-billed cuckoo.

825.5.5 Conifers

Conifers, whether jack pine, white pine, spruce, fir or other types appear to be an important habitat for a number of wildlife species. The Sawyer County Forest currently has 13,596 acres of coniferous habitat. Connecticut warbler, red crossbill, northern flying squirrel, and many others utilize conifer types. Jack pine areas can be managed to provide temporary barrens habitat providing habitat for Kirtland's warbler and other barren related species.

825.5.6 Oak management

Oak is an important mast producing food source on the forest, providing acorns for a wide variety of game and non-game species. The Sawyer County Forest has 10,084 acres of oak habitat. It is considered a critical resource to retain on the landscape for both its timber and wildlife value, providing habitat for species such as scarlet tanager, wood thrush, red headed woodpecker, and black bear.

825.5.7 Uneven/all aged management

Management of uneven aged stands provides for multi-storied canopies, diverse age structure and potentially older forest characters. The Sawyer County Forest has 24,451 acres being managed under an all aged management system. Species such as Canada warbler, little brown bat, black throated blue warbler and many others benefit from these forest type, in addition, numerous amphibian and reptiles utilize these forest types.

825.5.8 Large forest blocks

Large blocks of County Forest provide habitat for numerous interior species. Gray wolf, black throated blue warbler, Canada warbler and least flycatcher are a few examples of animals that rely on these large blocks.

825.5.9 Grasslands, openings, upland brush

<https://dnr.wi.gov/topic/wildlifehabitat/actionplan.html>.

825.7 FISH AND WATERS MANAGEMENT

Public waters shall be managed to provide for optimum natural fish production, an opportunity for quality recreation, and a healthy balanced aquatic ecosystem. Emphasis will also be placed on land-use practices that benefit the aquatic community. Management of County Forest lands will attempt to preserve and/or improve fish habitat and water quality.

825.7.1 Technical Planning and Surveys

Management of all waters within the County Forest is the responsibility of the DNR. Technical assistance will be provided by the local fisheries biologist. Studies and management will be conducted in the manner described in DNR Fish Management Handbook 3605.9. Water and Population Surveys fall under the jurisdiction of the Department and will be conducted as needed by fisheries biologists.

825.7.2 Special Projects

“Fish Sticks” Fish sticks projects are intended to restore woody habitat in lakes by adding trees to the near-shore area. They are large woody habitat structures that utilize whole trees either grouped together or single trees that result in the placement of more than 1 tree per 50 feet of shoreline. Fish sticks structures are anchored to the shore and are partially or fully submerged near the shoreline of a lake. A Fish Sticks project was installed on County Forest owned shoreline of Nelson Lake in cooperation with WDNR and the Nelson Lake Association.

825.7.3 Shoreland Zoning

Development and harvesting are regulated by Wisconsin’s Forestry Best management Practices for Water Quality and by the Sawyer County Shoreland-Wetland Protection Ordinance. A copy of which is located in the appendix or by following the link below.
<https://www.sawyercountygov.org/DocumentCenter/View/1974/Shoreland-Wetland-Protection-Ordinance-effective-04-19-17-amended-01-17-19>

- Forest areas fundamental to meeting basic needs of local communities (e.g. subsistence, health of indigenous communities) **Wisconsin does not have known locations meeting this criterion.**
- Forest areas critical to local communities' traditional cultural identity (e.g. areas of cultural, ecological, economic or religious significance identified in cooperation with such local communities).

The HCVFs on Sawyer County Forest are the following:

Totogatic River Hemlocks FSC Category 3 HCVF

This approximately 40-acre high conservation value forest lies in section 3 T42N R9W. Hemlock is important to the diversity of our northern hardwood stands and provides needed habitat for many species, including migratory songbirds and a seed source for regeneration. Management is currently keyed to maintaining hemlock in this stand and improving the health and vigor of individual trees and islands of hemlock trees on this site.

830.2 AREAS RECOGNISED BY STATE OR FEDERAL GOVERNMENT

830.2.1 State Natural Areas

The SNA system represents the wealth and variety of Wisconsin's biological diversity. They contain outstanding examples of native biotic communities and are often the last refuges in the state for rare and endangered plant and animal species. The Wisconsin SNA program works with counties to further recognize outstanding native biotic communities to be managed as exceptional resources. SNA's are unique in that they can exist as stand-alone properties or be designated within the boundaries of another property type. Sawyer County currently has no designated SNA's on the forest.

830.3 AREAS RECOGNIZED BY COUNTY OR LOCALLY

Sawyer County may contain areas that are locally considered exceptional or unique. Some are recognized by other agencies, while others are designated only within this Plan. These resources may include wild rivers, lakes, natural areas, geological features or historical/archeological sites.

830.3.1 Forests with Old Growth Characteristics

Certain stands within the county forest may exhibit old growth characteristics, the

830.4.3 Civilian Conservation Corp (CCC) Camp

Camp Smith Lake camp is adjacent to Camp Smith Lake, and currently contains stone piles, cement slabs and foundations. The site has been planted with pines and spruce from the camp and management of the plantation takes into account these features and is modified to protect them.

- Dynamite Shack

A stone building known as the Dynamite Shack is in the Seeley Block, likely associated with the CCC camp. Structure is mostly intact and any management activities are modified to protect it.

835 AESTHETICS

Public perception of forestry has changed over the last planning period and in general it appears that the public is much more accepting of the visual impact of sound forestry. In response to this, aesthetic management planning is intended to be much more simplified in this Plan.

835.1 AESTHETIC MANAGEMENT

The purpose of aesthetic management is to minimize negative aesthetic impacts of timber harvesting or other forest development projects. This is typically accomplished by modifying the timing, design, or intensity of the harvest or development projects. The goal of the County will be to protect and/or enhance the aesthetic value of these unique natural resources within reason. However, the overriding accountability of the County is the entire forest eco-system and managing the balance of this system in the best interest of current and future residents and visitors to the County Forest.

835.2 AESTHETIC MANAGEMENT ZONES

The aesthetic classification system used in this Plan places all land in the forest into either Aesthetic Management Zones A, B, or C. Land is placed into one of the three zones based on a number of factors including intensity of public use, type of recreational use, unique or scenic features, or visibility from a State or County Highway.

835.2.1 Class A Aesthetic Management Zones

Class A Aesthetic Zones include areas where there is intensive public presence or

All such access roads/trails will be, when possible, curved so that no cleared line of sight will be created from the main road to the exterior boundary of the zone.

- Borrow pits are only allowed during the time a road is under construction.
- When any borrow operation is completed the site will be restored pursuant to Chapter NR 135, Wis. ADM. Code and must aesthetically conform to general use of the area. Permanent pits shall be located outside the Class A Zone boundaries and screened from the Class A Zone.

835.2.4 Class B Aesthetic Management Zones

Class B Aesthetic Zones will be recreational trails or navigable waterways with the County Forest that are not used or viewed by the public as intensively as Class A Zones. Timber harvesting is considered of equal importance to the recreational use of these zones. Aesthetic practices are accomplished with some minor harvesting or design modifications to retain some level of scenic attractiveness.

CLASS B ZONES	DEFINED BOUNDARY
All waterways not designated as Zone A	75 feet from the ordinary high-water mark
Specific recreational trails designated by Committee (none designated currently)	

835.2.5 Permitted Uses – Class B Zone

- All land management activities are permissible but should be exercised with sensitivity to aesthetics and maintaining the long-term quality of the trail surface.

835.2.6 Restrictions – Class B Zone

- Sales must be designed where possible to create irregular harvest boundaries to soften aesthetic impacts
- Slash must be removed within 10 feet of the trail's edge.
- Slash must be lopped to within 25 inches of the ground.
- Roads and landings must be rehabilitated to near original condition by implementing erosion control and vegetation (seeding) practices.
- Silvicultural practices must be implemented that will encourage growth and regeneration of species/timber types that are long-lived and can be managed by

Best Management Practices are applied in the majority, if not all, situations.

A specific situation is the management of the aesthetic corridor along the American Birkebeiner Trail System. The Trail traverses approximately twenty-six (26) miles of Sawyer County Forest land. Timber production and Forest management is a high priority throughout the Forest including the Trail corridor area. Visual quality is a high priority on Class A Aesthetic Zones. The Trail is a unique international tourist attraction to the area and requires the implementation of Forestry management guidelines and practices that reasonably protects and/or enhances the aesthetic value of the area directly adjacent to the Trail.

Therefore, the following policy will apply to the management of the Class A Aesthetic Zone along the American Birkebeiner Trail:

- Timber harvesting in the immediate vicinity of the trail official buffer zone (within one hundred fifty (150) feet) from trail edge will be aimed specifically at improving the timber conditions of the trail. The intent might be to provide vegetative screen and windbreaks to visually isolate trail users from management activity; and, to provide for more environmentally appealing conditions for trail users.
- County, State, and American Birkebeiner representatives will coordinate timber sale activity along the trail corridor to ensure that Forestry Best Management Practices are applied in all situations. The County Forest Administrator ultimately makes the decision on the appropriate course of action based on available information and facts.
- At times, due to disease, insect infestation, timber regeneration, or reforestation, the County Forest Administrator, in conjunction with the DNR, may determine that in the best interest of a forested area along the trail more severe actions need to be taken to appropriately manage the area for the long-term. This might include actions such as clear-cut, select cut, slash of ground vegetation, etc. The American Birkebeiner will be notified in advance of such decisions to ensure that appropriate communication might be posted for users of the trail.
- The goal of the Committee will be to protect and/or enhance the aesthetic value of this unique natural resource, within reason. However, the overriding accountability

COUNTY FOREST COMPREHENSIVE LAND USE PLAN

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Draft

CHAPTER 900

RECREATION

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900 RECREATION

Recreation is an integral part of the management of the Sawyer County Forest and recreation uses are referenced in most of the previous chapters. Due to the tremendous growth in recreational demands over the duration of the last planning period, this Plan recognizes the importance of more intensive recreational planning and emphasizes its importance with a separate chapter.

905 PLANNING

In addition to this Plan, the Sawyer County Outdoor Recreation Plan also guides the recreation program. This plan is revised every five years and is made part of this Plan. The Sawyer County Outdoor recreation Plan includes, but is not limited to, activities on the County Forest. It incorporates snowmobile and ATV plans, campgrounds, parks and boat landings, recreational maintenance and development plans and other recreation surveys and reports.

The Outdoor Recreation Plan, Wisconsin Statewide Comprehensive Outdoor Recreation Plan (SCORP), public input, and other local or regional planning documents will be used as resources in recreational planning and development efforts. The responsibility for recreational planning, development and maintenance on the County Forest will rest with the Committee.

910 AUTHORITY

The Sawyer County Owned Land Ordinance and s.28.11 Wis. Stats, authorize the Sawyer County Land, Water, and Forest Resources Committee to provide recreational opportunities for the public. This authority is further recognized in the mission statement for the County Forest Plan (Chapter 100), which specifically identifies outdoor recreational opportunities. This mission statement also charges the Committee to conduct activities in a manner that prevents or minimizes environmental damage.

Maps of the recreational facilities managed through the Sawyer County Forest program are appended or referenced in Chapter 1000.

Committee shall periodically review such uses and enact ordinances as necessary to protect from resource damage.

930.1 HUNTING

The entire County Forest is open for regulated hunting, with the exception of areas developed for high public use.

The Sawyer County Code of Ordinances regulates activities relating to hunting. Refer to Chapter 1000 for a full text of the Ordinance. In general, the following activities are regulated:

- Temporary hunting stands/blinds are permissible but must not be erected before September 1 and must be removed from the county forest no later than December 31 each year. This includes elevated stands and ground blinds. The use of nails, lag screws, screw steps, or other damaging devices in trees is not permissible. No permanent type structures shall be permitted.
- The placement of trail cameras, tree stands, climbing sticks, or ground blinds unattended overnight is authorized only if the equipment bears the name, address, and the WDNR issued customer number of the owner/operator. This identification must be permanently attached or engraved to the outside of the equipment so it is clearly visible without the need to move or adjust the equipment. Cameras may not cause damage to any natural vegetation. Placement of any equipment on Sawyer County Forest lands is done at the owner's own risk. Sawyer County will not be responsible for theft or damage to any equipment on Sawyer County Forest lands.

930.2 FISHING

All lakes and streams within the forest are available for fishing unless otherwise listed in state regulations.

930.3 PICNICKING / DAY USE

3. No two-wheeled motorized vehicles are allowed on the Forest except state licensed motorcycles on roads classified as open access or as limited open access.
4. No motor vehicle use is allowed from April 1st to May 15th (Spring Closure)

930.6 OTHER USES

Other uses of the County Forest are permitted provided they are not specifically addressed with the County Code of Ordinances. The County Board may, at any time, enact ordinances to protect the forest should damage begin to occur.

935 DESIGNATED RECREATION AREAS/USES

Designated recreation includes those uses for which the County provides a trail or facility. The Sawyer County Forest has developed sites and areas to accommodate a fairly high degree of public use. The Committee may prohibit other recreation activities that are not compatible with the intent of the developed facilities.

The Committee and Forestry Department has noted a marked increase in demand for recreation facilities. Sawyer County may attempt to develop additional facilities and will maintain its currently developed facilities.

935.1 CAMPGROUNDS

Sawyer County has no campgrounds.

935.2 PICNIC / DAY USE AREAS

A developed picnic area is open to the public located at:

Hatchery Creek Park, includes pavilion area, picnic tables, grills and pit toilets.

935.3 SWIMMING AREAS / BEACHES

Sawyer County has no designated swimming areas.

935.4 BOAT LANDINGS

As a result of the wide distribution of lakes, streams, rivers, and other surface waters on the Forest, water access may be planned, developed, or restricted as a component of the

Sawyer County has no official shooting ranges for firearms on the Forest. It is not uncommon for the public to use existing gravel/borrow pits located on the Forest for shooting of firearms.

935.6 “Double OO” Trailhead Building and Fitness Park.

The “Double OO” trailhead facility offers parking and trailhead building for access point for the Birkebeiner Trail as well as single track mountain bike trails. A fitness park is located at this facility as well. Building and associated area is managed in cooperation with the American Birkebeiner Ski Foundation (ABSF) through a M.O.U. and associated Ground Lease for the defined area at the trailhead.

940 DESIGNATED RECREATION TRAILS

Designated recreation trails are those for which the County provides a designated trail and/or facility. The County currently provides trail systems that accommodate a fairly high degree of public use. The Committee may prohibit other activities on these trails that are not compatible with the intent of the development.

Whenever possible, multiple uses of various trail systems are encouraged and are subject to policy review of the Committee. Wherever possible, attempts will be made to avoid user conflicts. Recreational users, however, will frequently encounter forest management activities instrumental to the existence and future of the County Forest. Trail systems are identified in Chapter 1000.

940.1 NON-MOTORIZED RECREATION TRAILS

The Sawyer County Forest is a multiple use forest. Non-motorized recreation trails are a legitimate use of the forest. Design and maintenance of these trails may highlight natural features present on the Forest, should minimize damage, and reduce user conflict. Trail use and development must be compatible and sustainable with the characteristics of the landscape.

It is the policy of the Committee to manage non-motorized recreation trails on the County Forest.

Seeley Hills Trails

NOTE: Dogs are not permitted on the Birkie Trails or Hatchery Creek Trails once the trails are snow covered and groomed.

Allowable Uses: Cross-country skiing, biking, hiking, hunting, berry picking.

Restricted Uses: Ski-jouring, dog sledding, horseback riding, motorized vehicle use.

940.1.5 Future non-motorized trail systems

The development of additional non-motorized trail systems will include careful consideration of public demand, analysis of user conflicts and potential damage to the natural resource. Trail system development should comply with the Outdoor Recreation Plan goals and be referenced in SCORP or other regional planning documents.

Non-motorized trail systems generally are not supported by statewide grant programs. The County may require proof of an organized club, or user group, with the ability to assist with maintenance and support of the trail and associated facilities. Appropriate trail passes, or other user fees, may be implemented as indicated in Section 905.

940.2 MOTORIZED RECREATION TRAILS

940.2.1 Designated Snowmobile Trails

Designated snowmobile trails are those recognized by the Committee as the official trails within the County. The Forestry Department manages the snowmobile trail system in Sawyer County. Annual agreements outline the operation, maintenance and insurance obligations between the County and local clubs. The County contracts with the Sawyer County Snowmobile & ATV Alliance for trail maintenance:

Local/Club Trails – these are trails that are not funded by State maintenance grants and may or may not be groomed by local clubs. These trails may not meet eligibility requirements of a funded trail and may dead end at local businesses.

940.2.1.2 Trail Maintenance

Sawyer County contracts with the Sawyer County Snowmobile & ATV Alliance for the maintenance of the snowmobile trail system. The Alliance is responsible for the brushing, signing, and grooming of the trails. The County assists with the development of trails by preparing development plans, and bidding out and administering trail and bridge construction and rehabilitation projects. The County is the trail sponsor for funded trails and administers maintenance grant funds to the Alliance to reimburse them for expenses incurred in the above activities.

The County shall inspect and monitor bridges and other infrastructure on the trail system and attempt to secure funding from grants, or other sources, to periodically replace or rehabilitate as needed.

940.2.1.3 Future Snowmobile Trails

The Committee shall have jurisdiction over any trail development proposals. It is recommended that future trails be considered only after careful consideration of costs, benefits and impacts and as part of a larger planning effort.

Proposals to relocate trails or to make adjustments to the existing trail system will be encouraged where there are concerns of public safety or environmental damage. Unfunded and club trails should be evaluated for maintenance funding application.

940.2.2 Designated ATV/UTV Trails

Designated ATV/UTV Trails are those recognized by the Committee as official trails within the County. These may lie on County, private, or other agency lands. Annual agreements outline the operation, maintenance and insurance obligations

5a. County Forest Gas Tax Roads – these are gas tax roads used as a connector to trails or services and are funded at a rate determined by the full per mile funding rate, less gas tax funding rate, not to exceed 50% of the full maintenance funding rate. Sawyer County has no County Forest gas tax roads or Troutes.

5b. Hybrid Trails – these are trails designated as ATV trails, opened after August 1, 2012, that also permit highway vehicle traffic. These are funded at 50% of the annual maintenance funding rate. Sawyer County has no Hybrid/Troute trails.

5c. Club Trails – These are trails not funded under the state ATV program. In some cases, these are trails that are maintained and may be added as a funded trail at a future date.

5d. Tuscobia State Trail – Sawyer County has a MOU in place with the WDNR for the maintenance, repair and operation of the approximately 50 miles of the Tuscobia State Trail within Sawyer County. Trail funding is including in the annual maintenance funding applied for by the County for snowmobile, ATV, and UTV. The Tuscobia is also eligible for rehabilitation and trail development grants through the WDNR.

940.2.2.2 ATV/UTV Trail Maintenance

For the purpose of ATV/UTV trails, the term sustainability is intended to mean the development of a trail surface that is maintainable. It appears evident there are no circumstances where an ATV/UTV trail can be considered sustainable without intensive maintenance. Of primary importance, trail surfaces need to be conducive to periodic grading or restoration that promotes water runoff from the trail surface and eliminates the opportunity for water flow to gain velocity, causing erosion.

- “New trails will only be allowed if they fit within an ATV/UTV plan established by the Committee”
- “Trails will only be considered on suitable soils and in appropriate locations

It is critical that trail layout and design is done in such a way as to prevent erosion and soil loss. Trails must be developed to sustainably. For the purpose of this plan, sustainability is defined as follows:

Sustainability – For the purpose of ATV/UTV trails, the term sustainability is intended to mean the development of a trail surface that is maintainable. It appears evident there are no circumstances where an ATV/UTV trail can be considered sustainable without intensive maintenance. Of primary importance, trail surfaces need to be conducive to periodic grading or restoration that promotes water runoff from the trail surface and eliminates the opportunity for water flow to gain velocity, causing erosion. Trails should be built with a slight crown and appropriate ditching to allow for adequate and proper water dispersal.

To this end, the construction and development of new ATV/UTV trails are to comply with the **WCFA ATV/ORV Trail Standards**, which is appended to this Plan.

940.2.3 Designated Motorcycle Trails

Sawyer County currently does not have any designated Off-Road Motorcycle Trails. Off road motorcycles are not permitted on funded ATV/UTV trails unless they are street licensed.

940.2.4 Other Designated Motor Vehicle Trails

Sawyer County currently does not have any trails specifically designed for other motor vehicle use.

940.3 RECREATION TRAIL PERMITS

Funding for recreation areas is generally fee based *insert other funding mechanisms*. Aid for Development of Local Parks (ADLP) funding is available for facility development or enhancement but there is normally a very high level of completion for these funds.

945.2 RECREATION TRAIL FUNDING

945.2.1 Non-motorized trail systems

At this time, there is very limited access to any grant funds that will assist with non-motorized recreational trail maintenance. The County relies on the agreements with individual organizations to provide maintenance funding. The funding mechanisms are outlined within those MOU's and agreements.

945.2.2 Motorized trail systems

There are numerous grant programs available to offset motorized trail system costs.

Sawyer County utilizes the following funding sources (as of 2022):

1. Snowmobile Maintenance - \$300/mile
2. ATV Summer Maintenance - \$800/mile
3. ATV Winter Maintenance - \$100/mile
4. UTV Maintenance - \$100/mile
5. ATV Rehabilitation - 100% grants
6. ATV Development - 100% grants

950 PLAN RECOMMENDATIONS FOR THE RECREATION PROGRAM

Recommended changes to enhance or improve the recreation program on the Sawyer County Forest can be found in the Sawyer County Outdoor Recreation Plan, which can also be found in chapter 1000.

COUNTY FOREST COMPREHENSIVE LAND USE PLAN
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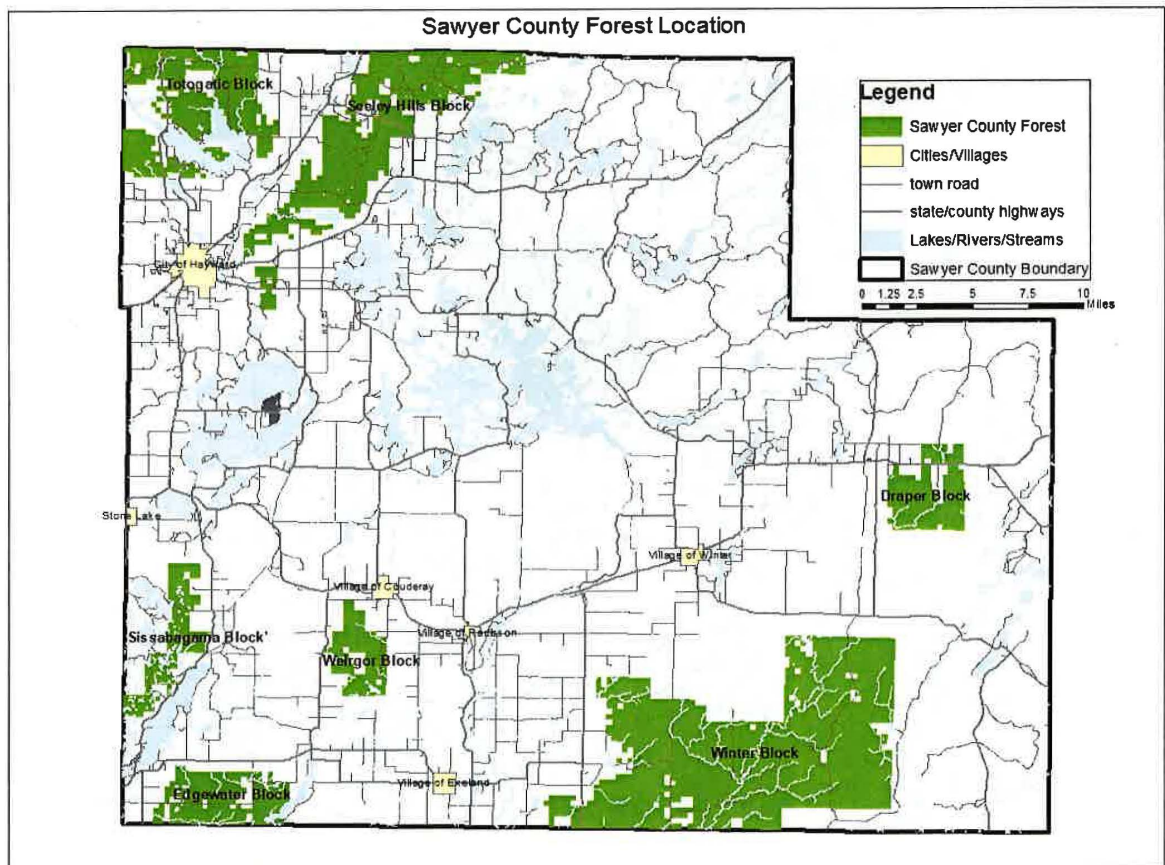
CHAPTER 1000

APPENDIX

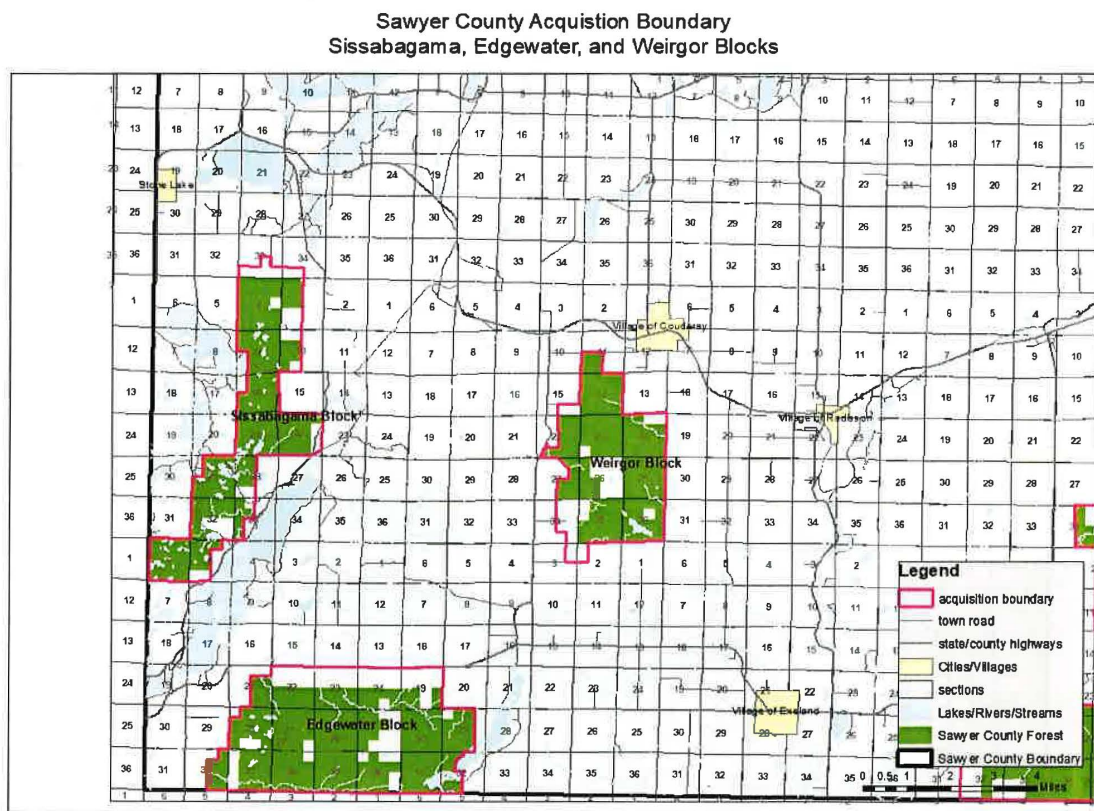
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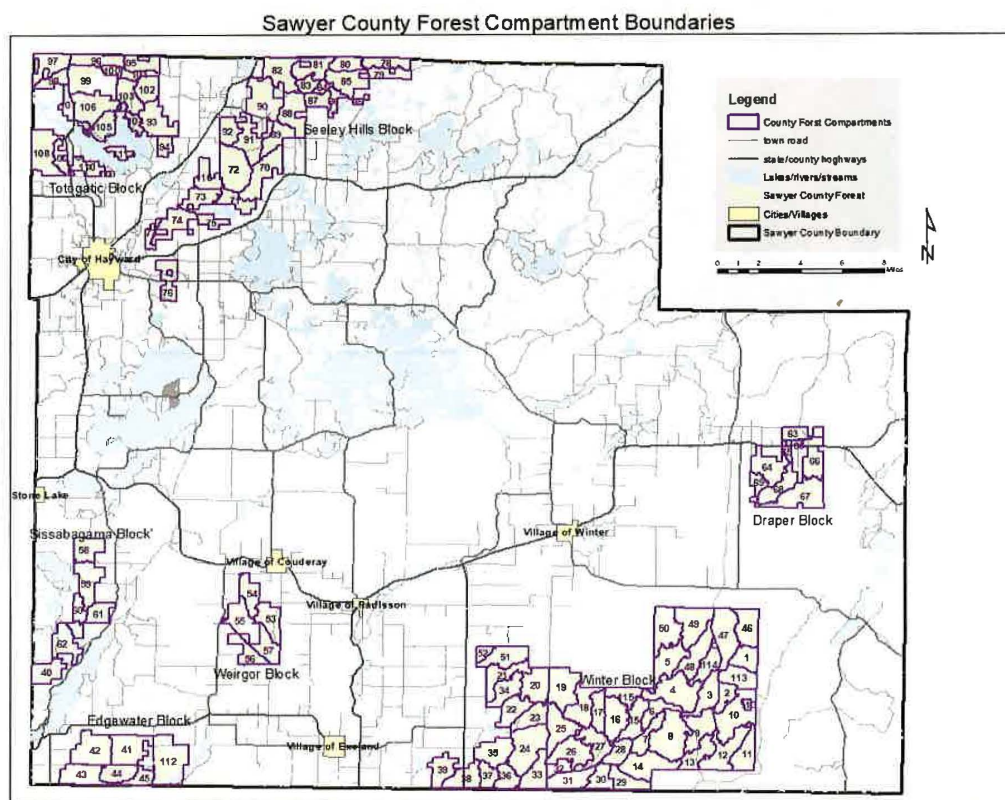
1000.1 MAP OF COUNTY FOREST LOCATION



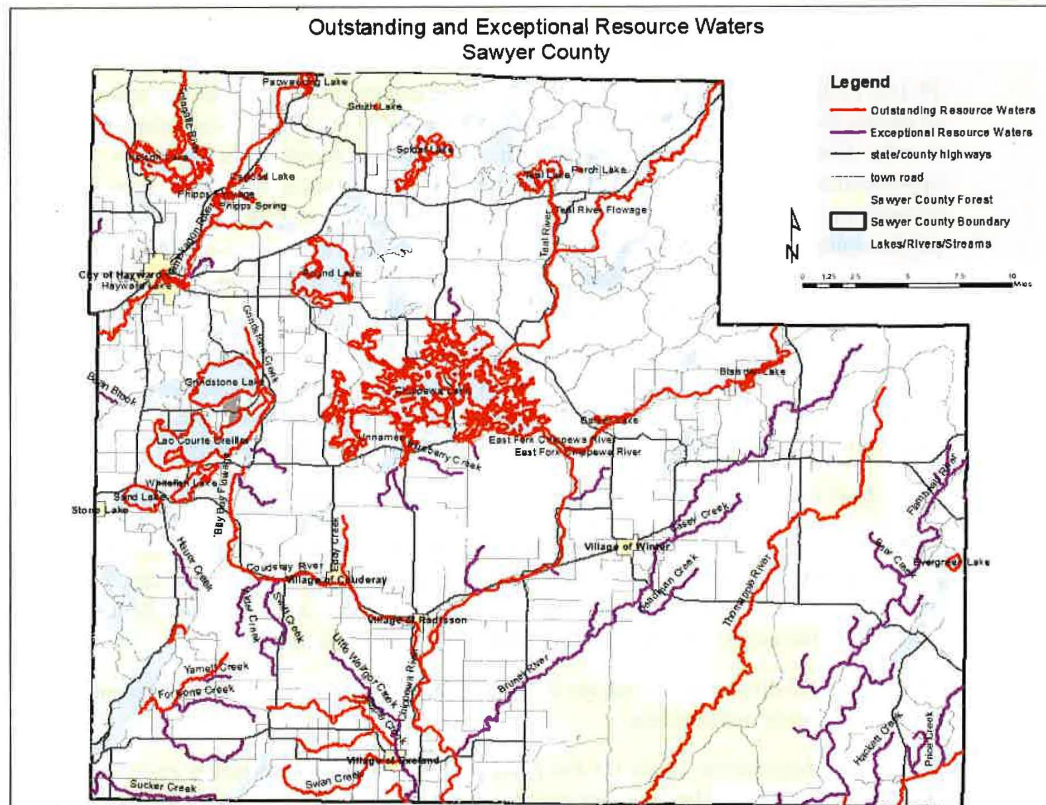
1000.2.2 Sissabagama, Edgewater, and Weirgor Block Acquisition Boundary Map



1000.3 SAWYER COUNTY FOREST COMPARTMENT MAPS



1000.5 OUTSTANDING AND EXCEPTIONAL RESOURCE WATERS



28.11(3)(i) Enter into leases or agreements, for terms not exceeding 10 years, to explore and prospect for ore, minerals, gas or oil upon any county forest lands. These leases or agreements shall contain proper covenants to safeguard the public interests in the lands involved and to guard against trespass and waste. The county board shall require proper security to ensure that the person engaged in exploration or prospecting fully informs the county of every discovery of ore, minerals, gas or oil and restores the land surface to an acceptable condition and value if no discovery of valuable deposit is made or if county forest lands are not withdrawn from entry under this section. Before a lease or agreement under this paragraph is effective, approval of the lease or agreement by the department is required. If the department finds that the proposed lease or agreement fully complies with the law and contains the proper safeguards, it shall approve the lease or agreement.

28.11(3)(j) Enter into leases for the extraction of valuable deposits of ore, minerals, gas or oil upon any county forest land. If the extraction can be accomplished without permanently affecting the surface of the land, extraction leases may be entered into and extraction may occur while the land remains county forest lands. If the extraction cannot be accomplished without permanently affecting the surface of the land, extraction may not commence until the land is withdrawn as county forest land. Before an extraction lease under this paragraph is effective, approval of the lease by the department is required.

28.11(3)(k) Establish energy conservation projects which permit individual members of the public to remove up to 10 standard cords of wood without charge from county forest lands for individual home heating purposes. The county board shall limit removal of wood for energy conservation projects to wood that is unsuitable for commercial sale. The county board may require a permit to remove wood for energy conservation projects and may charge a fee for the permit to administer projects established under this paragraph. A county board shall restrict participation in projects established under this paragraph to residents, as defined under s. 29.001 (69), but may not restrict participation to residents of the county. No timber sale contract is required for wood removed under this paragraph.

28.11(4) ENTRY OF COUNTY FOREST LANDS

28.11(4)(a) A county may file with the department an application for entry of county-owned land under this section. Such application shall include the description of the land and a statement of the purposes for which the lands are best suited. Upon the filing of such application the department shall investigate the same and it may conduct a public hearing thereon if it deems it advisable to do so at such time and place as it sees fit.

28.11(4)(b) If after such investigation the department finds that the lands constitute a well blocked county forest unit or that they block in with other established county forest lands and are otherwise suitable for the purposes of this section it shall make an order of entry designating such lands as county forest lands. All county lands entered under and participating under ch. 77 on October 2, 1963 shall be designated "county forest lands" without further order of entry.

28.11(4)(c) If the department finds that the lands are not suited primarily for timber production and do not otherwise qualify for entry under par. (b) but that they are suitable for scenic, outdoor recreation, public hunting and fishing, water conservation and other multiple-use purposes it shall make an order of entry designating such lands as "county special-use lands".

28.11(5m)(a)2. Up to 50 percent of the forester's fringe benefits, except that the fringe benefits may not exceed 40 percent of the forester's salary.

28.11(5m)(am) The department may make grants, from the appropriation under s. 20.370 (5) (bw), to counties having lands entered under sub. (4) to fund up to 50 percent of the costs of a county's annual dues to a nonprofit organization that provides leadership and counsel to that county's forest administrator and that functions as an organizational liaison to the department. The total amount that the department may award in grants under this paragraph in any fiscal year may not exceed \$50,000.

28.11(5m)(b) The department may not make a grant under this subsection for a year for which the department has not approved the annual work plan that was approved by the county board under sub. (5) (b). The department may not base the amount of a county's grant on the acreage of the county's forest land.

28.11(5m)(c) The department may choose not to make a grant to a county under this subsection if the county board for that county is more than one year delinquent in approving a comprehensive county forest land use plan or revised plan under sub. (5) (a).

28.11(5r) Sustainable forestry grants.

28.11(5r)(a) In this subsection, "sustainable forestry" has the meaning given in s. 28.04 (1) (e).

28.11(5r)(b) The department may make grants, from the appropriation under s. 20.370 (5) (bw), to counties having lands entered under sub. (4) to fund the cost of activities designed to improve sustainable forestry on the lands.

28.11(5r)(c) The department may choose not to make a grant to a county under this subsection if the county board for that county is more than one year delinquent in approving a comprehensive county forest land use plan or revised plan under sub. (5) (a).

28.11(6) TIMBER SALES AND CULTURAL CUTTINGS.

28.11(6)(a) Limitations. The county forestry committee is authorized to sell merchantable timber designated in timber sale contracts and products removed in cultural or salvage cuttings. All timber sales shall be based on tree scale or on the scale, measure or count of the cut products; the Scribner Decimal C log rule shall be used in log scaling. All cuttings shall be limited to trees marked or designated for cutting by qualified personnel recognized as such by the department.

28.11(6)(b) PROCEDURES.

28.11(6)(b)1. Any timber sale with an estimated value of \$3,000 or more shall be by sealed bid or public sale after publication of a classified advertisement announcing the sale in a newspaper having general circulation in the county in which the timber to be sold is located. Any timber sale with an estimated value below \$3,000 may be made without prior advertising. Any timber sale with an estimated value of \$3,000 or more requires approval of the secretary.

28.11(6)(b)2. Timber sales shall be subject to presale appraisals by qualified personnel recognized as such by the department to establish minimum sales value. Appraisal methods and procedures shall be approved by the department.

found to be consistent with the comprehensive county forest land use plan. If any lands purchased from the fund are sold, the county shall restore the purchase price to the county forestry aid fund. The department shall pay to the county the amount due to it on or before March 31 of each year, based on the acreage of the lands as of the preceding June 30. If the amounts in the appropriations under s. 20.370 (5) (bq) and (bs) are not sufficient to pay all of the amounts approved by the department under this subdivision, the department shall pay eligible counties on a prorated basis.

28.11(8)(b)2. The department may allot additional interest free forestry aid loans on a project basis to individual counties to permit the counties to undertake meritorious and economically productive forestry operations, including land acquisitions. These additional aids may not be used for the construction of recreational facilities or for fish and game management projects. Application shall be made in the manner and on forms prescribed by the department and specify the purpose for which the additional aids will be used. The department shall make an investigation as it deems necessary to satisfy itself that the project is feasible, desirable and consistent with the comprehensive plan. If the department so finds, it may make allotments in such amounts as it determines to be reasonable and proper and charge the allotments to the forestry fund account of the county. These allotments shall be credited by the county to the county forestry aid fund. After determining the loans as required under subd. 1., the department shall make the remainder of the amounts appropriated under s. 20.370 (5) (bq) and (bs) for that fiscal year available for loans under this subdivision. The department shall also make loans under this subdivision from the appropriations under s. 20.370 (5) (bt) and (bu).

28.11(8)(b)3. All payments made under this paragraph shall be known as the "forestry fund account".

28.11(9) COUNTY FOREST SEVERANCE SHARE.

28.11(9)(a) Except as provided under pars. (b) and (c), on timber cut from lands entered as "county forest lands" the county shall pay a severance share of not less than 20 percent of the actual stumpage sales value of the timber. A higher rate of payment may be applied when agreed upon by the department and the county. When cutting is done by the county and timber is not sold or is sold as cut forest products the severance share shall be 20 percent of the severance tax schedule in effect under s. 77.06 (2).

28.11(9)(ag) The severance share paid by a county to the state shall be credited to the forestry fund account of the county and shall be divided into 2 payments as follows:

28.11(9)(ag)1. An acreage loan severance share payment that is equal to the product of multiplying the amount of the severance share paid by the county by the percentage of the balance due in the forestry fund account of the county that is attributable to loans made under sub. (8) (b) 1.

28.11(9)(ag)2. A project loan severance share payment that is equal to the product of multiplying the amount of the severance share paid by the county by the percentage of the balance due that is attributable to loans made under sub. (8) (b) 2.

28.11(9)(am) The acreage loan severance share payments shall be deposited in the conservation fund and credited to the appropriation under s. 20.370 (5) (bq), and the project loan severance

28.11(11)(a)3. If the department finds that the benefits after withdrawal of the lands described in the application under subd. 2. outweigh the benefits under continued entry of the lands and that the lands will be put to a better and higher use, it shall make an order withdrawing the lands from entry; otherwise it shall deny the application.

28.11(11)(a)4. If the application is denied, the county board may, by resolution adopted by not less than two-thirds of its membership, appeal to a review committee. The department shall submit the findings of its investigation and of any hearing on a proposed withdrawal to the committee, which shall be composed of the following members:

- a. One member appointed by the county board submitting the application for withdrawal.
- b. One member who is appointed by the governor, who is from another county that has land enrolled under the county forest law, and who shall be chairperson of the review committee.
- c. One member appointed by the department.
- d. One member appointed by the University of Wisconsin from the College of Agricultural and Life Sciences.
- e. One member to be selected by unanimous vote of the appointed members or, if the appointed members fail to achieve unanimity, by the governor.

28.11(11)(a)5. 5. The review committee appointed under subd. 4. shall, by majority vote within 60 days after receiving the findings of the department, do one of the following:

- a. Approve the application for withdrawal if it finds the proposed use to be of a greater benefit considering all losses and benefits to the people of the state as a whole, as well as to the people of the county.
- b. Provisionally deny the application for withdrawal giving specific reasons why it finds the proposal deficient and making any suggestions for revising the application to reduce the conflict of the proposed use with the public interest.

28.11(11)(a)6. If the committee approves a withdrawal under subd. 5., it shall notify the county board of its approval stating, as necessary, specific procedures to be followed by the county relating to the withdrawal. The county board may then by a resolution approved by not less than two-thirds of its membership, withdraw the lands from the county forest law and shall send copies of this resolution to the department and to the county register of deeds who shall record the resolution.

28.11(11)(a)7. If the committee provisionally denies the proposed withdrawal under subd. 5., it may consider an amended application for withdrawal upon presentation of the application and supporting information, or it may require additional investigation of the amended application by the department before reconsidering the application. Any additional investigation shall include additional public hearings if requested by the county, the department, or the committee.

28.11(11)(b) If the application is approved the county shall reimburse the state the amounts previously paid to the county pursuant to sub. (8) (b) which reimbursement shall be credited to the county forestry fund account; except that the department may waive all or part of such reimbursement if it finds that the lands are withdrawn for a higher public use or that the amount

This ordinance prescribes the rules and regulations for the administration of County powers and duties as provided in Chapters 26, 28, and 59 of the Wisconsin Statutes, under which the Sawyer County Board of Supervisors ("County Board") is granted specific powers relative to the establishment, protection, development and management of Sawyer County Forests, as permitted by Wis. Stat. § 28.11(2), to provide sustained yield of forest products for commercial use and the associated benefits of soil and water conservation, scenic and recreational values, and fish and game resources.

The County Board does ordain as follows:

Section I

The Sawyer County Forestry Ordinance of November 15, 1934, and any amendments thereto (the "Ordinance") is hereby repealed and re-created to read as follows:

Section II

Designation of County Forests

Determination is hereby made that for the purpose of proper and complete identification, all county-owned forest lands now held and entered under the Wisconsin County Forest Law by Sawyer County, or here-after acquired for forestry purposes and located within the areas described, and as indicated on the official map appended to the Comprehensive Land Use (15 Year) Plan and on file in the office of the Forestry Administrator, are established and designated as the Sawyer County Forest ("County Forest Land").

Section III

Committee Appointment

The County Board hereby assigns the administration of the County Forestry Department to the Land, Water, and Forest Resources Committee of this Board (the "Committee"), composed of six (6) members elected in accordance with Wis. Stat. § 59.13.

Section IV

Powers and Duties of the Committee

- The Committee is hereby empowered to acquire lands for County Forest Land by purchase, tax deed, gift or bequest, or by exchange of county-owned lands outside such areas for the purpose of blocking the forest for better administration.
- Make application for entry under the County Forest Law as lands are acquired within the County Forest.
- The Committee shall direct and supervise the County Forestry office and designate a County Forest Administrator as its agent, and the Committee is empowered to employ such other personnel as may be necessary to direct, perform, and enforce the administrative and management functions of this ordinance.
- Establish and maintain in appropriate centers a forest headquarters for office space and/or housing for machinery, tools, equipment, and supplies needed in conducting forest operations. Purchase, acquire, sell, trade or dispose of instruments, tools, equipment and supplies required for the operation of the forest. All purchases done in accordance to the Sawyer County purchasing policy.
- In accordance with Wis. Stat. § 28.11(5)(a), develop a Comprehensive Land Use (15 Year) Plan and keep the Plan up-to-date as required by statutes.
- Prepare budgets for County Forest Administration in accordance with Wis. Stat. § 28.11(5)(b), capital and direct expenditures of forestry funds advanced by the Department of Natural

Forest Financing

All aids from the State of Wisconsin, Department of Natural Resources (DNR), to Sawyer County under Wis. Stat. § 28.11(8)(b), for the purchase, development, preservation and maintenance of the County Forest Land, shall be deposited in the Forestry Fund Account. Income from the sale of lands or equipment purchased with Forestry Fund Account shall be restored to this fund. All unexpended funds shall be non-lapsing.

Distribution of timber sale and other income from County Forest lands shall be as follows:

- Timber Sales:
 - 10% of gross sales to townships according to Wis. Stat. § 28.11(9)(d)
 - 90% County General Fund
 - Other Income (boughs, Christmas tree sales, gravel, etc.):
 - 100% Resource Development Fund
- The Administrator shall prepare a budget annually for operations under this Ordinance and as monies are appropriated by the County Board, they may be expended by the Committee for the purposes cover by this Ordinance.

1005.2.2 County Owned Land Ordinance

ORDINANCE #1-2009

COUNTY OWNED LAND ORDINANCE

Regulating fires, camping, littering, trail use, destruction of public property, and other activities on County Land.

An Ordinance to establish regulation in the areas owned and maintained by Sawyer County, Wisconsin, pursuant to authorities and purposes of Chapter 28.11(3)(b) and 59.07(64).

WHEREAS, the County of Sawyer has established many recreation areas and protects and manages other lands throughout the County for the use of the general public: and

WHEREAS, these areas were developed for different purposes and therefor the facilities constructed and needs for management differ from area to area:

NOW, THERFORE, the Sawyer County Board of Supervisors hereby enacts the following Ordinance to be known as the County Owned Land Ordinance:

SECTION 1 The areas within the Sawyer County Forest shall be classified as follows:

- a) Class 1 Recreation Area includes the following:
 - Hatchery Creek County Park (within 100 yards of pavilion or picnic area)

- a) Camp at any site other than an established site for camping.
- b) Dispose of trash or rubbish in any manner other than depositing it in containers that may be provided by the County.
- c) Ignite an open fire (meaning wood, charcoal, or solid fuel) within such area unless such fire is within a fire ring that may be provided by the County.
- d) Refuse to vacate an unapproved campsite when directed to leave by the proper authorities.
- e) Cause damage to natural features, resources, trails, or facilities owned and operated by the County.
- f) Use sleds, snowshoes, snowmobiles, horses or operate any motorized vehicles on the American Birkebeiner Ski Trails at any time of year without special permission of the Forest Administrator or designee.

SECTION 5 No person or persons shall within a Class 3 Recreation Area:

- a) Establish or use a campsite for overnight camping except by written permission of the Forestry Committee or Forest Administrator.
- b) Litter, or deposit trash or rubbish in any manner other than depositing it in containers that may be provided by the County.
- c) Refuse to vacate an unapproved campsite when directed to leave by the proper authorities.
- d) Cause damage to natural features, resources, trails, or facilities owned and operated by the County.
- e) Cut or harvest any vegetation, that is not to be eaten, without permission of the Forest Administrator or designee. This shall not be construed to permit harvest of vegetation otherwise controlled.
- f) Build, occupy, or use any elevated platform or steps unless the structure and/or steps so not damage the tree and are completely removed at the close of the hunting season.
- g) Build or use any device on the ground for hunting unless it is built entirely of natural, dead, non-manufactured, on-site forest vegetation except manufactured blinds may be used of materials are removed at the close of hunting season.
- h) Bait hunted animals using more than the current state legal limit of bait at any one time as state regulations permit.
- i) Unless the ground is 100% snow covered, leave an open fire (meaning wood, charcoal, or solid fuel) unless it has no smoke and entire coal or ash bed is cool enough to touch with a hand.
- j) Remove fill, soil, ore, gravel, or any mineral without written permission of the Forest Administrator or designee.
- k) Disturb, dig, or remove any artifact or historical article without written permission of the Forest Administrator or designee.
- l) Damage, deface, destruct, move, remove, or possess any signs placed or contracted to be placed by the County Forestry Department.
- m) Operate a motor vehicle on County roads or trails designated closed with a gate or earthen embankment, or in such area designated closed by the

SECTION 8 Should any sub-section, clause, or provision of this Ordinance be declared by the Court as invalid, the same shall not affect the validity of the section as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 9 This Ordinance shall take effect and be in force after its passage and publication as required by law.

Adopted this 21st day of May 2009,

Sawyer County Board of Supervisors

Schedule of Deposits

NOTE: Court costs are not reflected in deposit. Maximum deposit of \$200.00 may be charged for repeat offenders (not including court costs).

Violation of Section 3 (concerning day use areas)	Deposit
Camping (deposit for each day of violation)	\$50-\$200
Trash or rubbish disposal:	
1. Recreational trash or yard materials	\$50-\$200
2. Household, commercial types, or other rubbish	\$50-\$200
Firearms	\$50-\$200
Open fire use	\$50-\$200
Area hours	\$50-\$200
Resource or facility damage - \$50 minimum but not to exceed \$200 based upon value of damage or cost to repair damage	\$50-\$200
Leave an open fire	
1. Where fire is contained to typical campfire	\$50-\$200
2. Where fire escapes beyond typical campfire	\$50-\$200
Violation of Section 4 (concerning Am. Birkie Trail)	Deposit
Camping (deposit for each day of violation)	\$50-\$200
Trash or rubbish disposal:	

Motor vehicles over 900 pounds on gated snowmobile trails	\$50-\$200
Use other than snowmobiles when trails are groomed: Trucks, pickups, cars, vans, etc. over 900 pounds	\$50-\$200
Operation ATV's:	
1. When fire danger is posted extreme	\$50-\$200
2. On roads and trails not posted open to ATV's	\$50-\$200
Operate a vehicle off a roadway	\$50-\$200
Operation of a motorized vehicle on a trail designated as non-motorized	\$50-\$200
Travel on County Forest during period of closure - April 1 to May 15	\$50-\$200

1005.2.3 Shoreland Zoning Ordinance

SAWYER COUNTY ZONING SHORELAND- WETLAND PROTECTION ORDINANCE

Published and Effective 04/19/2017

Amended 01/17/2019

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1.32 PROTECT SPAWNING GROUNDS, FISH AND AQUATIC LIFE THROUGH:

- (1) Preserving wetlands and other fish and aquatic habitat.
- (2) Regulating pollution sources.
- (3) Controlling shoreline alterations, dredging and lagooning.

1.33 CONTROL BUILDING SITES, PLACEMENT OF STRUCTURES AND LAND USES THROUGH:

- (1) Prohibiting certain uses detrimental to the shoreland-wetlands.
- (2) Setting minimum lot sizes and widths.
- (3) Setting minimum building setbacks from waterways.
- (4) Setting the maximum height of near shore structures.

1.34 PRESERVE AND RESTORE SHORELAND VEGETATION AND NATURAL SCENIC BEAUTY THROUGH:

- (1) Restricting the removal of natural shoreland cover.
- (2) Preventing shoreline encroachment by structures.
- (3) Controlling shoreland excavation and other earth moving activities.
- (4) Regulating the use and placement of boathouses and other structures.

1.4 TITLE. Shoreland-Wetland Protection Ordinance for Sawyer County, Wisconsin.

2.0 GENERAL PROVISIONS.

2.1 AREAS TO BE REGULATED. Areas regulated by this ordinance shall include all the lands (referred to herein as shorelands) in the unincorporated areas of Sawyer County which are:

2.11 Within one thousand (1,000) feet of the ordinary high-water mark of navigable lakes, ponds or flowages. (NR 115.03(8))

Within three hundred (300) feet of the ordinary high-water mark of navigable rivers or streams, or to the landward side of the floodplain, whichever distance is greater. (NR 115.03(8))

2.12 The provisions of this chapter apply to regulation of the use and development of unincorporated shoreland areas unless specifically exempted by law, all cities, villages, towns, counties and, when s. 13.48 (13), Stats., applies, state agencies are required to comply with, and obtain all necessary permits under, local shoreland ordinances. The construction, reconstruction, maintenance or repair of state highways and bridges carried out under the direction and supervision of the Wisconsin Department of transportation is not subject to local shoreland zoning ordinances if s. 30.2022 (1), Stats., applies. (NR 115.02) Shoreland zoning requirements in annexed or incorporated areas are provided in s. 61.353 and s. 62.233, Stats.

2.13 Determinations of navigability and ordinary high-water mark location shall initially be made by the zoning administrator. When questions arise, the zoning administrator shall contact the appropriate office of the Department for a final determination of navigability or ordinary high-water mark. The county may work with surveyors with regard to s. 59.692(1h).

2.14 Under s. 281.31(2m) Wis. Stats., notwithstanding any other provision of law or administrative rule promulgated thereunder, this shoreland zoning ordinance does not apply to:

shoreland zoning as described in section 1.3 of this ordinance,

2.56 (s. 59.692(1k)(a)1., Wis. Stats.) Counties may not establish shoreland zoning standards in a shoreland zoning ordinance that requires any of the following:

- A. Approval to install or maintain outdoor lighting in shorelands, impose any fee or mitigation requirement to install or maintain outdoor lighting in shorelands, or otherwise prohibits or regulates outdoor lighting in shorelands if the lighting is designed or intended for residential use.
- B. Requires any inspection or upgrade of a structure before the sale or other transfer of the structure may be made.

2.57 (s.59.692(7), Stats) The construction and maintenance of a facility is considered to satisfy the requirements of a shoreland zoning ordinance if the department has issued all required permits or approvals authorizing the construction or maintenance under ch. 30, 31, 281, or 283.

Note: A "facility" means any property or equipment of a public utility, as defined in s. 196.01 (5), or a cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, or power to its members only, that is used for the transmission, delivery, or furnishing of natural gas, heat, light, or power.

2.5 **INTERPRETATION.** (59.69(13) In their interpretation and application, the provisions of this ordinance shall be liberally construed in favor of the county and shall not be deemed a limitation or repeal of any other powers granted by Wisconsin Statutes. Where a provision of this ordinance is required by statute and a standard in ch. NR 115, Wis. Adm. Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the statute and ch. NR 115 standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

2.6 **SEVERABILITY.** If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

3.0 **SHORELAND-WETLAND DISTRICT.** (NR 115.04)

3.1 **DESIGNATION.** This district shall include all shorelands within the jurisdiction of this ordinance which are designated as wetlands on the most recent version of the Wisconsin Wetland Inventory as depicted on the Department of Natural Resources Surface Water Data Viewer.

3.11 **LOCATING SHORELAND-WETLAND BOUNDARIES.** (NR 115.04(b)2.note) Where apparent discrepancy exists between the shoreland-wetland district boundary shown on the Wisconsin Wetland Inventory and actual field conditions, the county shall contact the Department to determine if the map is in error. If the Department determines that a particular area was incorrectly mapped as wetland or meets the wetland definition but was not shown as wetland on the map, the county shall have the authority to immediately grant or deny a shoreland zoning permit in accordance with the applicable regulations based on the Department determination as to whether the area is wetland. In order to correct wetland mapping errors on the official zoning map, an official zoning map amendment must be initiated within a reasonable period of time.

3.2 **PURPOSE.** This district is created to maintain safe and healthful conditions, to prevent water pollution, to protect fish spawning grounds and wildlife habitat, to preserve shore cover and natural beauty and to control building and development in wetlands whenever possible. When development is permitted in a wetland, the development should occur in a manner that minimizes adverse impacts upon the wetland.

3.3 **PERMITTED USES.** (NR 115.04(3)) The following uses shall be allowed, subject to

- upon the natural functions of the wetland enumerated in section 3.52;
 - (c) The road is designed and constructed with the minimum cross-sectional area practical to serve the intended use;
 - (d) Road construction activities are carried out in the immediate area of the roadbed only.
- (2) The construction or maintenance of nonresidential buildings, provided that:
 - (a) The building is essential for and used solely in conjunction with the raising of waterfowl, minnows or other wetland or aquatic animals; or some other use permitted in the shoreland-wetland district;
 - (b) The building cannot, as a practical matter, be located outside the wetland;
 - (c) Such building is not designed for human habitation and does not exceed 500 sq. ft. in floor area; and
 - (d) Only limited filling or excavating necessary to provide structural support for the building is authorized.
- (3) The establishment of public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, fish hatcheries, and public boat launching ramps and attendant access roads, provided that:
 - (a) Any private development is used exclusively for the permitted use and the applicant has received a permit or license under ch. 29, Wis. Stats., where applicable;
 - (b) Filling or excavating necessary for the construction or maintenance of public boat launching ramps or attendant access roads is allowed only where such construction or maintenance meets the criteria in section 3.33(1)(a)-(d) and;
 - (c) Ditching, excavating, dredging, or dike and dam construction in public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, and fish hatcheries is allowed only for the purpose of improving wildlife habitat and to otherwise enhance wetland values.
- (4) The construction or maintenance of electric, gas, telephone, water and sewer transmission and distribution facilities, by public utilities and cooperative associations organized for the purpose of producing or furnishing heat, light, power or water to their members and the construction or maintenance of railroad lines provided that:
 - (a) The transmission and distribution facilities and railroad lines cannot, as a practical matter, be located outside the wetland;
 - (b) Such construction or maintenance is done in a manner designed to minimize adverse impact upon the natural functions of the wetland enumerated in section 3.52.

3.4 PROHIBITED USES. NR 115.04(4) Any use not listed in sections 3.31, 3.32 or 3.33 is prohibited, unless the wetland or portion of the wetland has been rezoned by amendment of this ordinance in accordance with section 3.5 of this ordinance and s. 59.69(5)(e), Wis. Stats.

3.5 REZONING OF LANDS IN THE SHORELAND-WETLAND DISTRICT (NR 115.04(2))

4.1 LAND DIVISION REVIEW. (NR 115.05(2))The county shall review, pursuant to s. 236.45, Wis. Stats., all land divisions in shoreland areas which create 3 or more parcels or building sites of 5 acres each or less within a 5-year period. In such review all of the following factors shall be considered:

- (1) Hazards to the health, safety or welfare of future residents.
- (2) Proper relationship to adjoining areas.
- (3) Public access to navigable waters, as required by law.
- (4) Adequate stormwater drainage facilities.
- (5) Conformity to state law and administrative code provisions.

4.2 PLANNED UNIT DEVELOPMENT (PUD). (NR 115.05(1)(a)4.)

4.21 PURPOSE. The Planned Unit Development is intended to permit smaller non-riparian lots where the physical layout of the lots is so arranged as to better assure the control of pollution and preservation of ground cover than would be expected if the lots were developed with the normal lot sizes and setbacks and without special conditions placed upon the Planned Unit Development at the time of its approval. A condition of all Planned Residential Unit Development is the preservation of certain open space, preferably on the shoreland, in perpetuity.

4.22 REQUIREMENTS FOR PLANNED UNIT DEVELOPMENT. The county board may at its discretion, upon its own motion or upon petition, approve a Planned Unit Development Overlay District upon finding, after a public hearing, that all of the following facts exist:

- (1) **Area.** The area proposed for the Planned Unit Development shall be at least 2 acres in size or have a minimum of 200 feet of frontage on a navigable water.
- (2) **Lots.** Any proposed lot in the Planned Unit Development that does not meet the minimum size standards of Section 5.2 and 5.3 shall be a non-riparian lot.
- (3) **Lot sizes, widths, setbacks, and vegetation removal.** When considering approval of a Planned Unit Development the governing body shall consider whether proposed lot sizes, widths, and setbacks are of adequate size and distance to prevent pollution or erosion along streets or other public ways and waterways. Increased shoreland setbacks shall be a condition of approval as a way of minimizing adverse impacts of development. Shore cover provisions in Section 7.2 shall apply except that maximum width of a lake frontage opening shall be 100 feet and minimum vegetative buffer depth shall be increased to offset the impact of the proposed development.

4.3 BACK LOT LAKE ACCESS

- (1) All private lake accesses; deeded or contractual accesses for the purpose of backlot lake access shall meet the following requirements. Lake access parcels that were in the same ownership as of June 15, 1995 and remain in the same ownership, even though substandard in size, do not have to comply with this section. Such lake access parcels shall be restricted to backlot access for only a single family lot, a single building site, a single family unit, a single family condominium unit or any other single area of a condominium designated as units utilizing said access shall be limited to not more than

public rights in navigable waters.

- (c) The construction or placement of any structure on an access lot is prohibited with the exception of piers, docks, wharfs, boat hoists and boat shelters in conformance with Wisconsin Administrative Code NR 115 and NR 326, and Ch. 30, Wis. Stats.
- (d) The number of single family lots, building sites, single family units, or single family condominium units utilizing said access shall be limited to two (2).
- (e) Cutting of vegetation within the required shoreland buffer shall be consistent with Section 7.2 of this ordinance.

4.5 SANITARY REGULATIONS (NR 115.05(3)) The county shall adopt sanitary regulations for the protection of health and the preservation and enhancement of water quality.

- (1) Where public water supply systems are not available, private well construction shall be required to conform to ch. NR 812, Wis. Adm. Code.
- (2) Where a public sewage collection and treatment system is not available, design and construction of private on-site waste treatment system shall, prior to July 1, 1980, be required to comply with ch. SPS Comm 383, and after June 30, 1980 be governed by a private sewage system ordinance adopted by the county under s. 59.70(5), Wis. Stats.

5.0 MINIMUM LOT SIZE (NR 115.05(1))

5.1 PURPOSE (NR115.05(1)(a)) Minimum lot sizes in the shoreland area shall be established to afford protection against danger to health, safety and welfare, and protection against pollution of the adjacent body of water. In calculating the minimum area or width of a lot, the beds of navigable waters shall not be included.

- (1) The construction of new dwellings or replacement dwellings; additions to existing principal structures and the construction of accessory buildings may be permitted provided all other requirements, regulations and setbacks can be met. Only one (1) principal dwelling/habitable structure is allowed per legal lot.
- (2) If multiple dwelling units exist on one parcel that were lawfully placed when constructed, and are not designated as a Resort or Condominium, those units may only be expanded 50% of the current floor area for each unit.

5.2 'SEWERED LOTS' (NR 115.05(1)(a)1.) MINIMUM AREA AND WIDTH FOR EACH LOT. The minimum lot area shall be 10,000 sq. ft. and the minimum average lot width shall be 65 feet.

- (1) A lot shall contain in rectangular form, and extending rearward from the LOT FRONT. The width shall be measured perpendicular to a line to a depth of 200 ft. at all points along said depth.

5.3 'UNSEWERED LOTS.' (NR 115.05(1)(a)2.) MINIMUM AREA AND WIDTH FOR EACH LOT. The minimum lot area shall be 20,000 sq. ft. and the minimum average lot width shall be 100 feet.

- (1) A lot shall contain in rectangular form, and extending rearward from the LOT FRONT. The width shall be measured perpendicular to a line to a depth of 200 ft. at all points along said depth.

6.2 EXEMPT STRUCTURES (NR 115.05(1)(b)1m.) All of the following structures are exempt from the shoreland setback standards in subd 6.1:

(1) Boathouses

- (a) Boathouses shall be designed, constructed, and used solely for the storage of boats and related equipment and shall not include living area including but not limited to decks, patios, lean-tos, porches, potable water supply, plumbing, sanitation systems, fireplaces, patio doors, food preparation equipment, furniture, or any features inconsistent with the use of the structure exclusively as a boat house.
- (b) Only one boathouse is permitted for each buildable parcel that already contains a primary dwelling. The side lot line setback measured to the eave shall be a minimum of 10 feet.
- (c) Boathouses excavated into an existing slope of more than 20 percent requires an engineered designed plan with the permit application. An erosion control plan must also be completed as part of this application for all boathouses, regardless of slope.
- (d) Boathouses shall not exceed one story. The floor area shall be greater than 100 square feet and shall not exceed 350 square feet. Boathouses shall have a gable roof with 4/12 pitch or greater. Eaves shall not exceed 24 inches. Must be placed on footings or permanent foundation.
- (e) Boathouses shall be entirely located within the access and viewing corridor, located above the ordinary high water mark, and shall be constructed in conformity with all floodplain zoning standards.
- (f) Boathouses shall be constructed and painted to blend with the natural features of the shoreline.

Note: As per Act 391 the roof of a legally existing boathouse may be used as a deck provided that: The boathouse has a flat roof, the roof has no side walls or screens, and if the roof has railings it meets the Department of Safety and Professional Services standards.

(2) Open sided and screened structures such as gazebos, decks, patios and screen houses in the shoreland setback area that satisfy the requirements in s. 59.692(1v), Stats.

- (a) The part of the structure that is nearest to the water is located at least 35 feet landward from the ordinary-high water mark.
- (b) The floor area of all the structures in the shoreland setback area will not exceed 200 square feet. Walkways, stairways, and boathouses without decks shall be excluded in calculating this square footage.
- (c) The structure that is the subject of the request for special zoning permission has no sides or has open or screened sides.
- (d) The county must approve a plan that will be implemented by the owner of the property to preserve or establish a vegetative buffer zone that covers at least 70% of the half of the shoreland setback area that is nearest to the water.
- (e) An enforceable affidavit must be filed with the register of deeds prior to construction acknowledging the limitations on vegetation.
- (f) Fishing rafts that are authorized on the Wolf river and Mississippi river under s. 30.126, Stats.

(3) Devices or systems used to treat runoff from impervious surfaces.

- (4) Broadcast signal receivers, including satellite dishes or antennas that are one meter or less in diameter and satellite earth station antennas that are 2 meters or less in diameter.

to manage exotic or invasive species, damaged vegetation, vegetation that must be removed to control disease, or vegetation creating an imminent safety hazard, provided that any vegetation removed be replaced by replanting in the same area as soon as practicable.

- (5) The county may authorize by permit additional vegetation management activities in the vegetative buffer zone. The permit issued under this subd. par. shall require that all management activities comply with detailed plans approved by the county and designed to control erosion by limiting sedimentation into the waterbody, to improve the plant community by replanting in the same area, and to maintain and monitor the newly restored area. The permit also shall require an enforceable restriction to preserve the newly restored area.

8.0 FILLING, GRADING, LAGOONING, DREDGING, DITCHING AND EXCAVATING

(NR115.05(1)(d)) Filling, grading, lagooning, dredging, ditching and excavating may be permitted only in accordance with the provisions of s. NR 115.04, the requirements of ch. 30, Stats., and other state and federal laws where applicable, and only if done in a manner designed to minimize erosion, sedimentation and impairment of fish and wildlife habitat and natural scenic beauty.

8.1 GENERAL STANDARDS. Filling, grading, lagooning, dredging, ditching or excavating which does not require a permit under section 8.2 may be permitted in the shoreland area provided that:

- (1) It is done in a manner designed to minimize erosion, sedimentation and impairment of fish and wildlife habitat.
- (2) Filling, grading, lagooning, dredging, ditching or excavating in a shoreland-wetland district meets the requirements of sections 3.32 and 3.33 of this ordinance.
- (3) Any fill placed in the shoreland area is protected against erosion by the use of riprap, vegetative cover or a bulkhead.
- (4) Filling, grading or excavating within the required shoreland buffer depth is prohibited except where authorized in association with a permitted use by this chapter, state, or federal regulations, and only to the minimum extent necessary to accomplish said permitted use.

8.2 PERMIT REQUIRED. Except as provided in section 8.3, a shoreland permit is required:

8.21 For any filling or grading of any area which is within 300 feet landward of the ordinary high water mark of navigable water and which has surface drainage toward the water and on which there is either:

- (1) Any filling or grading on slopes of more than 20%.
- (2) Filling or grading of more than 1,000 sq. ft. on slopes of 12%-20%.
- (3) Filling or grading of more than 2,000 sq. ft. on slopes less than 12%.
- (4) A Grading Permit is required for filling or grading in excess of 10,000 sq. ft.

8.22 A conditional use permit shall be required for any construction or dredging commenced on any artificial waterway, canal, ditch, lagoon, pond, lake or similar waterway which is within 300 feet landward of the ordinary high water mark of a navigable body of water or where the purpose is the ultimate connection with a navigable body of water.

8.3 SOIL CONSERVATION PRACTICES AND AGRICULTURAL DRAINAGE MAINTENANCE.

the lot or parcel. If an outlot lies between the ordinary high water mark and the developable lot or parcel and both are in common ownership, the lot or parcel and the outlot shall be considered one lot or parcel for the purposes of calculating the percentage of impervious surface.

Note: For properties that have been "condominiumized" the impervious surface calculations apply to the entire property. The property is still under one legal description and mitigation also applies to the property as a whole and not just to the portion of the frontage that might be in front of the unit impacted.

9.3 GENERAL IMPERVIOUS SURFACE STANDARD. (NR 115.05(1)(e)2.) Except as allowed in sections 9.4 and 9.5 allow up to 15% impervious surface on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark.

9.4 MAXIMUM IMPERVIOUS SURFACE. (NR 115.05(1)(e)3.) A property may exceed the impervious surface standard under 9.3 provided the following standards are met:

- (1) For properties where the general impervious surface standard applies under section 9.3, a property owner may have more than 15% impervious surface but not more than 30% impervious surface on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark.
- (2) For properties that exceed the standard under 9.3 but do not exceed the maximum standard under 9.4(1), a permit can be issued for development with a mitigation plan that meets the standards found in section 12.0.

9.5 TREATED IMPERVIOUS SURFACES. (NR115.05(1)(e)3m. and s. 59.692(1k)(a)1.e.) Impervious surfaces that can be documented to show they meet either of the following standards shall be excluded from the impervious surface calculations under section 9.2.

- (1) The impervious surface is treated by devices such as stormwater ponds, constructed wetlands, infiltration basins, rain gardens, bio-swales or other engineered systems.
- (2) The runoff from the impervious surface discharges to an internally drained pervious area that retains the runoff on or off the parcel and allows infiltration into the soil.
- (3) An engineered designed plan will be required for either 9.5(1) or 9.5(2) showing the treatment of runoff with design standards and specifications.
- (4) A document will be recorded in the Register of Deeds office as an implementation and maintenance agreement of treatment device for 9.5(1).

9.6 EXISTING IMPERVIOUS SURFACES. (NR 115.05(1)(e)4.) For existing impervious surfaces that were lawfully placed when constructed but that do not comply with the impervious surface standard in section 9.3 or the maximum impervious surface standard in section 9.4, the property owner may do any of the following:

- (1) maintain and repair the existing impervious surfaces;
- (2) replace existing impervious surfaces with similar surfaces within the existing building envelope;
- (3) relocate or modify an existing impervious surface with similar or different impervious surface, provided that the relocation or modification does not result in an increase in the percentage of impervious surface that existed on the effective date of the county shoreland ordinance, and the impervious surface meets the applicable setback requirements in s. Wis. Admin. Code NR 115.05 (1) (b).

lawfully placed when constructed but that does not comply with the required building setback per sections 6.1 may be expanded laterally, provided that all of the following requirements are met:

- (1) The use of the structure has not been discontinued for a period of 12 months or more if a nonconforming use.
- (2) The existing principal structure is at least 35 feet from the ordinary high-water mark.
- (3) Lateral expansions are limited to a maximum of 200 square feet over the life of the structure. No portion of the expansion may be any closer to the ordinary high-water mark than the closest point of the existing principal structure.
- (4) The county shall issue a permit that requires a mitigation plan that shall be approved by the county and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards found in section 12.0.
- (5) All other provisions of the shoreland ordinance shall be met.

11.4 EXPANSION OF A NONCONFORMING PRINCIPAL STRUCTURE BEYOND SETBACK. (NR 115.05(1)(g)5m.) An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback under section 6.1, may be expanded horizontally, landward or vertically provided that the expanded area meets the building setback requirements per section 6.1 and that all other provisions of the shoreland ordinance are met. A mitigation plan is not required solely for expansion under this paragraph, but may be required per section 9.0.

11.5 RELOCATION OF NONCONFORMING PRINCIPAL STRUCTURE. (NR 115.05(1)(g)6.) An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback per sections 6.1 may be relocated on the property provided all of the following requirements are met:

- (1) The use of the structure has not been discontinued for a period of 12 months or more if a nonconforming use.
- (2) The existing principal structure is at least 35 feet from the ordinary high-water mark.
- (3) No portion of the relocated structure is located any closer to the ordinary high-water mark than the closest point of the existing principal structure.
- (4) The county determines that no other location is available on the property to build a principal structure of a comparable size to the structure proposed for relocation that will result in compliance with the shoreland setback requirement per section 6.1.
- (5) The county shall issue a permit that requires a mitigation plan that shall be approved by the county and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards found in section 12.0. include enforceable obligations of the property owner to establish or maintain measures that the county determines are adequate to offset the impacts of the permitted expansion on water quality, near-shore aquatic habitat, upland wildlife habitat and natural scenic beauty. The mitigation measures shall be proportional to the amount and impacts of the replaced or relocated structure being permitted. The obligations of the property owner under the mitigation plan shall be evidenced by an instrument recorded in the office of the County Register of Deeds.
- (6) All other provisions of the shoreland ordinance shall be met.

Mitigation points are required for developing property under the following conditions.	Property owner options to earn mitigation points include:
• Impervious surface coverage is greater than 15% but less than 20%- 3 points ☐ • Impervious surface coverage is greater than 20% but less than 30%- 4 points ☐ • $\leq 200 \text{ ft}^2$ Lateral Expansion of Nonconforming principal structure within the shoreland set-back- 2 points ☐ • Relocation of Nonconforming principal structure within the shoreland setback- 1 point ☐	Removal of a structure within 75' shoreland setback ☐ $\leq 100 \text{ Ft}^2$ -1 Pt. ☐ $101 \text{ Ft}^2 - 250 \text{ Ft}^2$ -2 Pts. ☐ $\geq 251 \text{ Ft}^2$ - 3 Pts. <u>Installation of a rain garden</u> ☐ Treats 0-250 Ft^2 -1 Pt. ☐ Treats 251-500 Ft^2 -2 Pts. ☐ Treats greater than 500 Ft^2 -3 Pts. Restoration (Natural Recovery) of a non-compliant <u>shoreland</u> buffer. ☐ Passive (<u>Natural</u> Recovery)- 1 point ☐ <u>Active Restoration</u> (Recovery)- 2 points ☐ Reducing width of allowable view & access corridor(s)- 1 point for every <u>10 foot</u> reduction ☐ Increasing depth of an existing width shoreland buffer-1 point for every 10 feet of depth ☐ Eliminate shoreline lighting $\leq 35'$ from the shore- 1 point (Must submit before and after photographs) ☐ <u>Existing compliant</u> shoreland buffer- 2 points ☐ Sea Wall Removal and Bank Stabilization- 2 points (<i>DNR permits may be required</i>) ☐ Replacement of steel septic tank- 2 pts (Tank must be installed before SMA is recorded) ☐ Installation of a Storm water inSystem- 3 points ☐ Increasing Shoreland Setback-1 point 6 every 15 foot increase beyond required. (<u>maximum of 3 points</u>)

- (5) Plans for appropriate mitigation when required.
- (6) Payment of the appropriate fee.
- (7) Additional information required by the zoning administrator.

13.23 EXPIRATION OF PERMIT. Zoning permits shall expire twelve (12) months from date issued if no substantial work has commenced. The Zoning & Conservation Administration may grant up to a six (6) month permit extension.

13.24 CERTIFICATES OF COMPLIANCE. The land use permit will serve as the certificate of compliance. Within twelve (12) months of the land use permit issue date, all buildings indicated on the permit shall be completely constructed, enclosed and final finished (i.e., painted, stained, sided etc.). All other structures indicated on the permit shall be completely constructed and final finished.

13.3 CONDITIONAL USE PERMITS aka SPECIAL EXCEPTION PERMITS. Application for a Conditional Use permit. Any use listed as a conditional use in this ordinance shall be permitted only after an application has been submitted to the Zoning & Conservation Administrator and a conditional use permit has been granted by the Zoning & Conservation Committee. To secure information upon which to base its determination, the Zoning & Conservation Administrator may require the applicant to furnish, in addition to the information required for a land use permit, the following information:

- (1) A plan of the area showing surface contours, soil types, ordinary high-water marks, ground water conditions, subsurface geology and vegetative cover.
- (2) Location of buildings, parking areas, traffic access, driveways, walkways, piers, open space and landscaping.
- (3) Plans of buildings, sewage disposal facilities, water supply systems and arrangement of operations.
- (4) Specifications for areas of proposed filling, grading, lagooning or dredging.
- (5) Other pertinent information necessary to determine if the proposed use meets the requirements of this ordinance.

13.31 NOTICE, PUBLIC HEARING AND DECISION. Before deciding whether to grant or deny an application for a special exception permit, the board of adjustment shall hold a public hearing. Notice of such public hearing, specifying the time, place and matters to come before the Zoning & Conservation Committee, shall be given as a Class 2 notice under ch. 985, Wis. Stats. Such notice shall be provided to the appropriate office of the Department at least 10 days prior to the hearing. The Zoning & Conservation Committee shall state in writing the grounds for granting or denying a special exception permit.

13.32 STANDARDS APPLICABLE TO ALL SPECIAL EXCEPTIONS. In deciding a special exception application, the Zoning & Conservation Committee shall evaluate the effect of the proposed use upon:

- (1) The maintenance of safe and healthful conditions.
- (2) The prevention and control of water pollution including sedimentation.
- (3) Compliance with local floodplain zoning ordinances and opportunity for damage to adjacent properties due to altered surface water drainage.
- (4) The erosion potential of the site based upon degree and direction of slope, soil type and vegetative cover.
- (5) The location of the site with respect to existing or future access roads.
- (6) The need of the proposed use for a shoreland location.
- (7) Its compatibility with uses on adjacent land.
- (8) The amount of liquid and solid wastes to be generated and the adequacy of the proposed disposal systems.

requirements, decision or determination made by an administrative official in the enforcement or administration of this ordinance.

- (3) It shall hear and decide applications for special exception permits pursuant to section 13.3.
- (4) It may grant a variance from the standards of this ordinance pursuant to section 13.4.
- (5) In granting a variance, the board may not impose conditions which are more restrictive than any of the specific standards in the ordinance. Where the ordinance is silent as to the extent of restriction, the board may impose any reasonable permit conditions to affect the purpose of this ordinance.

13.52 APPEALS TO THE BOARD. (s. 59.694 Wis. Stats.) Appeals to the board of adjustment may be made by any person aggrieved or by an officer, department, board or bureau of the county affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be made within 30 days, as provided by the rules of the board, by filing with the officer whose decision is in question, and with the board of adjustment, a notice of appeal specifying the reasons for the appeal. The zoning administrator or other officer whose decision is in question shall promptly transmit to the board all the papers constituting the record concerning the matter appealed.

13.53 HEARING APPEALS AND APPLICATIONS FOR VARIANCES AND SPECIAL EXCEPTION PERMITS. (s. 59.694(6), Wis. Stats.)

- (1) The board of adjustment shall fix a reasonable time for a hearing on the appeal or application. The board shall give public notice thereof by publishing a Class 2 notice under ch. 985, Wis. Stats, specifying the date, time and place of the hearing and the matters to come before the board. Notice shall be mailed to the parties in interest. Written notice shall be given to the appropriate office of the Department at least 10 days prior to hearings on proposed shoreland variances, special exceptions (conditional uses), and appeals for map or text interpretations.
- (2) A decision regarding the appeal or application shall be made as soon as practical. Copies of all decisions on shoreland variances, special exceptions (conditional uses), and appeals for map or text interpretations shall be submitted to the appropriate office of the Department within 10 days after they are granted or denied.
- (3) The final disposition of an appeal or application to the board of adjustment shall be in the form of a written resolution or order signed by the chairman and secretary of the board. Such resolution shall state the specific facts which are the basis of the board's determination and shall either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or prosecution or grant the application.
- (4) At the public hearing, any party may appear in person or by agent or by attorney.

13.6 FEES. (ss. 59.69, 59.694, 59.696, 59.697, Wis. Stats.) The county board may, by resolution, adopt fees for the following:

- (1) Zoning permits.
- (2) Certificates of compliance.
- (3) Planned Unit Development reviews.
- (4) Public hearings.
- (5) Legal notice publications.
- (6) Special exception permits.

County Zoning Administrator or his designated Zoning Deputy. Each day a violation exists shall constitute a distinct and separate violation of this ordinance and, as such, forfeitures shall apply accordingly. Every violation of this ordinance is a public nuisance and the creation thereof may be enjoined and the maintenance thereof may be abated pursuant to Section 59.69(11), Wisconsin Statutes.

- (4) **Suspension of Permit:** Whenever the Zoning & Conservation Administrator, Assistant Zoning Administrator or Deputy Zoning Administrator, determines there are reasonable grounds for believing there is a violation of any provision of this Ordinance, the Zoning Administrator, Assistant Zoning Administrator or Deputy Zoning Administrator shall give notice to the owner of record as hereinafter provided. Such notice shall be in writing and shall include a statement of the reason for the suspension of the permit. It shall allow 30 days for the performance of any act it requires. If work cannot be completed in the 30 day period, an extension may be granted if reason of hardship prevail and can be verified. Such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been sent by registered mail to owner's last known address or when the owner has been served by such notice by any method authorized by the laws of Wisconsin. The owner of record has the right to appeal any decision by the Zoning Administrator, Assistant Zoning Administrator or Deputy Zoning Administrator or apply to the Vilas County Board of Adjustment for a Variance from the strict rule of the Ordinance within 30 days of receipt of a notice or order.

Emergency Conditions: Whenever the Zoning & Conservation Administrator finds that an emergency exists such as sudden, unexpected occurrences or combinations thereof, unforeseen conditions or circumstances at the time beyond one's control, adverse weather conditions, meeting a timetable which requires immediate action to protect the public health, safety and welfare, the Administrator may, without notice or hearing, issue an order citing the existence of such emergency and may require that such action be taken as may be deemed necessary to meet the emergency. The Administrator shall notify the Chairperson of the Zoning Committee within 24 hours of such situations. Notwithstanding any other provisions of this Ordinance such order shall become effective immediately. Any person to whom such order is directed shall comply therewith immediately. Appeals or challenges to emergency orders may be brought after emergency conditions have ceased, to the Board of Adjustment.

16.0 DEFINITIONS.

16.1 For the purpose of administering and enforcing this ordinance, the terms or words used herein shall be interpreted as follows: Words used in the present tense include the future; words in the singular number include the plural number; and words in the plural number include the singular number. The word "shall" is mandatory, not permissive. All distances, unless otherwise specified, shall be measured horizontally.

16.2 The following terms used in this ordinance mean:

- (1) "Access and viewing corridor" (NR 115.03(1d)) means a strip of vegetated land that allows safe pedestrian access to the shore through the vegetative buffer zone.
- (2) "Accessory Structure or Use" means a subordinate structure or a use which is clearly incidental to, and customarily found in connection with, the principal structure or use to which it is related, and which is located on the same lot as the principal structure or use. Accessory structures can be attached or detached. If attached to the principal structure the accessory structure shall comply with the same setbacks as a principal structure.
- (3) "Backlot" A lot without water frontage under any form of ownership.
- (4) "Bluff" Slope exceeding 40° with a waterbody at the toe. For the purposes of this ordinance, a bluff shall extend the width of the lot to be considered a bluff.
- (5) "Boathouse" (NR 115.03(1h)) means a permanent structure used for the storage of watercraft and associated materials and includes all structures which are totally enclosed, have roofs or walls or any combination of these structural parts.
- (6) "Building envelope" (NR 115.03(1p)) means the three dimensional space within which a structure is built.
- (7) "County zoning agency" (NR 115.03(2)) means that committee or commission created or designated by the county board under s. 59.69(2)(a), Wis. Stats, to act in all matters pertaining to county planning and zoning.

- (23) "Regional Flood" (NR 115.03(7)) means a flood determined to be representative of large floods known to have generally occurred in Wisconsin and which may be expected to occur on a particular stream because of like physical characteristics, once in every 100 years.
- (24) "Routine maintenance of vegetation" (NR 115.03(7m)) means normally accepted horticultural practices that do not result in the loss of any layer of existing vegetation and do not require earth disturbance.
- (25) "Shoreland" (NR 115.03(8)) means lands within the following distances from the ordinary high water mark of navigable waters: 1,000 feet from a lake, pond or flowage; and 300 feet from a river or stream or to the landward side of the floodplain, whichever distance is greater.
- (26) "Shoreland setback" also known as the "Shoreland setback area" in s. 59.692(1)(bn) means an area in a shoreland that is within a certain distance of the ordinary high-water mark in which the construction or placement of structures has been limited or prohibited under an ordinance enacted under section 59.692, Wis. Stats.
- (27) "Shoreland-wetland district" (NR 115.03(9)) means a zoning district, created as a part of a county zoning ordinance, comprised of shorelands that are designated as wetlands on the Wisconsin wetland inventory maps prepared by the department.
- (28) "Slope" means a degree of deviation of a surface from horizontal, measured as a numerical ratio, as a percent, or in degrees. Expressed as a ratio, the first number is the horizontal distance (run) and the second number is the vertical distance (rise), as 2:1. Percent slope is calculated as rise divided by run. A 2:1 slope is a 50 percent slope. Expressed in degrees, the slope is the angle from the horizontal plane, with a 90-degree slope being vertical (maximum) and a 45-degree slope being a 1:1 slope
- (29) "Special exception (conditional use)" (NR 115.03(10)) means a use which is permitted by this ordinance provided that certain conditions specified in the ordinance are met and that a permit is granted by the board of adjustment or, where appropriate, the planning and zoning committee or county board.
- (30) "Structure" (s.59.692(1)(e), Stats.) means a principal structure or any accessory structure including a garage, shed, boathouse, sidewalk, walkway, patio, deck, retaining wall, porch or firepit.
- (31) "Unnecessary hardship" (NR 115.03(11)) means that circumstance where special conditions, which were not self-created, affect a particular property and make strict conformity with restrictions governing area, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of this ordinance.
- (32) "Variance" means an authorization granted by the Board of Appeals to construct, alter or use a building or structure in a manner that deviates from the dimensional standards of this ordinance.
- (33) "Wet Boathouse" The maintenance and repair of nonconforming boathouses which extend beyond/below the OHWM of any navigable waters shall be required to comply with s. 30.121 Wis. Stats
- (34) "Wetlands" (NR 115.03(13)) means those areas where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions.
- (35) "Wetland Delineation" means the process of determining the boundary between non-wetland areas and wetlands. Sawyer County requires such delineation to be made by a Wisconsin certified delineator.

ORDINANCE #3-2009

RECREATIONAL SIGN ORDINANCE FOR SAWYER COUNTY

The Sawyer County Board of Supervisors enacts the following ordinance to be known as the Recreational Trail Sign Ordinance:

SECTION 1 The following ordinance shall pertain to information and directional signs located on Sawyer County Lands.

SECTION 2 Trail signs covered under this ordinance will include, but are not limited to:

- a. Cross-country skiing trails and routes
- b. Snowmobile trails and routes
- c. Mountain bike trails and routes
- d. Horseback trails and routes
- e. ATV trails and routes
- f. Hiking and walking trails
- g. Hunter/Walking trails

SECTION 3 No one shall erect a sign of any type on County Forest lands without first obtaining permission from the Sawyer County Forestry Committee or Sawyer County Forest Administrator.

SECTION 4 General Guidelines on Sign Usage

- a. All signs shall be installed, maintained and conform to specifications in the WDNR Trail Signing Handbook 8672.05.
- b. All signs shall be placed within six (6) feet of the trail edge.
- c. All informational signs shall be placed on adequately sized wood or metal sign posts to provide stability and deter vandalism and be installed in the ground prior to October 15 if for winter use.
- d. All informational signs should be on a separate post from trail safety signs; although information and guide signs may share installed posts, where desired.
 1. Snowmobiling and ATV signs shall be brown with white letters.
 2. Bicycle trails shall be blue with white letters.
 3. Ski trails shall be brown with yellow letters.
- e. All temporary signs or flagging used for special events will be removed within seven (7) days after completion of the event.
- f. Trailhead information signs and maps may be attached to adequately sized wood or metal sign posts to provide stability and deter vandalism and be placed and anchored in the ground, and may be six (6) square feet in size.
- g. All safety signs – *stop, caution, etc.* – will be attached to adequately sized wood or metal sign posts to provide stability and deter vandalism. No safety signs will be attached to live trees.

SECTION 5 Business Sign Guidelines on Recreational Trails

The purpose of these signs will be to direct the user of a trail to a destination on the trail (absolutely no advertising of any specific product name may be used).

- a. Business signs must conform to the color code of brown background and white lettering and a maximum of 12"x12" or 144 square inches.

Agreement entered into between the Land, Water and Forest Resources Committee, Sawyer County, Wisconsin, hereinafter referred to as the "Committee" or "Seller" or "County", and:

hereinafter referred to as the "Purchaser."

The Purchaser may cut and remove all the marked or designated timber on the following described lands:

The Committee and Purchaser mutually agree that this contract is subject to the following provisions:

The Purchaser will completely perform his/her obligations under this contract in two years or by _____. The contract should normally be completed in this two-year period. A one-year extension of time, may, however, be granted by the Committee because of extenuating circumstances, all stumpage prices will be increased by 10%. If a second, one-year extension is necessary, all stumpage prices will be increased by 15%. The contract period, including extensions, should not exceed four (4) years.

Upon signing this contract, the Purchaser will deposit with the Sawyer County Treasurer a performance bond for 10% of the bid price in the amount of \$ _____ as a guarantee that the Purchaser intends to carry out the provisions of the contract. The performance bond must be carried for the duration of the contract and must be in effect for 30 days following the end of the contract period.

Advance stumpage payments: 50% for sales \$5000 or less; 33 1/3% for sales between \$5000 and \$20,000; 25% for sales between \$20,001 and \$50,000; \$50,000 and more will be negotiable but not less than 15%. All payments must be made 24 hours prior to the start of timber cutting. Additional advance payments must be made within 48 hours of notification. Additional payments or refunds may be required upon final completion of the contract, depending on the actual volume harvested. The amount required for this timber contract is (____%) in the amount of _____.

SPECIFICATIONS

<u>Species or Products</u>	<u>Estimated Volume</u>	<u>Agreed Rate Per</u>	
		<u>M Bd. Ft</u>	<u>Cord</u>

Cutting Requirements:

Upon written notice by the Committee, or its representatives, to the Purchaser that he/she is not in compliance with one or more conditions of this contract, all operations must be suspended and may not be resumed without written authorization. The decision of the Committee as to whether the Purchaser is in compliance with the terms of this contract shall be final.

Upon failure of the Purchaser to comply with one or more of the conditions of this contract, the performance bond indicated above will be forfeited to Sawyer County upon written notice by the Committee, or its representative. Sawyer County may also seek damages or remedies for damages exceeding the value of the performance bond.

All timber marked or otherwise designated by the contract to be cut shall be cut progressively and to the satisfaction of the representative of the Committee, whether or not the quantity of such timber is more or less than the estimates comprising the specifications.

Unmarked or undesignated trees cut or damaged shall be paid for at double the stumpage rate specified, and timber wasted in tops and stumps shall be paid for at the rate specified. Any young growth bent or held down by felled trees must be promptly released. Additional penalties will be assessed to cover mileage and administration costs to assess the damages.

Title to all forest products shall remain with the County until the products are scaled and paid for by the Purchaser. Payment for scaled wood is to be made before the wood is hauled. A 1.5% per month finance charge (18% per year) will be assessed on all payments past due.

The ticket system will be used on the sale for pulpwood. **The contract number must be written on each ticket.** When in use, failure to deposit tickets in the lock box each time a load of cut products leaves the sale area will be considered a

limbs should be lopped to 24" or less if specified on the sale map. Slash that falls onto the land of an adjoining landowner shall be immediately removed from the adjoining land.

Roadways and trails shall be kept free from brush and waste resulting from the operation. If snowmobile trails are to be used as access to sales, they may not be plowed to bare ground, and must be kept free of slash and debris at all times.

Any logging generated waste (oil cans, cables, used oil, tires, etc.) shall not be disposed of on-site but shall be disposed of properly. Spills of petroleum or other hazardous fluids must be reported, according to state law, to the proper authorities.

Wisconsin's Forestry Best Management Practices for Water Quality, Wisconsin's Forestry Best Management Practices for Invasive Species and Wisconsin's Forestland Woody Biomass harvesting Guidelines, shall be adhered to while Purchaser is operating on Sawyer County Forest land.

All necessary water crossing permits will be the responsibility of Sawyer County.

The Purchaser agrees to protect, indemnify and save harmless the County and the County's employees and agents from and against all causes of action, claims, demands, suits liability or expense by reason of loss or damage to any property or bodily injury to any person, including death, as a direct result of operation under the contract or in connection with any action or omission of the purchaser, who shall defend the County and the County's employees and agents in any cause or action or suit.

This contract cannot be assigned in whole or in part.

All modifications to this contract must be in writing, signed by the parties hereto.

A Purchaser deemed by the Seller to be in breach of this contract may also be refused the opportunity to bid or obtain future timber sales from the County for a period not to exceed two (2) years from the date of determination of the breach.

Worker's Compensation Insurance Required

To the extent that it is applicable to the Purchase, the Purchaser agrees to perform all operations under this contract in compliance with Wisconsin Worker's Compensation Act, Chapter 102, Wisconsin Statutes, and all rules promulgated there under. The Purchaser agrees to provide the Seller with a valid certificate of worker's compensation insurance (\$500,000 minimum) listing Sawyer County Forest as a certificate holder and covering all employees of the Purchaser. Purchaser shall indemnify and hold Seller harmless for any worker's compensation costs related to timber producers on the premises. It is also understood that there is no employee-employer relationship between the Seller and Purchaser, and any subcontractor of the Purchaser.

The Purchaser agrees to provide the Committee with a certificate from Wisconsin SFI® Training Standards upon signing all new contracts as of November 2, 2006. The standards are:

WISCONSIN SFI® TRAINING STANDARD

Qualified Logging Professional:

Professional Training - (once every two years) Choose one of the following: Chainsaw Safety, Mechanized Training, Log Truck Driver Training, Business Management, Cross Training for Loggers & Foresters, Invasive Species, or Threatened & Endangered Species.

1st Aid/CPR - One time only for SFI, however OSHA requires 1st Aid every 3 years and CPR annually.

Best Management Practices (BMP) - One time only, however refreshed information will be incorporated into all training offered.

Continuing Education - (8 hours annually) Includes loggers' conferences and continuing education workshops offered in the 2011 SFI® Workshop Brochure.

- Other ruts are acceptable provided it is shown that they can and will be repaired prior to final sale close out.

Landings

- Landings are prohibited in wetlands unless the timber sale is located in a large wetland complex without suitable upland landing sites. Wetland landings may only be used during frozen ground conditions. Details of and justifications for modifications must be documented.
- In uplands, a rut on a landing may not result in channelized flow into a wetland or water body.
- Other ruts are acceptable provided it is shown that they can and will be repaired prior to final sale closeout.

Skid Trails

- Ruts with depths of 6 inches or greater may not exceed a total of 25 feet in any 100 feet
- Total rut length on skid trails may not exceed 10% of the total length of skid trails.

General Harvest Area

- The rutted area for an acre of general harvest area may not exceed 5% (six inches or deeper).
- The average rutted area per acre may not exceed 2% of the total harvest area.

Measurements

Forest Road Rut Length is determined by measuring the length of ruts with depths 6 inches or greater.

Skid Trail Rut Length is determined by measuring the total length of ruts and dividing by the total length of skid trails. The length of rut made by each wheel or track is measured separately.

General Harvest Area Rutted Area is determined by measuring the length and width, in feet, of ruts, greater than 6 inches in depth, in an acre of harvest to determine square feet of rutted area. This total is divided by 43560.

1010.2 TIMBER SALE EXTENSION POLICY *

1. All timber sale contracts will begin on the date of signature by the Forest Administrator. All contracts must have a specific end date. Generally, most timber sale contracts will be written to expire two years after the award date. Some timber sale contracts may have longer or shorter duration than two years as determined by the Forest Administrator and /or Committee.
2. At the discretion of the Forest Administrator a one-year extension, if deemed necessary by the seller, may be granted. This first extension will have a ten percent increase in stumpage rates. A second one-year extension may be granted with an additional fifteen percent increase in stumpage rates.
3. The maximum time duration of a timber sale contract, including extensions, shall be 4 years. Extension beyond this period of time shall be considered by the committee only in the event of special justification. Special stumpage rate adjustments may be made.
4. If purchasers do not wish to have contracts renewed or extended and do not finish the sale prior to expiration, appropriate penalties may be assessed. The performance

Permittee

Forest Administrator

Person Issuing Permit _____

1010.4 BOUGH PERMIT

PERMIT TO CUT BOUGHS ON SAWYER COUNTY FOREST LAND

Sellers Permit Fee \$50.00

Date _____

Name & Address _____

Is authorized to remove boughs from Sawyer County land described as:

No trees are to be cut down.

Permittee must follow the below cutting guidelines

1. Boughs will be cut in such a manner as to not kill the tree or render aesthetic damage to the tree.
2. Harvesting of boughs will not take place within sight of a town road, state forest road or lettered or numbered highway.
3. Permits will not be issued for special use zones such as aesthetic zones, wilderness zones, etc.

Boughs cut must not exceed 2 tons

Permittee

Forest Administrator

PERMIT TO CUT CHRISTMAS TREES ON SAWYER COUNTY FOREST LAND – FOR
PERSONAL USE. Permit Fee - \$5.00 PER TREE (MAXIMUM OF 3 TREES)

Date _____

Name and Address _____

Is authorized to cut _____ Christmas trees from Sawyer County Forest Lands. Black or
White Spruce, Balsam, or White Pine may be cut. No trees will be cut within 100 feet of a road or
over 12 feet in height. This permit is good for 60 days from the date shown above.

Permittee

Forest Administrator

1010.6 PRIVATE ACCESS – LOW USE ACCESS PERMIT

Control Number _____

Date _____

**LOW USE ACCESS PERMIT
ACROSS SAWYER COUNTY LAND**

Executed and approved in duplicate this date: _____

**LAND, WATER, AND FOREST
RESOURCES COMMITTEE
Sawyer County, Wisconsin**

Permittee

**Forest Administrator
Sawyer County**

1010.7 CAMPING POLICY / PERMIT

Camping is allowed throughout the County Forest. The following regulations have been developed to protect the camper and the forest resource:

1. Camping with a tent, camper trailer, mobile camper or other lesser camping shelters is allowed under the following conditions:
 - a. A valid permit must be issued by Sawyer County for the camping site. Permit must be displayed on the outside of the camping shelter and be readily visible.
 - b. Maximum permit period is ten (10) consecutive days. The camping shelter must be occupied daily and may not be vacated or stored on the site.
 - c. No camping within 100 feet of a state, county, or township road.

7:

CAMPING PERMIT ON SAWYER COUNTY FOREST LANDS

Return to: Sawyer County Forestry Department
Sawyer County Courthouse, Suite 100
Hayward, WI 54843

Phone: 715-634-4846 or 715-634-6728
Fax: 715-638-3234
Email: forestry@sawyercountygov.org -OR-
greg.peterson@sawyercountygov.org

Please read all conditions of this permit listed before applying.

Name		Permit Valid for (Maximum <u>10</u> days): _____ to _____	
Address (Street, Fire Number, P.O. Box, etc.)		Home Telephone Number _____ Alternate Telephone Number _____	
City, State and Zip Code		Permit Fee (\$7.00 per night/per unit): _____ Payment Received _____	
Vehicle Make:	Model:	License Number	State
Please describe type of shelter you will be using:		Number of people who will be using this shelter:	

This permit is area specific. Please indicate legal description. Enclose map of area (see Maps 1-24 on website: sawyercountygov.org; go to Departments; Forestry - scroll to bottom of page).

Section _____, T _____ N, R _____ W; _____ Township

Leave this section blank - to be used by Sawyer County Forestry Department	
☐ Approved ☐ Denied	
County Forest Administrator Signature	Date Signed

By signing this Permit, the Permittee agrees to all terms and conditions contained herein. Violations of any of the terms of this agreement will immediately render this Permit null and void.

Permittee's Signature	Date Signed
-----------------------	-------------

Have a Great Time on the Sawyer County Forest!

TERMS AND CONDITIONS:

other damaging devices in trees is not permissible. No permanent type structures shall be permitted.

The placement of trail cameras, tree stands, climbing sticks, or ground blinds unattended overnight is authorized only if the equipment bears the name, address, and Wisconsin Department of Natural Resources issued customer number of the owner/operator. This identification must be permanently attached or engraved to the outside of the equipment so it is clearly visible without the need to move or adjust the equipment. Cameras may not cause damage to any natural vegetation. Placement of any equipment on Sawyer County Forest lands is done at the owners own risk. Sawyer County will not be responsible for theft or damage to any equipment on Sawyer County Forest lands.

1010.9 Sawyer County Outdoor Recreation Plan

A copy of the Sawyer County Outdoor Plan is available at the sawyer County Forestry Department office or is available for viewing at the following link:

<https://sawyercountygov.org/DocumentCenter/View/2856/Outdoor-Reaction-Plan>

1010.10 Tuscobia State Trail Memorandum of Understanding and Trail Easement

1010.10.1

MEMORANDUM OF UNDERSTANDING BETWEEN

**SAWYER
COUNTY
AND**

**THE STATE OF WISCONSIN, DEPARTMENT OF NATURAL
RESOURCES**

I. Introduction

The purpose of this Memorandum of Understanding, (MOU) is to set forth the agreements and understandings which have been reached between Sawyer County, (County) and the State of Wisconsin Department of Natural Resources (Department) regarding the maintenance, repair and operation of approximately 50 miles of former Chicago, St. Paul, Minneapolis and Omaha Railway Company (Tuscobia to Park Falls

3. It is the Department's intent to keep the Trail open for public use. If conditions arise either through natural disaster or unexpected failure of the Trail infrastructure and the County is unable to complete repairs on its own, the Department will work with the County to identify resources such as labor and funding sources for the repair of the Trail.
4. The Department shall complete inspections of bridges along the Trail and will provide copies of the inspections to the appropriate County staff and discuss any recommendations in the inspection reports.
5. The Department has designated the Trail as a "State Trail" under section NR 51.73, Wis. Adm. Code. The Trail is included on appropriate lists of State Trails.
6. The Department will make its Adopt-A-Trail program available to the County. The Department has an application process for groups interested in adopting a section of State Trail. This program is similar to the Department of Transportation's Adopt-A-Highway program.
7. The Department and the Natural Resources Board, with input from the County, will determine the allowable hunting, fishing, and trapping opportunities on the Trail pursuant to Wis. Stat. s. 29.089.

V. Obligations of the County

1. The County will keep the name of Tuscobia State Trail. The Trail has been known by that name and is familiar to the public.
2. If conditions arise either through natural disaster or unexpected failure of the Trail infrastructure, the County shall notify the Department. The purpose of the notification is to ensure that the County does not undertake any repair activities potentially eligible for funding only if completed by the Department as landowner.
3. Changes in Trail uses, special events, and other situations related to the use of the Trail not specifically addressed in this MOU may take place only with the involvement of the Department and shall be consistent with Department policies.
4. The County will participate in or conduct public meetings, which may be necessary for the management and improvements of the Trail, including for any review or changes to the master plan, such as eliminating or adding allowed Trail uses. All attempts should be made to comply with the intent of Chapter NR 44, Wis. Adm. Code as it relates to public participation.

13. The County, in connection with this MOU, shall have the Trail open to the general public subject to reasonable rules and regulations, fees, and charges, as outlined below for the management and operation of the Trail.

A. Rules and regulations.

Pursuant to section NR 45.02, Wis. Adm. Code, the Department retains management, supervision, and control over the Trail for the purpose of enforcing Chapter NR 45, Wis. Adm. Code, when needed to protect the property. Daily routine enforcement remains the responsibility of the County. The County and other local units of government may adopt Chapter NR 45, Wis. Adm. Code provisions as ordinance.

B. Admission Fees.

The County must use the Department's trail pass fee program should it charge a fee on the Trail. If admission fees are charged, the State Trail Pass, both annual and daily, the conservation patron license, and senior citizen recreation card issued by the Department shall be honored without additional admission charges. The County shall agree to waive all admission fees on State Parks Open House Day, date as determined by the Department, and National Trails Day. National Trails Day is the first Saturday in June.

If the County uses the Department's trail pass fee program, the County may retain a commission to be used for Trail operations and maintenance as provided for ins. 27.01(8m), Wis. Stats. A separate Trail Pass Sales Agreement between the County and the Department will be executed, detailing the sales and remittance procedures. The County may use sub-vendors to sell the pass.

In the event sections 27.01(8) or (8m), Wis. Stats., is modified, the above section on admission fees shall automatically reflect the modification.

14. In the exercise of its right herein, including but not limited to the operation of the eased property as a trail, the County shall not discriminate against any member of the public on the basis of age, race, creed, color, handicap, sex, marital status, arrest or conviction records, ancestry, sexual orientation, or membership in the National Guard, state defense force or any other reserve successors or designees.

review operational problems and maintenance standards needing attention and to exchange ideas and information for the good of the Trail.

5. This MOU shall not be construed as creating a public debt on the part of the Department in contravention of Article VIII, Wisconsin Constitution and all payments or obligations hereunder are subject to the availability of future appropriations.
6. The County assumes complete responsibility for the operation, maintenance, and repair of the Trail. While the Department is not obligated to operate, maintain, or repair the Trail at any time, it is the Department's intent to keep the Trail open and available to the public. If conditions arise either through natural disaster or unexpected failure of the Trail's infrastructure and the County is unable to complete repairs on its own, the Department will work with the County to identify funding sources for repair of the Trail.
7. This MOU does not create an employment or agency relationship between the Department and the County, any employees or agents of the County, or any third parties.

VII. Termination

1. County. The County may terminate the MOU and the easement from the Department by providing to Department 90 days written notice of said termination. In the event the County terminates this MOU and the easement, the County will assume compliance responsibility for any state or federal grant obtained for Trail development and support purposes.
2. Department. The Department may terminate this MOU and the easement with the County in the event that:
 - A. The County breached any term or condition in the MOU or the easement and said breach remains uncorrected for a period of 60 days from the receipt of the Department's written notification of said breach by the County. In the event the County breached any term or condition of this MOU or the easement, the County will assume compliance responsibility for any state or federal grant assisted areas. _

1010.11 American Birkebeiner Agreements

1010.11.1 ABSF M.O.U.

MEMORANDUM OF UNDERSTANDING AND AGREEMENT

This Memorandum of Understanding and Agreement (the "MOU") is entered into this _____ day of _____ 2020, by and between Sawyer County, Wisconsin (the "County") and the American Birkebeiner Ski Foundation, Inc., a Wisconsin nonstock corporation ("ABSF"). The County and the ABSF may be referred to herein singularly as a "Party" or collectively as the "Parties".

RECITALS

A. The County owns certain real property in the County more particularly described in Exhibit A, which is attached hereto and incorporated herein (the "Subject Property"), wherein a portion of what is commonly known as the Birkie Trails and Birkie Trailheads are located.

B. ABSF has been improving, developing, repairing and maintaining, and promoting the use of the Birkie Trails & Trailheads for Silent Sports purposes, and developing, promoting and operating Silent Sports events on the Birkie Trails & Trailheads.

C. The County acknowledges that the activities described under Recital B hereof, require specific knowledge, training, and experience, all of which are possessed by ABSF, and the County desires ABSF to so continue stimulating Silent Sports on the Birkie Trails & Trailheads and to encourage and attract visitors and tourist dollars to such and to Sawyer County, Wisconsin.

D. ABSF desires to so continue stimulating Silent Sports on the Birkie Trails & Trailheads and to encourage and attract visitors and tourist dollars to such and to Sawyer County, Wisconsin by continuing to operate, improve and invest in the activities described under Recital B hereof.

NOW, THEREFORE, in consideration of the foregoing, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. Recitals. The County and ABSF acknowledge and agree that the Recitals above are true and accurate, and each Recital is incorporated into this MOU.

incorporated herein as Exhibit C, and which sets forth parameters regarding ABSF's use and occupation of the OO Leased Premises.

(i) "*OO Leased Premises*" means the real property upon which the OO Building sits and the property subject to the OO Ground Lease.

(j) "*Silent Sports*" means non-motorized sports and activities such as hiking, biking, cross-country skiing, trekking, walking, and running.

(k) "*Subject Property*" means the Parcel Identification Nos. on Addendum A of the original agreement (Doc. No. 406844), subject to this MOU, including the Birkie Trails, Birkie Trailheads, and the Leased Premises.

(l) "*Term*" means the Term of this Agreement set forth in Section 6 herein.

3. Events and Use of the Birkie Trails and Trailheads.

(a) *Right to Use Birkie Trails and Trailheads.* Subject to the provisions in Sections 3(d) and 3(e) herein, the County grants to ABSF the right to use, promote, prepare for, host and hold Events on the Subject Property for the Term of this Agreement and subject to the terms, requirements and conditions set forth in this MOU. In the Event of Default, the ABSF's right to use the Birkie Trails and Trailheads shall be terminated, as more fully described in Section 9 herein. Any expenses incurred as a result of the use of the Subject Property, or as a result of any Event, shall be at the sole cost and expense of ABSF.

(b) *Use of Birkie Trails and Trailheads and Privileges Afforded the ABSF.*

(i) In the context of the existing and historic use of the Birkie Trailheads by ABSF, the County grants to ABSF the unrestricted, non-exclusive right to continue this use for Events. The County also grants to ABSF the following privileges concerning the infrastructure located at the Birkie Trailheads:

(1) Buildings used for the storage of ABSF's Birkie Trails maintenance equipment shall not be open to the public due to concerns of public safety and welfare.

(2) During ABSF's Events, ABSF shall have exclusive use and charge of the Birkie Trailheads.

(3) The Parties hereto shall coordinate specific dates and times wherein ABSF shall have exclusive use of a certain Birkie Trailhead for a particular function or Event.

- (4) Educational activities, Silent Sport training activities, and health/wellness activities.
- (5) One-time rental for events such as weddings, parties or other single-use events.
- (iii) The ABSF may not license, rent, sublease or otherwise grant an approval for the conduct of any ongoing business to another party without express written consent of the County, which may be withheld in the County's sole discretion.
- (iv) *Public Use and Public Space.* Notwithstanding any provision contained in this MOU to the contrary, the Parties acknowledge and agree that the Subject Property is for the benefit of the public and shall therefore be open to the public. ABSF agrees to comply with all Applicable Laws in light of the public benefit and public use, including but not limited to restrictions on commercial activities and uses, agricultural uses or commercial sale of natural resources, the terms and provisions of any requirements set forth in any contract or agreement that the County may be a party to for the benefit of the public. Any noncompliance with the terms of Applicable Laws or other restrictions on the Subject Property shall be an Event of Default. In addition, ABSF shall comply with all terms and provisions of any County Comprehensive Plan, Sawyer County Forest Comprehensive Land Use Plan, Managed Forestry Plan, or other planning document or agreement.
- (f) *Consideration of Public Purposes.* The ABSF hereby acknowledges and agrees that the Subject Property is owned and managed by the County (subject to the rights, interests and privileges set forth in this MOU and in the OO Ground Lease) for a broad range of public purposes and hereby agrees to support the County's ownership and management decisions in good faith. The ABSF also agrees that the rights and privileges granted in this MOU shall not be used as a basis to oppose that ownership/management and corresponding actions taken by the County to the extent such ownership/management and corresponding actions are not inconsistent with this MOU and the rights and privileges granted to ABSF hereunder.
- (g) *Taxes.* The ABSF shall pay all taxes that may be assessed on ABSF's personal property or structures located on the Subject Property. The ABSF shall pay all other taxes that may be assessed for Events, including but not limited to sales tax.
- (h) *Removal of Personal Property.* Upon termination of this MOU, all such personal property owned by ABSF shall be removed from the Birkie Trails

4. Maintenance, Repair, Improvement, Development of Birkie Trails and Trailheads.

(a) *Maintenance and Repair of Birkie Trails and Trailheads.* In consideration for the rights and privileges granted to the ABSF in this MOU, the ABSF agrees to conduct, at the ABSF's sole cost and expense, all maintenance, repair, improvement or construction of all portions of the Birkie Trails and Trailheads.

(b) *Improvement and Development of Birkie Trails and Trailheads.* The County grants to ABSF the right to improve and develop the Birkie Trails and Trailheads upon the County's prior written approval of any such plans to improve or develop the Birkie Trails and Trailheads. Any improvement or development costs shall be the sole responsibility and obligation of the ABSF.

(c) *Existing and Future Improvements, Buildings and Personal Property on Birkie Trailheads.* The Parties acknowledge and agree that existing improvements, buildings and personal property located on the Birkie Trailheads that have been funded and stored, installed or constructed by ABSF, and any future improvements, buildings and personal property funded and stored, installed or constructed by ABSF, at ABSF's sole cost and expense, at the Birkie Trailheads after the Effective Date, shall be owned by ABSF.

(d) *Other Improvements.* The ABSF shall make and maintain the following improvements to the Birkie Trails and Trailheads:

(i) ABSF shall provide informational and warning signs, at its sole cost and expense, at the Birkie Trails and Birkie Trailheads to promote and encourage safe recreational use thereof.

(ii) ABSF shall maintain and repair the OO Building and OO Leased Premises, as set forth in the OO Ground Lease.

5. Fees.

(a) *Birkie Trails Pass.* In consideration for the financial benefits that such undertakings provide to the public, the County agrees that any funds raised by the Birkie Trail Pass system (approved by the Sawyer County Board of Supervisors on December 19, 2013, as recorded in the minutes of such meeting), shall solely belong to ABSF and shall be used toward the cost of maintaining and repairing the Birkie Trails. In April of each year during the term of this MOU, the ABSF shall inform the County of the funds raised by the Birkie Trail Pass system and how such funds were spent for the preceding December 1 through March 31 time period.

9. Default.

(a) *Events of Default.* The occurrence of any of the following events below shall constitute an Event of Default:

- (i) The ABSF fails to maintain the Birkie Trails and Trailheads to the County's sole satisfaction.
- (ii) The ABSF fails to pay any fees, costs or amounts due to the County under this MOU, the Ground Lease (as may be amended), any applicable law, or any other agreement or obligation between the Parties.
- (iii) The ABSF fails to perform any term, covenant, or condition of this MOU does not cure such failure within thirty (30) days after written notice from County.
- (iv) The ABSF abandons any part of the Birkie Trails System, the Trailheads, or the OO Building.
- (v) The appointment of a receiver to take possession of any portion of the Subject Property and/or any other asset owned by the ABSF for any reason.
- (vi) An assignment by the ABSF for the benefit of creditors or the filing of a voluntary or involuntary petition by or against the ABSF under any law for the purpose of adjudicating the ABSF as bankrupt
- (vii) The breach of any the term or condition of the OO Building Lease.
- (viii) Any noncompliance with the terms of Applicable Laws or other restrictions on the Subject Property in light of the County's ownership and public use of the Subject Property.
- (ix) Any failure to comply with any Applicable Laws.
- (x) The County fails to perform any term, covenant, or condition hereunder and does not cure such failure within thirty (30) days after written notice from ABSF.

(b) *Notice of an Event of Default.* Upon the occurrence of an Event of Default, the non-defaulting Party shall provide written notice to the other Party.

(c) *Cure Period.* The defaulting Party shall have sixty (60) days following written notice of the Event of Default to cure such Event of Default.

(e) *Severability.* The invalidity of any portion, article, paragraph or provision of this MOU shall not have any effect upon the validity of any other part or portion thereof.

(f) *Governing Law.* This MOU shall be construed in accordance with the laws of the State of Wisconsin.

(g) *Amendments.* All actions seeking amendment of this MOU shall be in writing approved and executed by both Parties. The County Land, Water & Forestry Resources Committee (or other Committee of Jurisdiction) shall be charged with jurisdiction to review any requests to amend this MOU, and any amendment shall be approved by the County Board of Supervisors as required by Wis. Stat. § 59.52(6).

(h) *Notices.* All notices to either of the Parties shall be deemed validly given upon deposit in the United States Mail, certified, with proper postage and certified fee prepaid, addressed as follows:

To Sawyer County:

Attention: Sawyer County Administrator
10610 Main Street, Suite 23
Hayward, WI 54843

To the ABSF:

American Birkebeiner Ski Foundation, Inc
Attention: Executive Director
10527 Main Street
Hayward, WI 54843
Current email address:

(i) *Notice of Change in Address.* The Parties shall provide the other Party written notice of any change in address or contact information within ten (10) days of such change.

(j) *No Partnership.* The Parties hereto agree that nothing contained in this MOU shall be deemed or construed as creating a partnership, joint venture, or association between the County and the ABSF.

(k) *Entities Bound; Authority to Act.* The Parties represent and warrant that the entities set forth in this MOU shall be the only parties to whom the benefits prevail. No other entity, partner, subcontractor, or assignee shall be entitled to the rights,

WHEREAS, the County and the ABSF wish to memorialize the agreement for the use of the Leased Premises.

NOW, THEREFORE, in consideration of the above recitals, the terms and conditions set forth herein, and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the County and the ABSF agree as follows:

ARTICLE 1: RECITALS

- 1.1 **Recitals.** The Parties acknowledge that the Recitals set forth above are true and accurate, and are hereby incorporated into this Lease.

ARTICLE 2: LEASED PREMISES

- 2.1 **Demise and Lease of Leased Premises.** The County hereby leases the Leased Premises to the ABSF, pursuant to the terms set forth in this Lease. The Effective Date of this Lease shall be January 1, 2017, which reflects the date of construction of the Building and the Parties' commencement of activities memorialized herein.
- 2.2 **Memorandum of Lease.** A Memorandum of Lease may be recorded upon mutual agreement between the Parties. The cost of recording shall be paid by the Party requesting the recording.
- 2.3 **The ABSF's Ongoing Use.** The Parties acknowledge and agree that the ABSF currently completes the day-to-day operations and administration of activities occurring at the Building or on any part of the Leased Premises as part of its use. The Parties agree that the ABSF shall continue to complete and be responsible for, at the ABSF's sole cost and expense, completing the day-to-day operations and administration of the use of the Leased Premises. The County reserves the right to take any action it considers necessary to protect the health, welfare and safety of the public, in the County's discretion, regardless of the terms and conditions of this Section 2.3 in order to comply any applicable laws or restrictions applicable to the County.
- 2.4 **Permitted Uses in OO Building and on the OO Leased Premises.**
- (a) *Waiver.* The Parties acknowledge and agree that the Leased Premises represents an opportunity for uses in addition to its traditional uses. The Parties also acknowledge and agree that specific uses must be set forth in this Lease in order to protect the health, welfare and safety of the public. The Parties acknowledge and agree that existing improvements, buildings and personal property located on the Leased Premises that have been funded and stored, installed or constructed by ABSF, and any future improvements,

County shall be the permitting authority for all Events on the Leased Premises. The Parties agree to work in good faith for the scheduling of Events, including the use of a shared calendar for the scheduling of Events and any Event requirements. A Party shall make available to the other Party copies of any contracts, documents or other materials pertaining to an Event. The County may object to and terminate any Event if the County, in its sole discretion, determines that an Event does not comply with all Applicable Laws. Notwithstanding the terms of this Article 2.4, ABSF acknowledges that it shall comply with all permitting requirements set forth in any Applicable Law, including securing a permit or other approvals for any ABSF Event.

2.5 Nonexclusive Rights.

- (a) *Nonexclusive Space.* The ABSF shall be entitled to the nonexclusive use, in common with the County and its guests, users and invitees, those portions of the Leased Premises (the “Nonexclusive Space”) identified on Exhibit A. The Nonexclusive Space shall include parking areas, walkways, parking areas and other areas generally open to the public.
- (b) *County Reservation.* It is expressly understood that the County reserves the right to create, amend, repeal, otherwise alter, in any fashion whatsoever as the County deems necessary, in its sole discretion, rules for the use of the Nonexclusive Space, and the ABSF shall be bound thereby.

- 2.6 Public Leased Premises.** The Parties acknowledge and agree that the Leased Premises is public property. Notwithstanding any term of this Lease, the terms and conditions set forth in this Lease are subject to any law or restrictions applicable to the County and the Leased Premises, and the Parties shall take the necessary steps to ensure compliance with any laws applicable to the County and the County’s ownership of the Leased Premises. The County reserves the right to take any action it considers necessary to protect the health, welfare and safety of the public, in the County’s discretion, regardless of the terms and conditions of this Lease.

ARTICLE 3: TERM

- 3.1 Term.** The term of this Lease shall be deemed to have commenced on January 1, 2017 (the “Commencement Date”), and shall terminate upon December 31, 2027 unless otherwise agreed to by the Parties.
- 3.2 Option to Renew.** The ABSF shall have an option to renew this Lease for four (4) additional periods of ten (10) years each upon the terms and conditions set forth herein. The ABSF shall provide the County written notice of its option to renew

of the County, which may be withheld in the County's sole discretion. The ABSF shall ensure that any contractors and/or independent vendor comply with all applicable laws, including obtaining all necessary permits, licenses or other approvals necessary for the work or use of the Leased Premises by any subcontractor and/or independent vendor, payment of all taxes that may be assessed, including sales tax. The ABSF acknowledges and agrees that any contract not in compliance with all applicable laws shall be terminated, at ABSF's cost and expense, if the County determines, in its reasonable discretion, that a contract does not comply with all applicable laws. Any expenses incurred as a result of any contractor's or independent vendor's work or providing services on the Leased Premises shall be at the sole cost and expense of the ABSF. The ABSF shall provide copies of any contracts for services or Events to the County upon request.

- 6.2 **No Sublease.** The ABSF may not assign, transfer, sell, assign, sublet or sublease any part or all of the Leased Premises, or any interest in the Leased Premises, or these lease provisions without express written consent of the County, which may be withheld within the County's sole discretion.

ARTICLE 7: POSSESSION, USE, COMPLIANCE WITH LAWS, MAINTENANCE AND REPAIRS

- 7.1 **Possession.** The ABSF acknowledges that as of the Commencement Date, it shall have made such inspections as deemed necessary by the ABSF, and the ABSF shall accept possession of the Leased Premises in its AS IS condition existing as of the Commencement Date.
- 7.2 **Use.** Subject to the provisions of this Article 7, the ABSF may use the Leased Premises for recreational purposes and commercial purposes consistent with any applicable laws. Prior to the commencement of any commercial use, the ABSF shall obtain consent of the County Administrator, the County Forester, and the County Zoning Administrator as to such commercial use. Notwithstanding the foregoing, the ABSF or its independent operators may sell non-alcoholic beverages, food, and other similar items on the Leased Premises so long as the sale of such items complies with the terms of the MOU and all applicable laws and restrictions.
- 7.3 **Compliance with Laws.** The ABSF and its independent operators shall comply with all legal requirements in the use, occupation, control and enjoyment of the Leased Premises, including but not limited to any requirements imposed upon the County based on the County's ownership of the Leased Premises. The ABSF shall have the right, at its own cost and expense, to contest or review any legal, administrative or municipal proceeding, fine, notice or order, provided that ABSF

- (b) *Exterior Maintenance.* The maintenance and keeping in good repair, and any needed replacement of, all items such as windows, doors and foundations of the Building, all fences, painting, siding, roof, gutters and downspouts, trimming of the grounds and landscaping of the lands appurtenant to Buildings and keeping the grounds, including drainage ditches and all paved areas, in a neat and serviceable condition.
- (c) *Custodial Responsibilities.* The cleaning and custodial maintenance of the Leased Premises, including the Building, public restrooms, parking lots, and warming shacks on the Trail System.
- (d) *Snow Removal.* The ABSF shall be responsible for all snow removal within ten (10) feet of Building. The County shall be responsible for all other snow removal.
- (e) *Mowing.* The ABSF shall be responsible for all mowing and landscaping on the Leased Premises.

ARTICLE 8: REMOVAL; NO ENCUMBRANCES

- 8.1 **Removal.** Upon the expiration or termination of this Lease, the ABSF shall, at its sole cost and expense, remove the Building and any additional personal property on the Leased Premises within ninety (90) days of such expiration or termination, and the ABSF shall, at its sole cost and expense, restore the Leased Premises to a condition reasonably satisfactory to the County.
- 8.2 **No Encumbrances.** The ABSF shall not place, or allowed to be placed, any mortgage, lien (including mechanic's liens or materialman's liens), or any other encumbrance on the Leased Premises without the County's written consent, which may be withheld at the County's sole discretion. All persons dealing with the ABSF are hereby placed on notice that such persons shall not look to the County or to the County's credit or assets for payment or satisfaction of any obligations incurred in connection with the ABSF's use of the Leased Premises.

ARTICLE 9: ENVIRONMENTAL MATTERS

- 9.1 **Environmental Compliance.** The ABSF shall at all times comply with applicable environmental laws affecting the Leased Premises. The ABSF shall, at its own expense, maintain any permits, license or other governmental approvals relating to hazardous substances, if any, required for the ABSF's use, or its guests', invitees' or other authorized users' use.

- (f) An assignment by the ABSF for the benefit of creditors or the filing of a voluntary or involuntary petition by or against the ABSF under any law for the purpose of adjudicating the ABSF as bankrupt.
- (g) The County fails to perform any term, covenant, or condition hereunder and does not cure such failure within thirty (30) days after written notice from ABSF.

11.2 The County's Remedies.

- (a) *Uncured Default.* Upon the occurrence of any Event of Default by the ABSF and shall continue uncured, following notice of default as required by this Lease and the expiration of the applicable cure period, the County may, but is not obligated to, terminate this Lease.
- (b) *Notice of Termination.* The County shall provide the ABSF written notice of the County's election to terminate the Lease, and upon such notice, all of the ABSF's rights in the Leased Premises shall terminate.
- (c) *Liability for Costs.* The ABSF shall be liable to the County for any and all actual damages sustained by the County as a result of any breach of the Lease by the ABSF, regardless of whether the County elects to terminate the Lease as a result of the breach.
- (d) *No Waiver.* Nothing within this Lease shall be deemed a waiver of any rights and remedies provided by law or equity to the County.

11.3 Cumulative Remedies. The remedies given to each Party herein shall not be exclusive but shall be cumulative with and in addition to all remedies now or hereafter allowed by law and elsewhere provided in this Lease.

11.4 Waiver of Breach. No waiver by a Party of any default by the other shall constitute a waiver of any other breach or default by the other, whether of the same or any other covenant or condition.

ARTICLE 12: SURRENDER OF THE LEASED PREMISES

12.1 Termination. This Lease shall terminate on December 31, 2029, subject to the options to renew set forth in this Lease.

12.2 Surrender. The ABSF shall surrender all portions of the Leased Premises upon termination of this Lease.

ARTICLE 13: INDEMNIFICATION

- 15.1 **Quiet Enjoyment.** The County covenants that, provided no Event of Default has occurred under the terms of the Lease, the ABSF shall have quiet and peaceful possession of the Leased Premises.
- 15.2 **Right to Inspect.** The County reserves the right to enter the Leased Premises for purposes of conducting normal and periodic inspections of the Leased Premises by its agents or employees, provided such inspections shall be subject to the terms of this Lease.

ARTICLE 16: GENERAL TERMS

- 16.1 **MOU.** In the event of any conflict of terms between this Lease and the MOU, the terms of this Lease shall control.
- 16.2 **Captions.** The captions used in this Lease are for the purpose of convenience only and shall not be construed to limit or extend the meaning of any part of this Lease.
- 16.3 **Entire Agreement.** Except for the MOU, the Parties acknowledge that this Lease represents the full and complete agreement between the Parties. Any prior agreement, whether written or oral, is hereby terminated.
- 16.4 **Binding Effect; Successors and Assigns.** The terms and provisions of this Lease shall be binding upon and shall inure to the benefit of the Parties hereto, as well as their respective heirs, successors and assigns.
- 16.5 **Amendments.** All actions seeking amendment of this Lease shall be in writing approved and executed by both Parties. The County Land, Water & Forestry Resources Committee (or other Committee of Jurisdiction) shall be charged with jurisdiction to review any requests to amend this Lease, and any amendment shall be approved by the County Board of Supervisors as required by Wis. Stat. § 59.52(6).
- 16.6 **Counterparts.** Any executed copy of this Lease shall be deemed an original for all purposes. This Lease may be executed in one or more counterparts, each of which shall be an original, and all of which together shall constitute a single instrument.
- 16.7 **Severability.** If any one or more of the provisions contained herein shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Lease, but

available throughout County Forest.

- No group campgrounds designated.
- Designated Hiking Trails
 - Green Lake Trail 2.2 miles
- State Funded Snowmobile Trails
 - Total of 383.2 miles state funded trails
 - 68.6 miles on County Forest
 - 50.5 miles of Tuscobia State Trail
- ATV/UTV Trails
 - Total of 150.4 miles of state funded trails
 - 50.0 miles on County Forest
 - 50.5 miles of Tuscobia State Trail
- Mountain Bike Trails
 - Approximately 35 miles of singletrack trail
 - Approximately 25 miles of two track road routes
 - Approximately 34 miles of Fat bike winter trails
- Cross-Country Ski Trails
 - 39 miles of groomed ski trails
 - 32.5 miles of American Birkebeiner Ski Trail
 - 4.5 miles of Seeley Hills Ski Trail
 - 2 miles of Hatchery Creek Park Trail
- Picnic areas/ Shelters
 - Hatchery Creek Park
 - Birkebeiner Trail Shelter Buildings
 - Double “OO” Building
 - Mosquito Brook Trailhead Building
 - Pit Road Trailhead Building
 - Boedecker Road Trailhead Building

Seeley Hills Winter Bike Trails

<https://cambatrails.org/wp-content/uploads/2020/07/seeley-hills-winter-bike-trails-1-24-20-proof-1-29-20.pdf>

Big Easy Winter Bike Trail

<https://cambatrails.org/wp-content/uploads/2020/07/BIG-EASY-WINTER-BIKE-TRAIL-map.pdf>

Seeley Hills Summer Bike Trails

<https://cambatrails.org/wp-content/uploads/2020/07/CABLE-SEELEY-YAH-MAP-2020-FINAL.pdf>

Hayward Area Summer Bike Trails

<https://cambatrails.org/wp-content/uploads/2020/07/HAYWARD-SEELEY-YAH-MAP-2020.pdf>

Birkebeiner Trail Map

<https://cdn.birkie.com/uploads/Birkie-Map-Overall.pdf>

Birkebeiner “OO” Trailhead Map

<https://cdn.birkie.com/wp-content/uploads/2014/02/EasyStriderOOMAP.pdf>

1020.4 CERTIFIED COUNTY FOREST ROAD MAP

Sawyer County has no certified County Forest Roads.

1020.5 COUNTY FOREST ROAD/TRAIL DESIGNATION MAPS

Forest road and trail designation maps can be found on the Sawyer County website at the following link:

<https://sawyercountygov.org/DocumentCenter/View/1895/Sawyer-County-Forest-Unit-Maps>

COUNTY FOREST COMPREHENSIVE LAND USE PLAN

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CHAPTER 2000

PLANNING, REPORTS, BUDGET

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2000 NEEDS OBJECTIVE AND FORMAT

Objectives: To provide guidelines which define the optimum level of activities that should be undertaken to achieve full potential benefits from the forest.

Format and Policy: Needs for the county forest shall be listed without regard to budgetary constraints or other limitations. This list shall identify the forest potential in terms of public benefits, investments or opportunities, and financial returns. Silvicultural needs of the county forest are identified in the Forest Compartment Reconnaissance printout. The DNR Public Lands Handbook describes procedures for use of this information. Other needs shall be determined by the Committee and the Forest Administrator, with technical assistance from the DNR and other interested agencies or individuals qualified to provide such assistance.

2005 DETAILED ANNUAL NEEDS FOR FIFTEEN YEARS

Annual silvicultural needs are identified in the Forest Compartment Reconnaissance printout. The printout, referenced in the plan, is available in the County Forest Administrator's office. Printout listings include timber harvests, tree planting, and other silvicultural activities. Other unanticipated needs will be addressed in accordance with procedures outlined in this plan. These items will be identified and plans made for implementation, as part of the annual budget work plan prepared by the administrator and Committee. Annual work plans are approved by the County Board and forwarded to the DNR as required by statute (s. 28.11(5)(b) and (s.28.11(5m)(b), Wis. Stats.

2010 SUMMARY OF FIFTEEN YEAR NEEDS

A schedule giving a summary of silvicultural needs and other needs for the period covered by this plan, appear as an inclusion in this chapter.

90 acres per year even-aged regeneration harvest (shelterwood, overstory removal, and seed tree)

White Pine

200 acres per year even-aged intermediate treatments (thinning or improvement harvest)

40 acres per year even-aged regeneration harvest (shelterwood, overstory removal, and seed tree)

Red Pine

170 acres per year even-aged intermediate treatments (thinning or improvement harvest)

20 acres per year even-aged regeneration harvest (shelterwood, overstory removal, and seed tree)

Black Spruce

50 acres per year even-aged regeneration harvest (clearcut, seed tree, strip clearcut) as markets are available

Swamp Hardwoods

50 acres per year all-aged selection harvest and even-aged intermediate thinnings

30 acres per year even-aged regeneration harvest (shelterwood, overstory removal, and seed tree)

Tamarack

20 acres per year even-aged regeneration harvest (shelterwood, overstory removal, and seed tree)

Red Maple

40 acres per year all-aged selection harvest and even-aged intermediate thinnings

2015 WORK PLAN OBJECTIVE AND POLICY

OBJECTIVE

To develop an annual work plan and budget that will satisfy the needs specified in Chapter 100 to the greatest extent feasible, consistent with program priorities established in the Mission Statement.

POLICY

The County Forest program will sustain a level of operation that considers the needs of the forest and the public in accordance with the goals identified in Chapter 100.

2020 ANNUAL WORK PLAN AND BUDGET

Each year an Annual Work Plan and Budget shall be prepared by the Forest Administrator with assistance from the Committee and the DNR liaison forester. This plan shall be based upon the detailed annual needs identified within this plan. Annual work plans are approved by the County Board and forwarded to the DNR as required by Wisconsin statutes s. 28.11(5)(b) and s. 28.11(5m)(b). Following County Board approval, a copy is provided to official copy-holders of the County Forest Comprehensive Land Use Plan for inclusion as an amendment in this chapter.

2025 ACCOMPLISHMENT REPORTS OBJECTIVE AND POLICY

OBJECTIVE

To provide a quantifiable means of evaluating progress on both short- and long-term goals on the Sawyer County Forest.

POLICY

Annual accomplishments will be recorded as a historical record, to assist in future planning, and to provide documentation for both the County, and the County Forest system. This information is invaluable in addressing public, County Board, and other legislative inquiries on the operation of the Forest as well as assessing progress on goals.

2030 PAST ACCOMPLISHMENT REPORTS

2012	39	36	2916	35595	1019	\$1,350,607.40	\$1,485,062.00
2013	37	31	2550	27723	701	\$1,247,090.20	\$1,632,747.00
2014	55	51	4009	49282	997	\$2,903,163.40	\$1,774,120.00
2015	18	18	1689	23850	476	\$1,511,607.60	\$3,247,738.00
2016	31	30	2676	39940	843	\$2,214,806.85	\$1,997,508.00
2017	36	32	2740	41235	888	\$2,101,832.80	\$1,563,788.78
2018	35	32	2530	38402	1052	\$1,977,681.55	\$2,187,392.70
2019	40	33	2546	37222	1414	\$1,746,236.69	\$1,847,399.36
2020	49	33	2608	43316	996	\$2,249,965.76	\$2,305,628.74
2021	49	37	2917	48385	1210	\$2,585,128.80	\$2,252,772.53

2035.1.2 Non-timber forest products

	Firewood Permits	Christmas Tree Permits	Bough Permits	Twig/Pole Permits
2021	24	6	4	0
2020	56	15	2	2
2019	39	5	5	2
2018	37	15	11	18
2017	29	11	4	22
2016	41	7	6	8
2015	65	27	7	0
2014	123	15	3	0
2013	101	11	6	0
2012	100	17	6	0
2011	134	16	9	0
2010	121	15	1	0
2009	74	12	8	0
2008	91	20	19	0
2007	93	19	19	0
2006	75	18	26	0
2005	77	15	12	0
2004	46	16	14	0
2003	53	12	19	0
2002	61	27	17	0
2001	65	31	15	0
2000	52	28	16	0
1999	46	44	20	0

2009 Southwest Sawyer County Hiking trail developed

2007 ABSF "Classic" ski trail developed from Hwy "OO" to Bayfield County

2006 CAMBA Single track mountain bike trails developed, from Hatchery Creek Park to Bayfield County.\

1993 First CAMBA mountain bike trails developed

1988 First funded ATV trails developed.

2035.5 WILDLIFE PROJECTS

Elk reintroduction project is ongoing in several blocks of Sawyer County Forest

2040 MONITORING

2040.1 FOREST TYPES

SAWYER County Forest Composition

Forest Type	Original Acres(1977)	Original %	2005 Acres	2005 %	2021 Acres	2021%	Proposed Acres	Proposed %
Aspen	42,689	37.8%	41,535	36.0%	40,011	34.7%	39,496	34.3%
W. Birch	1,328	1.2%	348	0.3%	45	0.04%	69	0.05%
BtInd Hdwd.	21	0.01%	21	0.01%	0	0%	0	0%
Cedar	550	0.5%	612	0.5%	887	0.8%	827	0.7%
Fir-Spruce	2,781	2.5%	1,218	1.1%	0	0%	0	0%
Hemlock	614	0.5%	681	0.6%	487	0.4%	487	0.4%
N. Hdwd.	23,981	21.2%	23,932	21.0%	24,442	21.2%	25,769	22.4%
Oak	4,933	4.4%	8,757	7.7%	9,950	8.6%	9,040	7.8%
Scrub Oak	16	0.01%	117	0.1%	117	0.1%	117	0.1%
Jack pine	343	0.3%	176	0.2%	137	0.1%	120	0.1%
Misc. Conifer	0	0%	0	0%	10	0.01%	10	0.01%
Red Maple	0	0%	312	0.3%	1,195	1.0%	1,093	0.9%
Red pine	5,080	4.5%	2,037	1.8%	2,099	1.8%	2,357	2.0%
White pine	0	0.0%	4,447	3.9%	4,677	4.1%	4,546	3.9%
White spruce	0	0%	0	0%	602	0.5%	729	0.6%
B. Spruce	4,691	4.1%	3,427	3.0%	5,552	4.8%	5,534	4.8%
Sw.. Conifer	489	0.4%	659	0.8%	0	0%	0	0
Sw. Hdwd.	3,066	2.7%	3,360	3.0%	3,851	3.3%	3,806	3.3%
Tamarack	1,057	0.9%	1,209	1.1%	1,734	1.5%	1,734	1.5%

2040.2 HARVESTING

Sawyer County Forest

Timber Establishment Acres

Forest Type Acres													
Year	A	BW	FS	MR	NH	OR	PJ	PR	PW	SB	SH	SW	T
1996	381	11	32	73	442	177	0	18	64	0	0	4	13
1997	280	0	50	0	883	172	0	81	91	0	9	0	0
1998	174	0	15	19	669	270	75	61	174	0	0	0	0
1999	694	0	42	23	971	161	14	69	70	0	0	10	0
2000	869	0	78	205	763	868	0	303	268	26	19	10	0
2001	551	0	51	164	981	498	0	98	131	0	0	58	0
2002	301	0	0	117	1129	150	0	57	136	0	0	0	0
2003	486	0	17	0	1595	262	0	6	386	0	0	0	0
2004	611	0	0	0	1250	661	0	48	76	0	0	16	0
2005	482	0	0	31	2436	449	0	106	124	0	0	0	30
2006	496	0	0	0	980	72	0	267	35	0	6	0	0
2007	783	0	0	0	1552	199	0	52	44	22	38	0	3
2008	1016	0	0	23	1101	172	0	274	104	0	0	0	0
2009	1192	36	0	80	1465	415	0	94	85	25	53	3	0
2010	1093	0	0	17	1335	595	0	166	170	3	19	0	30
2011	785	0	0	21	710	483	0	0	103	32	61	46	58
2012	696	0	0	197	1575	182	0	78	2	21	10	0	0
2013	680	0	0	85	1514	330	0	163	30	0	36	0	5
2014	1358	5	0	6	942	899	0	225	89	0	45	78	48
2015	823	0	0	56	544	299	0	276	81	0	0	14	26
2016	740	0	0	42	621	558	0	97	326	0	0	49	7
2017	841	0	0	82	989	532	0	105	151	0	0	23	0
2018	993	0	0	0	686	592	0	193	235	0	0	45	38
2019	682	0	0	19	1138	622	0	32	267	0	22	0	0
2020	1377	0	0	49	646	615	0	163	9	0	3	0	7
2021	1271	0	0	0	769	578	0	184	333	0	0	22	0

A Aspen
 BW White Birch
 FS Fir/Spruce
 MR Red Maple
 NH Northern Hardwoods

COUNTY FOREST COMPREHENSIVE LAND USE PLAN

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CHAPTER 3000

INTEGRATED RESOURCE MANAGEMENT UNITS

Sawyer County has no integrated resource management units at this time.

COUNTY FOREST COMPREHENSIVE LAND USE PLAN

TABLE OF CONTENTS

Revised 05/21/19

CHAPTER 4000

**PUBLIC COMMENT PROCESS OF 15 YEAR PLAN/FUTURE
AMENDMENT LIST**

Sawyer County Forest Comprehensive Land Use Plan Schedule

- September 2019: Land, Water, and Forest Resources Committee approves Ad Hoc committee proposal of representative public user groups to work through 15-year plan.
- March 2020: Ad Hoc committee is abandoned due to Covid-19 concerns and lock downs. Proceed with plan virtually with public comments and participation done virtually.
- June 2020: Chapter 100 presented to Land, Water, and Forest Resources Committee.
- July 2020: Chapter 100 and Chapter 200 approved by Land, Water, and Forest Resources Committee and released for public comment.
- October 2020: Chapter 400, Chapter 500, and Chapter 600 approved by Land, Water, and Forest Resources Committee and released for public comment.
- November 2020: Chapter 300, Chapter 700, and Chapter 900 approved by Land, Water, and Forest Resources Committee and released for public comment.
- December 2020: Chapter 800 approved by Land, Water, and Forest Resources Committee and released for public comment.
- January 2021: Chapter 2000 approved by Land, Water, and Forest Resources Committee and released for public comment.
- February 2021: Chapter 1000 approved by Land, Water, and Forest Resources Committee and released for public comment.

All chapters were approved by Land, Water, and Forest Resources Committee throughout the process and released to the public for a minimum 30-day public comment period via the Sawyer County website.

Sawyer County Forestry Department



Sawyer County Courthouse
10610 Main Street, Suite 10C
Hayward, WI 54843
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Fax: (715) 638-3234



Sawyer County Forest Comprehensive Land Use Plan Final Draft

Summary of changes made following comments and WDNR review

Chapter 100

Page 4 section 110.4

Change title of Liaison and County Forest Specialist to County Forest and Public Lands Specialist.

Page 5 section 115.1

Change title of Liaison and County Forest Specialist to County Forest and Public Lands Specialist.

Page 6 section 115.2

Change FSC and SFI certification to 3rd party certification

Chapter 200

Table of Contents 205.2.1

Change Central Office Madison/Rhineland to Division of Forestry

Page 9 section 215.2.1 paragraph 3

Change "Application is made by County Board resolution with payment by April 15th of each year." To "Application along with an approved Annual Work Plan by January 31, with payment by April 15th of each year."

Page 10 section 215.2.1 paragraph 8

Added following description of Knowles-Nelson Stewardship Program: "Counties with lands entered under the County Forest Program are eligible to compete for land acquisition funding under Stewardship. Additional information can be found at the following link:"

<https://dnr.wisconsin.gov/topic/Stewardship/About>

Chapter 300

Page 12, section 300.4

Added "WDNR Fisheries and Wildlife Areas"

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Chapter 400

Page 8, section 445.1

Change “Applications for entry will be prepared with the assistance of the DNR Forestry Leader to “DNR Forestry Liaison”

Change title of Liaison and County Forest Specialist to County Forest and Public Lands Specialist.

Page 9, Section 450.1

Delete last paragraph “The District Forestry Leader is designated as the authorized representative of the DNR who shall consult with the forestry committees in formulating withdrawal proposals. The District Forestry Leader may appoint designees to represent them if circumstances warrant. All DNR communications concerning withdrawal of county forestlands shall be coordinated through the District Forestry Leader. The final decision for requests for withdrawal presently rests with the DNR’s Division of Forestry.”

Chapter 500

Page 3, Section 505

Change “All sales on the forest are to be advertised for public bidding, with the exception of small sales with an estimated value less than \$3,000 or sales that would qualify under a salvage provision (s. 28.11(6)(c), Wis. Stats.).” to “All sales on the forest are to be advertised for public bidding, with the exception of small sales with an estimated value less than \$10,000 or less than 500 cord equivalent or sales that would qualify under a salvage provision (s. 28.11(6)(c), Wis. Stats.).

Page 5, section 505.5 paragraph 3

Change “Sales remaining unsold after being advertised for two bid openings may be sold direct at not less than the appraised value even though their estimated value exceeds \$3,000.”

To “Sales remaining unsold after being advertised for one bid opening may be sold direct at not less than the appraised value even though their estimated value exceeds \$10,000. (See DNR [Timber Sale Handbook](#)).

Page 17 section 515 paragraph 3 subsection D

Deleted “A copy of the actual Land Use Agreement can be found in the Appendix”

Page 22, section 520.6.3

Added “ Historical access points and driveways may meet the legal requirements of prescriptive use”

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Chapter 600

Changed name of Gypsy Moth to “Spongy Moth” throughout.

Chapter 700

Section 710

Added “Maps of roads and trails located on the forest can be found in the appendix,
Chapter 1000 section 1020.5.”

Page 10 section 730

“Private signs promoting personal, commercial or political objectives will not be permitted without authorization from Sawyer County” deleted “without authorization from Sawyer County”

Page 13, section 740 paragraph 3

Added “An open access road runs through the block provided access.”

Page 14, section 740, paragraph 5

Added “Access to the block is provided through an open access roads.”

Page 14, section 740, paragraph 6

Added “Access is limited through the block to generally frozen ground access.”

Page 14, section 740, paragraph 7

Added “Access is provided through open access roads although frozen ground access is primarily the best access option.”

Page 17, section 750.1.2 and section 750.1.4

Added UTV

Page 24, section 780

Added definition for big game as white-tailed deer and black bear.

Added One ATV/UTV per big game animal.

Chapter 800

Page 38, section 820.8

Added “ Soils restricted for Biomass harvesting include dry nutrient-poor sandy soils, shallow soils where bedrock is within 20 inches of the surface, and wetland soils with at least 16 inches of organic material that are nutrient-poor with a low

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pH classified as dysic Histosols. The following soil types are restricted for biomass harvesting on the County Forest.

Name	Map Unit	Reason for Limitation	Acres
Amery, very stony-Greenwood complex	443D	Dysic Histosols	1,446
Greenwood mucky peat	415A	Dysic Histosols	27
Keweenaw, stony-Rubicon complex	874E	Dry Nutrient-Poor Sand	22
Keweenaw-Sayner-Vilas complex	69B,C,E	Dry Nutrient-Poor Sand	6,100
Loxely and Beseman soils	414A	Dysic Histosols	7,288
Loxely mucky peat	406A	Dysic Histosols	22
Loxely, Beseman, and Dawson soils	3403A	Dysic Histosols	1,283
Pelissier gravelly sandy loam	571C, E	Dry Nutrient-Poor Sand	76
Sayner loamy sand	574B,C,E	Dry Nutrient-Poor Sand	2,204
Vilas-Lindquist complex	594B,C,D	Dry Nutrient-Poor Sand	380

Page 45, section 830.2.1

Changed paragraph to read “The SNA system represents the wealth and variety of Wisconsin's biological diversity. They contain outstanding examples of native biotic communities and are often the last refuges in the state for rare and endangered plant and animal species. The Wisconsin SNA program works with counties to further recognize outstanding native biotic communities to be managed as exceptional resources. SNA's are unique in that they can exist as stand-alone properties or be designated within the boundaries of another property type. Sawyer County currently has no designated SNA's on the forest.

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Resolution 2022-_____

Approval of 2021-2035 Sawyer County Comprehensive Land Use Plan

WHEREAS, Wisconsin Statute 28.11 requires that each County Forest prepare a comprehensive plan every 15 years, known as the *Sawyer County Forest Comprehensive Land Use Plan*, and

WHEREAS, the Sawyer County Land, Water, and Forest Resources Committee has completed the County Forest Comprehensive Land Use Plan covering the period of 2021-2035, and

WHEREAS, this Plan provides for policy, management planning, public information, and management direction for forestry staff;

THEREFORE, BE IT RESOLVED, that the Sawyer County Board of Supervisors approve the 2021-2035 Sawyer County Comprehensive Land Use Plan as submitted by the Sawyer County Land, Water, and Forest Resources Committee.

This Resolution is recommended for adoption by the Sawyer County Board of Supervisors at its meeting on August 18, 2022 by this Sawyer County Land Water and Forest Resources Committee on this 10th day of August, 2022.

_____ Jesse Boettcher, Chair	_____ Marc Helwig, Vice Chair
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_____ Brian Bisonette, Member	_____ Ed Peters, Member
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Jason Weaver, Member

This Resolution is hereby adopted by the Sawyer County Board of Supervisors this 18th day of August, 2022.

_____ Tweed Shuman, Board Chairman	_____ Lynn Fitch, County Clerk
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July 13, 2022

NELSON LAKE DRAWDOWN PROPOSAL – FALL/WINTER 2022-2023

In 2004 a fish management plan was presented and approved by the Nelson Lake Association. Walleyes were the emphasized species. Since then, numerous habitat projects and extended growth WE stocking has been conducted with little or no apparent success. Finally, a suggested 4' drawdown was conducted in the fall-winter of 2020/2021 again with no apparent immediate success. However, there has been a reduction in bass and crappie numbers in the last few years. Water level manipulation is the only factor related to walleye spawning (as it tends to create preferred habitat) that is uniquely available on flowage lakes. All other factors that impact successful spawning such as water temperatures, clarity, predation, aeration, and available forage are beyond human control and align infrequently.

The Nelson Lake Association and the Nelson Lake Resort Association wishes to propose that Nelson Lake water levels be drawn down to 2' below normal water depth starting September 30, 2022 with the desired depth being reached on or before November 1, 2022. (The depth and timing of the drawdown is the result of a compromise with those who feel that a 4' drawdown started earlier negatively impacts their use of the lake.) Refilling is to begin March 13, 2023 and be completed as quickly as possible (preferably before April 15, 2023). The primary goal of the proposed drawdown is again, an attempt to stimulate improved walleye spawning. We also propose to have repeat drawdowns in 2024, 2026, 2028, and 2030 in hope of hitting a set of environmental circumstances that are favorable.

Evaluate water level manipulation in 2026 for impact on apparent walleye numbers vs other fish species, vegetation changes, physical issues related to changing water levels (stop log removal/installation), and make adjustments as needed.

This plan assumes that DNR will continue to stock extended growth walleyes every other year through this period in years that the drawdown is not done. This will hopefully maintain at least a minimum number of spawning-age fish in the lake over this period.

Explore the potential for implementing a slot size regulation to help develop and maintain spawning age walleyes in the population. (What impact does spearing/netting have if a slot size regulation is implemented?)

After 2030 evaluate results again. If it is apparent that there is no improvement in walleye numbers, address the need for changing the 2004 fish management plan to favor other species.

Nelson Lake Association

Nelson Lake Resort Association

Town of Lenroot

Sawyer County Assistant Conservationist

C) Land, Water & Forest Resources Committee

Mission: Develop, guide and implement policies that protect and ensure the sustainability of our bio-diverse community.

Composition: Six members appointed by the Chair with approval of the board. Five members will be members of the Sawyer County Board. Two of which are to be members of the Committee of jurisdiction for agriculture and extension education (Sawyer County Economic Development Committee) and a representative of the Sawyer County farm service agency (Wisconsin statute s. 92.06 (1)(b) 1. & 2)

Commented [LF1]: Was not done this way in April 2022; only Brian B represents both committees

Committee of Jurisdiction for: Land, Water, Forestry, Land Records, Land Information, Surveyor and Register of Deeds

Primary Responsibilities:

- Approve the sale of property acquired by tax foreclosure.
- Approve semiannual forestry stumpage bids.
- Approve bids for trail work on trails overseen by the Forestry Department.
- Approve events to be held on County forest land
- Approve Forestry, Land and Water Conservation and Land Information plans that are required by governmental bodies.
- Oversee management of the County Forest per Wisconsin statute 28.11
- Hear reports from Sawyer County Trails Alliance, LCO Conservation, Wisconsin DNR Forestry and National Resources Conservation Services.
- Receive monthly reports from departments subject to the committee's jurisdiction.
- Approve annual goals and objectives and long-range plans for departments subject to the committee's jurisdiction.
- Approve grant requests for departments subject to the committee's jurisdiction where such approval is required by the grantor. Such approvals are forwarded to the County Board for approval
- Approve contracts and agreements, and where the counter party requires board approval, forward to the County Board for approval.
- Review budgets for the departments subject to the committee's jurisdiction. Provide recommendations to the County Administrator about his/her proposed changes to the budgets submitted by the departments
- Approve changes or amendments to the previously adopted annual budget (excluding line item transfers) for departments subject to the committee's jurisdiction. This action will be passed on to the Finance Committee and then the County Board.
- Deal with all other issues of policy raised by the departments subject to the committee's jurisdiction while avoiding interfering the day to operations of county government.