

WASHBURN COUNTY FOREST COMPREHENSIVE LAND USE PLAN

CHAPTER 1020 – DOCUMENTS APPENDIX

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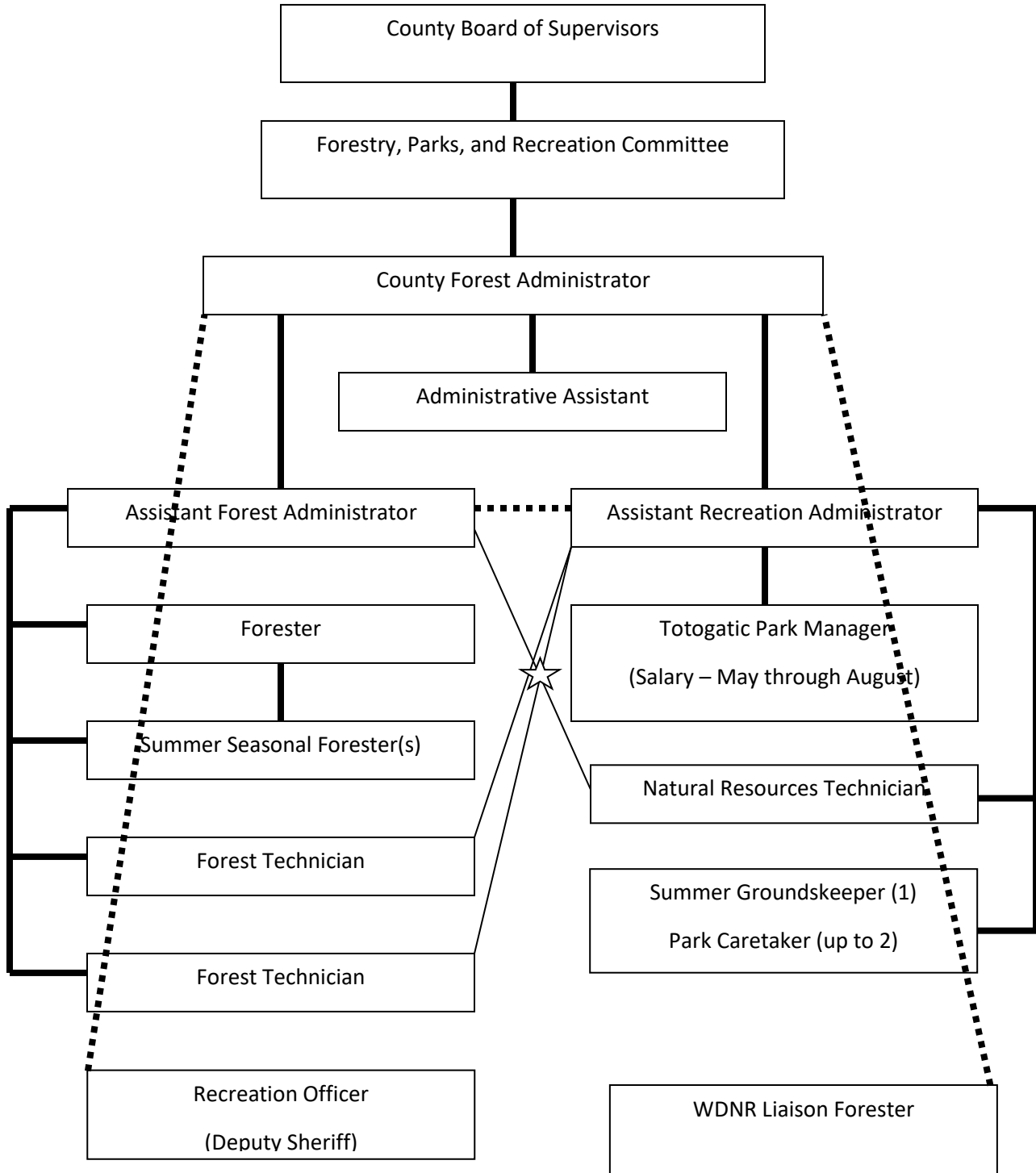
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Approved by Washburn County Board of Supervisors October 19, 2021

No Revisions

1020.1 STAFF ORGANIZATIONAL CHART

Staff Organization (Proposed Future Structure)



Technicians report to either Assistant Forest Administrator or Assistant Recreation Administrator depending on assigned work tasks

Dashed lines indicate collaborative relationship versus supervisory

28.11 Administration of county forests.

(1) PURPOSE. The purpose of this section is to provide the basis for a permanent program of county forests and to enable and encourage the planned development and management of the county forests for optimum production of forest products together with recreational opportunities, wildlife, watershed protection and stabilization of stream flow, giving full recognition to the concept of multiple-use to assure maximum public benefits; to protect the public rights, interests and investments in such lands; and to compensate the counties for the public uses, benefits and privileges these lands provide; all in a manner which will provide a reasonable revenue to the towns in which such lands lie.

(2) DEFINED. "County forests" include all county lands entered under and participating under ch. [77](#) on October 2, 1963, and all county lands designated as county forests by the county board or the forestry committee and entered under the county forest law and designated as "county forest lands" or "county special-use lands" as hereinafter provided.

(3) POWERS OF COUNTY BOARD. The county board of any such county may:

(a) Enact an ordinance designating a committee to have charge of the county forests and specifying the powers, duties, procedures and functions of such committee. The members of such committee shall be appointed pursuant to s. [59.13](#) and may include well-qualified residents of the county who are not members of the county board.

(b) Establish regulations for the use of the county forests by the public and to provide penalties for their enforcement.

(c) Appropriate funds for the purchase, development, protection and maintenance of such forests and to exchange other county-owned lands for the purpose of consolidating and blocking county forest holdings.

(d) Enter into cooperative agreements with the department for protection of county forests from fire.

(e) Establish aesthetic management zones along roads and waters and enter into long-term cooperative leases and agreements with the department and other state agencies or federal agencies for the use of the county forests for natural resources research.

(f) Establish transplant nurseries for growing seedlings, from the state forest nurseries, to larger size for planting in county forests, but no ornamental or landscape stock shall be produced in such nurseries.

(g) Establish forest plantations and engage in silviculture, forest management and timber sales.

(h) Engage in other projects designed to achieve optimum development of the forest.

(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.

(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.

(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.

(4) ENTRY OF COUNTY FOREST LANDS.

(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.

(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.

(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".

(d) A copy of the order of entry shall be filed with the county clerk and the county forestry committee, and the order shall also be recorded with the register of deeds.

(e) From and after the filing of such order of entry, the lands therein described shall be "county forest lands" or "county special-use lands", as the case may be, and shall so remain until withdrawn as hereinafter provided.

(f) The department may construct and use forest fire lookout towers, telephone lines and fire lanes or other forest protection structures on any lands entered under this section and the county clerk of such county shall execute any easement on or over such lands which the department may require for forest protection. The general public shall enjoy the privilege of entering such lands for the purpose of hunting, fishing, trapping and other recreation pursuits subject to such regulation and restrictions as may be established by lawful authority.

(5) MANAGEMENT.

(a) On or before December 31, 2005, a comprehensive county forest land use plan shall be prepared for a 15-year period by the county forestry committee with the assistance of technical personnel from the department and other interested agencies, and shall be approved by the county board and the department. The plan shall include land use designations, land acquisition, forest protection, annual allowable timber harvests, recreational developments, fish and wildlife management activities, roads, silvicultural operations and operating policies and procedures; it shall include a complete inventory of the county forest and shall be documented with maps, records and priorities showing in detail the various projects to be undertaken during the plan period. The plan may include an application for aids under s. [23.09 \(17m\)](#). The application will be considered an annual application for these aids during the 15-year period of the plan. The initial plan may be revised as changing conditions require. Upon the expiration of the initial 15-year plan period, and upon expiration of each subsequent 15-year plan period, the plan shall be revised and shall be in effect for another 15-year period. If a plan under this paragraph is not revised upon expiration of the 15-year plan period, or if a plan under s. [28.11 \(5\) \(a\)](#), 2003 stats., is not revised on or before December 31, 2005, that plan shall remain in effect until such time as that plan is revised and the revised plan takes effect.

(b) An annual work plan and budget based upon the comprehensive plan shall be prepared by the county forestry committee with the assistance of a forester of the department. The plan shall include a schedule of compartments to be harvested and a listing by location of management projects for the forthcoming year. In addition the plan shall include other multiple-use projects where appropriate. A budget, listing estimated expenditures for work projects, administration and protection of the forest, shall accompany the annual plan both to be submitted to the county board for approval at the November meeting.

(5m) COUNTY FOREST ADMINISTRATION GRANTS.

(a) The department may make grants, from the appropriation under s. [20.370 \(5\) \(bw\)](#), to counties having lands entered under sub. [\(4\)](#) to fund all of the following for one professional forester in the position of county forest administrator or assistant county forest administrator:

1. Up to 50 percent of the forester's salary.
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.

(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.

(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.

(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).

(5r) SUSTAINABLE FORESTRY GRANTS.

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

(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.

(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).

(6) TIMBER SALES AND CULTURAL CUTTINGS.

(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.

(b) *Procedures.*

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.

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.

3. No merchantable wood products may be cut on any lands entered under this section unless a cutting notice on forms furnished by the department is filed with and approved by the department. Any unauthorized cutting shall render the county liable to the state in an amount equal to double the stumpage value of the cut products which amount shall be paid by the county to the state. If the county does not pay

the amount of such penalty to the state, the department may withhold such amount from future state contributions to the county.

4. Within 90 days after completion of any cutting operation, including timber trespass, but not more than 2 years after filing the cutting notice, the county shall transmit to the department on forms furnished by the department, a report of merchantable wood products cut. The department may conduct any investigations on timber cutting operations that it considers to be advisable, including the holding of public hearings on the timber cutting operations, and may assess severance share payments accordingly.

(c) *Exception.* Paragraph (b) 1. does not apply to any sale of timber that has been damaged by fire, snow, hail, ice, insects, disease, or wind. Timber damaged in that manner that is located in a county forest may be sold by the county forestry committee for that county on such terms and in such manner as the committee determines is in the best interest of the county.

(7) COUNTY FOREST CREDIT. The department shall set up an account for each county showing the lands entered; the sums previously paid under s. 28.14, 1961 stats.; the sums hereafter paid under this section; the sums previously received in the form of four-fifths severance tax collected pursuant to s. 77.06 (5), 1961 stats.; the sums received as forestry fund severance share under this section; and the sums previously reimbursed to the state on withdrawn lands pursuant to s. 28.12 (4), 1961 stats. Whenever the forestry fund account of any county shows an overpayment of such severance tax or severance share as of June 30 of any year, the department shall return such overpayment to the county. All severance taxes previously paid by any county and deposited in the general fund shall be credited to the forestry fund account of the county. If such credit exceeds the balance due to the forestry fund account from such county, the overpayment shall be credited to the county and applied in lieu of future severance shares due to the state until the county account is balanced.

(8) STATE CONTRIBUTION.

(a) *Acreage payments.* As soon after April 20 of each year as feasible, the department shall pay to each town treasurer 30 cents per acre, based on the acreage of such lands as of the preceding June 30, as a grant out of the appropriation made by s. 20.370 (5) (bv) on each acre of county lands entered under this section.

(b) *Forestry fund account.*

1. A county having established and maintaining a county forest under this section is eligible to receive from the state from the appropriations under s. 20.370 (5) (bq) and (bs) an annual payment as a noninterest bearing loan to be used for the purchase, development, preservation and maintenance of the county forest lands and the payment shall be credited to a county account to be known as the county forestry aid fund. A county board may, by a resolution adopted during the year and transmitted to the department by December 31, request to receive a payment of not more than 50 cents for each acre of land entered and designated as "county forest land". The department shall review the request and approve the request if the request is 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.

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 [\(bu\)](#).

3. All payments made under this paragraph shall be known as the "forestry fund account".

(9) COUNTY FOREST SEVERANCE SHARE.

(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 \(2\)](#).

(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:

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.](#)

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.](#)

(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 share payments shall be deposited in the conservation fund and credited to the appropriation under s. [20.370 \(5\) \(bu\)](#).

(ar)

1. Notwithstanding s. [20.001 \(3\) \(c\)](#), if the sum of the unencumbered balances in the appropriations under s. [20.370 \(5\) \(bq\)](#), [\(bt\)](#) and [\(bu\)](#) exceeds \$400,000 on June 30 of any fiscal year, the amount in

excess of \$400,000 shall lapse from the appropriation under s. [20.370 \(5\) \(bq\)](#) to the conservation fund, except as provided in subd. [2.](#)

2. Notwithstanding s. [20.001 \(3\) \(c\)](#), if the amount in the appropriation under s. [20.370 \(5\) \(bq\)](#) is insufficient for the amount that must lapse under subd. [1.](#), the remainder that is necessary for the lapse shall lapse from the appropriation under s. [20.370 \(5\) \(bu\)](#).

(b) No severance share payment is required if there is no balance due in the forestry fund account of the county. A severance share payment shall not exceed the balance due in the forestry fund account of the county.

(c) No severance share payment is required for wood removed from county forest lands for energy conservation projects established under sub. [\(3\) \(k\)](#).

(d) Of the gross receipts from all timber sales on the county forests 10 percent shall be paid annually by the county to the towns having county forest lands on the basis of acreage of such lands in the towns.

(11) WITHDRAWALS.

(a)

1. The county board may by resolution adopted by not less than two-thirds of its membership make application to the department to withdraw lands entered under this section. The county board shall first refer the resolution to the county forestry committee, which shall consult with an authorized representative of the department in formulating its withdrawal proposal. The county board shall not take final action on the application until 90 days after referral of the application to the forestry committee or until the report of the forestry committee regarding the application has been filed with the board. The application shall include the land description, a statement of the reasons for withdrawal, and any restrictions or other conditions of use attached to the land proposed for withdrawal.

2. Upon the filing of an application to withdraw lands under subd. [1.](#), the department shall investigate the application. During the course of its investigation the department shall make an examination of the character of the land, the volume of timber, improvements, and any other special values. In the case of withdrawal for the purpose of sale to any purchaser other than the state or a local unit of government, the department shall establish a minimum value on the lands to be withdrawn. In making its investigation the department shall give full weight and consideration to the purposes and principles set forth in sub. [\(1\)](#), and it shall also weigh and consider the benefits to the people of the state as a whole, as well as to the county, from the proposed use against the benefits accruing to the people of the state as a whole and to the county under the continued entry of the lands to be withdrawn. The department may conduct a public hearing on the application, if it considers it advisable, at a time and place that it determines, except that if the county requests a public hearing in writing, the department shall hold a public hearing.

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.

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.

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.

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.

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.

(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 of such reimbursement is unreasonable when compared to the value of the land. If the department has waived any portion of such reimbursement and if at any subsequent time the land ceases to be used for the purpose designated in the application for withdrawal, the full amount of reimbursement due the forestry fund account on the lands withdrawn shall

immediately become due and payable to the department and shall be credited to the forestry fund account, unless the department finds and determines that the lands will continue to be put to another higher public use in which case payments of such reimbursement may be deferred by the department so long as the lands are devoted to a higher public use. If payment is not made prior to the time of the next forestry aid payment to the county, forestry aid payments in an amount to be determined by the department shall be withheld until the amount due the forestry fund account is reimbursed.

(12) ENFORCEMENT. If at any time it appears to the department that the lands are not being managed in accordance with this section it shall so advise the county forestry committee and the county clerk. If the condition persists the department may proceed against the persons responsible for such noncompliance under s. [30.03 \(4\)](#).

[28.11\(13\)\(13\)](#) REVIEW. All orders of the department made under this section may be reviewed under ss. [227.52](#) to [227.58](#).

History: [1971 c. 215](#); [1975 c. 39 s. 734](#); [1975 c. 342](#); [1977 c. 29](#); [1979 c. 34 ss. 723 to 725, 2102 \(39\) \(a\)](#); [1983 a. 27](#); [1983 a. 192 s. 304](#); [1983 a. 424 ss. 2 to 5](#); [1985 a. 29 ss. 655cc to 655cg, 3202 \(39\)](#); [1985 a. 182 s. 57](#); [1987 a. 27](#); [1989 a. 31, 79](#); [1993 a. 16, 184, 301](#); [1995 a. 27, 201](#); [1997 a. 237, 248](#); [1999 a. 9](#); [2001 a. 16, 103](#); [2003 a. 242](#); [2005 a. 48](#); [2007 a. 20](#).

Cross-reference: See also ch. [NR 48](#) and ss. [NR 1.24, 47.60 to 47.75](#), and [302.03](#), Wis. adm. code.

A county forest withdrawal appeal review committee under sub. (11) (a) is not a state agency whose decisions are reviewable under ch. 227. *Allen v. Juneau County*, [98 Wis. 2d 103, 295 N.W.2d 218](#) (Ct. App. 1980).

County boards cannot sell or exchange county forest lands without first withdrawing them from the county forest program under sub. (11). 66 Atty. Gen. 109.

Conservation easements and restrictive covenants are permissible in county forests as long as they are consistent with and do not interfere with the purposes of county forests and the management plans properly developed for them under the county forest law. [OAG 08-10](#).

Chapter 50 PARKS AND RECREATION

ARTICLE I. IN GENERAL

Secs. 50-1—50-30. Reserved.

ARTICLE II. RECREATION AREAS

Sec. 50-31. Penalties.

- (a) Any person who violates, disobeys, neglects or omits or refuses to comply with any of the provisions of this article shall forfeit an amount set forth in the county-owned lands ordinance schedule of deposits, as adopted by the county forestry committee on file in county forestry department, together with the costs of prosecution, and in default of payment, by imprisonment in the county jail for a term of not more than 30 days or until such judgment is paid. Each day a violation exists or continues shall constitute a separate offense. In addition to these penalties, violators may be ordered by the county forest administrator to restore or make restitution for damages. Such orders may be enforced by civil action in circuit court.
- (b) Penalties for violations of section 50-34, 50-35, 50-36, 50-37 or 50-38 shall be enforced by the county forest administrator and his designee and/or may be enforced by the sheriff's department.

(Ord. No. 22-98, §§ 9, 10, 3-17-1998)

Sec. 50-32. Classification of areas.

The areas within the county shall be classified as follows:

- (1) *Class 1 recreation areas* include the following:

- Slim Creek Flowage picnic area
- Leisure Lake picnic area
- Harmon Lake picnic area
- Loyhead Lake boat landing
- Wolf Lake boat landing
- Sawmill Lake boat landing
- Big McKenzie Lake boat landing
- Spider Lake boat landing
- Elbow Lake boat landing
- Long Lake dam site
- Birchwood dam site
- Sarona Wild River Trail Parking Area
- Trego Wild River Trail Parking Area

- (2) *Class 2 recreation areas* are bounded by signs marked "Park Ordinances in Effect" and are as follows:
 - Totogatic Campground
 - Sawmill Lake Campground
 - Leisure Lake Youth Camp
 - Dugan Run Horse Trailhead and Campsites
 - Harmon Lake Horse Trailhead and Campsites
- (3) *Class 3 area* shall be called the "Wild Riverway Zone" and defined as all county lands within 150 feet of the Namekagon River's edge.
- (4) *Class 4 areas* shall be as follows:
 - State funded or county designated ATV trails
 - State funded or county designated snowmobile trails
 - Wild River Recreational Trail
- (5) *Class 5 areas* shall be all other county-owned and county forest lands not designated as class 1, class 2, class 3 or class 4.

(Ord. No. 22-98, § 1, 3-17-1998; Res. No. 2006-74, 8-15-2006; Res. No. 2007-180, 11-13-2007)

Sec. 50-33. Classification of new areas.

All areas newly created by the board shall be designated either a class 1, 2, 3 or 4 recreation area, or a class 5 area; and upon such classification, the conditions and restrictions imposed by this article shall apply to such area.

(Ord. No. 22-98, § 2, 3-17-1998)

Sec. 50-34. Prohibited actions in class 1 areas.

No person shall within a class 1 recreation area:

- (1) Use such area as a campsite for overnight camping. Overnight parking is permitted at the Wild River Trail parking areas provided the use is associated with trail riding.
- (2) Dispose of trash or rubbish in any manner other than depositing in provided containers.
- (3) Discharge or keep an uncased or loaded firearm or weapon within the boundaries of such area.
- (4) Ignite an open fire (meaning wood, charcoal or solid fuel) within such area unless such fire is in a fireplace, grill or other suitable container provided for or constructed to contain a fire by the county.
- (5) Use or be within a recreation area for any purpose, except boat launching and fishing, between the hours of 11:00 p.m. and 6:00 a.m. of each day.
- (6) Cause damage to the natural features, resources, trails or facilities owned and operated by the county.
- (7) Leave an open fire (meaning wood, charcoal or solid fuel) unless it has no smoke and the entire coal or ash bed is cool enough to touch with a hand.
- (8) Possess firewood that originates from greater than 50 miles from the area where the wood will be used. Firewood that is dried, debarked, smoothed, solid wood and is processed lumber is exempt. Dead and down wood is permitted to be gathered from county forest lands adjacent to the area for campfire purposes. Commercially bagged or bundled firewood from vendors within 50 miles is permitted.

- (9) Peddle or solicit business of any nature; to post or cause to be posted any sign, picture, advertisement or other informational device without special permission of the forest administrator or designee.

(Ord. No. 22-98, § 3, 3-17-1998; Res. No. 2007-180, 11-13-2007; Res. No. 93-08, 11-12-2008; Res. No. 23-12, Exh. A, 5-15-2012)

Sec. 50-35. Prohibited actions in class 2 areas.

No person shall within a class 2 recreation area:

- (1) Camp at any site other than an established site for camping.
- (2) Camp overnight or use any campsite or recreational facility without first registering and paying established fees.
- (3) Dispose of trash or rubbish in any manner other than depositing in provided containers.
- (4) Use any trash container or dumpster to dispose of trash or rubbish generated outside the park or facility.
- (5) Discharge or keep an uncased or loaded firearm or weapon within the boundaries of such area.
- (6) Ignite an open fire (meaning wood, charcoal or solid fuel) within such area unless such fire is in a fireplace, grill or other suitable container provided for or constructed to contain a fire by the county.
- (7) Refuse to leave such area when directed to leave by the attendant in charge.
- (8) Take or keep within such area a dog unless the dog is kept at all times on a leash which prevents the dog from running at large.
- (9) Use or be within a recreation area for any purpose between the hours of 11:00 p.m. and 6:00 a.m. of each day unless such a person is a registered camper, or is transporting watercraft to and from designated boat landings, or otherwise has the permission of the attendant in charge.
- (10) Cause damage to the natural features, resources, trails or facilities owned and operated by the county.
- (11) Keep more than two household pets per designated campsite. Horses, livestock or other domesticated animals are not permitted without written permission from the forest administrator or his designee. Horses, livestock or other domesticated animals are permitted at the Dugan Run and Harmon Horse Trailheads.
- (12) Leave any animal excrement within a developed area.
- (13) Operate any two wheel motorized vehicle including but not limited to motorcycles, dirt bikes, or mini-bikes, unless it is a state licensed vehicle operating on park access roads open to the public.
- (14) Operate an ATV as defined by Wis. Stats. (1997-98) § 340.01(2g).
- (15) Possess or ignite fireworks, explosives, or pyrotechnic devices of any kind, except through special permit by the forest administrator or designee.
- (16) Operate a motor vehicle in excess of the posted speed limit.
- (17) Take firewood or any other vended product or service provided by the county without depositing or making payment.
- (18) Possess firewood that originates from greater than 50 miles from the area where the wood will be used. Firewood that is dried, debarked, smoothed, solid wood and is processed lumber is exempt. Dead and down wood is permitted to be gathered from county forest lands adjacent to the area for campfire purposes. Commercially bagged or bundled firewood from vendors within 50 miles is permitted.

- (19) Camp overnight or use/occupy any campsite or recreational facility in any manner that is inconsistent with rules and policies as established by the Washburn County Forestry, Parks and Recreation Committee.
- (20) Peddle or solicit business of any nature; to post or cause to be posted any sign, picture, advertisement or other informational device without special permission of the forest administrator or designee.

(Ord. No. 22-98, § 4, 3-17-1998; Res. No. 129-01, 3-20-2001; Res. No. 2006-74, 8-15-2006; Res. No. 2007-180, 11-13-2007; Res. No. 93-08, 11-12-2008; Res. No. 23-12, Exh. A, 5-15-2012)

Sec. 50-36. Prohibited actions in class 3 areas.

No person shall within a class 3 area:

- (1) Camp or ignite a fire except on designated sites (designated sites are those where steel fire rings are provided by the county).
- (2) Ignite an open fire (meaning wood or charcoal) unless within a fire ring provided.
- (3) Leave an open fire (meaning wood, charcoal or solid fuel) unless it has no smoke and the entire coal or bed is cool enough to touch with a hand.
- (4) Ignite an open fire (meaning wood, charcoal or solid fuel) during department of natural resources red ban periods or when sites are posted for no open fires.
- (5) Occupy a single site for a period exceeding three days.
- (6) Refuse to leave an area in a camping facility when directed to leave by the forest administrator, sheriff, or their designees.
- (7) Dispose of trash or rubbish in any manner other than depositing in containers provided by the county.
- (8) Cause damage to natural features, resources, trails or facilities owned and operated by the county.

(Ord. No. 22-98, § 5, 3-17-1998)

Sec. 50-37. Prohibited actions in class 4 areas.

No person shall within a class 4 area:

- (1) Use such area as a campsite for overnight camping.
- (2) Deposit trash, rubbish or any other litter.
- (3) Ignite or leave an open fire (meaning wood, charcoal or solid fuel) unless the ground is 100 percent snow covered.
- (4) Cause damage to the natural features, resources, trails or facilities owned and operated by the county.
- (5) Operate any vehicle over 900 pounds unless on a state-funded, county forest gas tax road.
- (6) Use horses, skis or dog sleds, or operated motor vehicles other than snowmobiles on state funded snowmobile trails, other than the Wild River Trail, between December 1 and April 15 of each year, without special permission of the forest administrator or his designee. ATVs are permitted on snowmobile trails on county forestlands between December 1 and the end of snowmobile season.
- (7) Peddle or solicit business of any nature; to post or cause to be posted any sign, picture, advertisement or other informational device without special permission of the forest administrator or his designee.
- (8) Damage, deface, destroy, move, remove or possess any signs placed or contracted to be placed by the county forestry department.

- (9) Operate any motor vehicle on the Wild River Trail or the Shell Lake Grade when department of natural resources fire danger is posted in the very high classification or higher.
- (10) Operate any two-wheel motorized vehicle, including but not limited to motorcycles, dirt bikes, or mini-bikes.
- (11) Operate a motor vehicle in excess of the posted speed limit.
- (12) Operate a motor vehicle in excess of the speed limit posted within a timber sale or timber sale access deemed active by the forestry department.
- (13) Operate an ATV off of the surface of a state funded or county designated ATV trail unless operation is conducted on a trail designated open by the forestry committee under section 50-38(9).
- (14) Operate an ATV off of the surface of a state funded or county designated ATV trail into any wetland or riparian area.
- (15) Operate a motor vehicle on a designated ATV trail from April 1 through the first Friday before Memorial [Day] weekend, or when department of natural resources fire danger is posted in the very high classification or higher. The forest administrator may designate a closure earlier than April 1, or open specifically designated ATV trails prior to Memorial [Day] weekend. Any changes to trail closures shall be listed on the official county website and notification provided to Washburn County Tourism, the Wisconsin Department of Natural Resources and the Washburn County Sheriff's Department. This section does not apply to the Wild River Trail or the Shell Lake Grade.
- (16) Operate a motor vehicle on a designated snowmobile trail on private lands when snowmobile trails are listed as closed unless such operation is conducted with the permission of the landowner.
- (17) Operation of motor vehicles on county forest lands on trails designated as official snowmobile trails is regulated under class 5 areas.
- (18) Park, stop or leave standing, whether attended or unattended, any vehicle which is blocking, obstructing, or limiting the use of any trail or gate access point.
- (19) Operate any motorized or non-motorized vehicle, or utilize any class 4 area in a manner prohibited by rule that is adopted by the Washburn County Forestry, Parks and Recreation Committee.

(Ord. No. 22-98, § 6, 3-17-1998; Res. No. 2006-74, 8-15-2006; Res. No. 2007-180, 11-13-2007; Res. No. 32-09, Exh. A, 4-21-2009; Res. No. 23-12, Exh. A, 5-15-2012; Res. No. 26-13, Exh. A, 5-21-2013; Res. No. 58-16, 7-19-2016)

Sec. 50-38. Prohibited actions in class 5 areas.

No person shall within a class 5 area:

- (1) Use such area as a campsite for overnight camping except under a permit established by the forestry committee, and meeting one of the following criteria:
 - a. With a tent or lesser facility.
 - b. From September 15 through December 31, in mobile camping units attached to or part of a motor vehicle and on a site specifically designated as a campsite by the forestry committee.
 - c. During the first nine days of the state's firearm deer season, in mobile camping units attached to or part of a motor vehicle, and only while off the road and its right-of-way and still within 200 feet of a town road or county forest road with a minimum 16-foot road bed.
- (2) Camp in Casey, Chicog, Springbrook or Minong political townships in the month of April or May, or within the Wild Riverway zone.
- (3) Camp for a period exceeding nine consecutive days or as permitted by timber sale contract, the forestry committee or the forest administrator in writing.

- (4) Litter or deposit trash or rubbish in any manner other than depositing it in containers provided by the county.
- (5) Refuse to leave such area in camping capacity when directed to leave by the forest administrator or his designee.
- (6) Cause damage to the natural features, resources, trails or facilities owned and operated by the county.
- (7) Cut or harvest any vegetation that is not to be eaten without permission of the forest administrator or his designee. This shall not be construed to permit harvest of vegetation otherwise controlled.
- (8) Operate a motor vehicle on county trails designated closed with a sign, gate or soil burden, or in an area designated closed by the forestry committee, without special permission of the forest administrator or his designee.
- (9) Operate a motor vehicle unless on an established trail designated open by the forestry committee.
- (10) Operate any two-wheel motorized vehicle, including but not limited to motorcycles, dirt bikes or mini-bikes, unless it is a state-licensed vehicle on state-funded county forest roads.
- (11) Operate motor vehicles over 700 pounds in weight on trails that are gated and signed with the weight limit without special permission of the forest administrator or his designee.
- (12) Build, occupy or use any elevated platform or steps unless the structure and/or steps do not damage the tree. Any structure or steps that penetrate the bark of a tree are considered damaging.
- (13) Unless the ground is 100 percent snow covered, leave an open fire (meaning wood, charcoal or solid fuel) unless it has no smoke and the entire coal or ash bed is cool enough to touch with a hand.
- (14) Ignite a fire unless the ground is 100 percent snow covered in Casey, Chicog, Minong or Springbrook political townships, except for gas-fueled stoves, or within the Wild Riverway zone.
- (15) Peddle or solicit business of any nature; to post or cause to be posted any sign, picture, advertisement or other informational device without special permission of the forest administrator or his designee.
- (16) Leave any elevated platform unattended unless all of the following criteria are met:
 - a. The elevated platform is clearly marked with the name and address, or DNR customer I.D. number of the individual placing or using the platform, with lettering of sufficient size to be visible from the ground.
 - b. No more than one elevated platform or ground blind placed per person.
 - c. Elevated platform is not left more than nine consecutive days.
 - d. Elevated platform is a hang-on, self climbing, or ladder style.
- (17) Reserved.
- (18) Leave any commercial or hand-made blind unattended unless all of the following criteria are met:
 - a. The ground blind is clearly marked with the name and address, or DNR customer I.D. number, of the individual placing the blind.
 - b. No more than one elevated platform or ground blind placed per person.
 - c. Ground blind is not left more than nine consecutive days.

Ground blinds built entirely with natural, dead, nonmanufactured, on-site forest vegetation are permitted without restriction.
- (19) Remove fill, soil, ore, gravel or any mineral without written permission of the forest administrator or his designee.

- (20) Disturb, dig or remove any artifact or historical article without written permission of the forest administrator or his designee.
- (21) Damage, deface, destroy, move, remove or possess any signs placed or contracted to be placed by the county forestry department.
- (22) Operate a motor vehicle on roads or trails designated for spring closure from April 1 through the first Friday before Memorial [Day] weekend, or when department of natural resources fire danger is posted in the very high classification or higher.
- (23) Operate an ATV on trails, roads or in the forest from April 1 through the first Friday before Memorial Day weekend, or when department of natural resources fire danger is posted in the very high classification or higher. The forest administrator may designate a closure earlier than April 1 by posting such closure on the official county website and notification to the Washburn County Tourism, the Wisconsin Department of Natural Resources, and the Washburn County Sheriff's Department.
- (24) Possess firewood that originates from greater than 50 miles from the area where the wood will be used. Firewood that is dried, debarked, smoothed, solid wood and is processed lumber is exempt. Dead and down wood is permitted to be gathered from county forest lands adjacent to the area for campfire purposes. Commercially bagged or bundled firewood from vendors within 50 miles is permitted.
- (25) Park, stop or leave standing, whether attended or unattended, any vehicle which is blocking, obstructing, or limiting the use of any trail or gate access point.
- (26) Operate any motorized or non-motorized vehicle, or utilize any class 5 area, or trail within a class 5 area, in a manner prohibited by rule that is adopted by the Washburn County Forestry, Parks and Recreation Committee.

(Ord. No. 22-98, § 7, 3-17-1998; Res. No. 129-01, 3-20-2001; Res. No. 36-04, 3-16-2004; Res. No. 2006-74, 8-15-2006; Res. No. 2007-180, 11-13-2007; Res. No. 93-08, 11-12-2008; Res. No. 32-09, Exh. A, 4-21-2009; Res. No. 23-12, Exh. A, 5-15-2012; Res. No. 58-16, 7-19-2016)

Sec. 50-39. Posting of signs.

The forest administrator is directed to post signs in each of the class 1, class 2 and class 3 areas, which signs shall summarize the regulations set forth in this article and shall recite that the regulations are imposed pursuant to ordinance.

(Ord. No. 22-98, § 8, 3-17-1998)

State law reference(s)—Authority generally, Wis. Stats. §§ 28.11(3)(b), 59.56(9).

Secs. 50-40—50-70. Reserved.

ARTICLE III. GATHERING REGULATIONS ON FOREST LANDS

Sec. 50-71. Penalty.

- (a) *Generally.* Any person gathering miscellaneous forest products without first obtaining a gathering permit shall be subject to all existing penalties provided in county ordinances, including trespass and timber theft charges. Any person who possesses a gathering permit, and gathers beyond the authority granted in the

permit, or who causes damage to the timber or miscellaneous forest products on county land, shall be assessed a forfeiture as set for appropriate violations in subsection (b).

(b) *Penalty for violation of sections 50-76(a) and 50-76(b):*

- (1) Violators of section 50-76(b)(1), (3), (4) shall forfeit not less than \$25.00 nor more than \$100.00.
- (2) Violators of section 50-76(b)(2) shall forfeit not less than \$50.00 nor more than \$400.00.
- (3) Each day of violation shall be a separate offense.
- (4) Payment of a forfeiture upon violation shall not preclude the county from seeking or obtaining restitution for wood taken in violation of this article.

(Ord. No. 2-92, § IV, 3-12-1992; Ord. of 4-25-1995, § 5)

Sec. 50-72. Permit required.

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 ordinances), from county-owned land shall obtain a county gathering permit from the county forestry office prior to the exercise of such gathering rights.

(Ord. of 4-25-1995, § 1)

Sec. 50-73. Application and processing.

The county forest administrator shall prepare an appropriate application requesting pertinent information from all treaty rights participants who seek to gather miscellaneous forest products on county forest lands. This application shall be available upon request. Those treaty rights participants who seek to gather miscellaneous forest products shall provide proper identification and present a valid tribal membership card upon submitting an application with the county. Upon receipt of an application, the county shall respond to the gathering permit request no later than 14 days after receipt of the application. The response shall either grant or deny the request. Should the request be denied, the reasons for denial shall be set forth in the response of the county, including the basis for denial with specific reference to the limitations set forth in section 50-75. Any application which is incompletely or incorrectly prepared shall be returned within 14 days to the applicant with specific directions as to which portions of the application are defective.

(Ord. of 4-25-1995, § 2)

Sec. 50-74. Conditions in permit.

A gathering permit shall indicate the location of the material to be gathered, the volume of the material to be gathered, and any additional conditions on the gathering of the material necessary for conservation of timber or miscellaneous forest products on county land, or for public health and safety. Treaty rights participants gathering miscellaneous forest products on county land may not be assisted in the gathering by any person other than another treaty rights participant. Treaty rights participants may not permit any person other than another treaty rights participant to tend or operate equipment involved in the gathering.

(Ord. of 4-25-1995, § 3)

Sec. 50-75. Denial of gathering permit.

The county may not deny a request to gather miscellaneous forest products on county property under the terms of this article unless the gathering:

- (1) Is inconsistent with the forest management plan for the property;
- (2) Will conflict with preexisting rights of a permittee or other person possessing an approval to conduct an activity on the property, including a contractor of the county; or
- (3) Is otherwise inconsistent with conservation or public health or safety.

(Ord. of 4-25-1995, § 4)

Sec. 50-76. Permit for taking or cutting wood.

- (a) *Required.* No one shall take or cut wood from county lands without first obtaining a permit for that purpose from the forest administrator or his designee.
- (b) *Limitations.* The following are limitations on use of permits:
 - (1) The permit must be in the immediate possession of the permittee while cutting or taking.
 - (2) No permit shall be issued except for cutting firewood for the personal use of the permittee or his immediate household, or his immediate family, which use shall be in the state.
 - (3) No cutting is allowed within 100 feet of the Namekagon River.
 - (4) No tops of branches may be left on roads, ditches, trails, lakes or streams.
- (c) *Exceptions.* Exceptions to the provisions of subsections (a) and (b) of this section are as follows:
 - (1) Picnic and campfire use where wood will be used within three days.
 - (2) Cutting otherwise authorized by the county; cabin permits, etc.
 - (3) This section does not apply to logging contracts.
- (d) *Cancellation authorized.* The county reserves the right to cancel the permit for cause at any time.

(Ord. No. 2-92, §§ I—III, V, 3-12-1992)

1020.4 FIRE CONTROL MOU

WASHBURN COUNTY / DNR MEMORANDUM OF UNDERSTANDING FOR WILDFIRE SUPPRESSION SERVICES

This agreement is entered into by and between Washburn County Forestry (County Forestry Department) and the Wisconsin Department of Natural Resources (DNR) for the purpose of establishing a mutual aid agreement for the suppression of fires within the State of Wisconsin.

WHEREAS, s. 26.11, Wis. Stats., vests the DNR with power, authority, and jurisdiction in all matters relating to prevention, detection, and suppression of forest fires outside the limits of incorporated villages and cities; and s. 23.09(4), Wis. Stats. and NR 1.23, Wis. Adm. Code, authorize the DNR to render assistance in case of emergencies.

WHEREAS, the DNR and County Forestry, pursuant to s. 26.11(4) Wis. Stats., desire to cooperate in the suppression of fires. It is agreed by and between the DNR and the County Forestry Department as follows:

A. DEFINITIONS

1. "Forest Fire" means an uncontrolled, wild or running fire occurring on a forest, marsh, field, cut-over or other lands, or involving farm, city or village property and improvements incidental to the uncontrolled, wild or running fire occurring on the forest, marsh, field, cut over or other lands as defined in s. 26.11(2) Wis. Stats.
2. "Suppression" refers to the action of the responding agency/agencies beginning with initial attack and continuing through the control of the forest fire, mop-up and until the forest fire is out.

B. RESPONSIBILITIES

1. The DNR is responsible for the suppression of all forest fires in unincorporated areas and the protection and suppression of any improvements threatened by forest fires as defined in s. 26.11 Wis. Stats. The DNR may request the assistance of the County Forestry Department to provide wildland suppression.
2. The County Forestry Department may provide equipment and manpower as requested by DNR to assist in fighting forest fires.

C. REPORTING FIRES

1. The County Forestry Department agrees to make every effort to immediately notify the DNR of forest fires through either Washburn County Sheriff's Department or Spooner DNR Fire Control Dispatch. If immediate notification cannot be made through Washburn County or fire control dispatch, the County Forestry Department shall report the location of the fire, and the action taken, to the local DNR Forest Ranger as soon as possible, but no later than 24 hours from its knowledge of the forest fire.

2. The DNR agrees to notify the County Forestry Department as soon as possible once they become aware of a fire on, near, or threatening Washburn County Forest lands.

D. COMMAND AT FIRES

The Incident Command System will be used at all forest fires. If DNR is first to arrive at the scene, they will establish incident command and will retain that responsibility throughout the incident. When the County Forestry Department is first to arrive at the scene of a forest fire, they shall establish incident command and begin initial attack. After initial attack, they shall continue with fires suppression activities that can be safely conducted with the equipment, personnel and protective equipment that are available to them. Command of the incident shall be transferred to the DNR upon arrival of DNR fire control resources.

E. EQUIPMENT AND PERSONNEL REQUIREMENTS

1. The County Forestry Department may purchase fire suppression equipment and supplies from the DNR Lemay Center warehouse as a condition of this agreement.
2. The DNR and County Forestry Department agree to designate fire-fighting units suitable for suppressing forest fires. The designated units shall be listed in the addendum to this agreement. Responding units shall be equipped with wildland fire fighting hand tools as described in the addendum. All responding units shall be equipped with a radio that contains a common frequency with local DNR fire control units.
3. The County Forestry Department agrees to respond to forest fires with staff that have successfully completed I-100 (Introduction to ICS), S-130 (Basic Fire Fighter), S-190 (Intro to Fire Behavior), IS-700 (Introduction to National Incident Management System), and annual RT-130 (Annual Fireline Refresher). The County Forestry Department accepts and assumes the responsibility to insure that forest fire suppression activities under this agreement will be conducted by staff trained as required herein. DNR agrees to provide training to County Forestry Department staff in such DNR sponsored training classes at no charge to the County Forestry Department.
4. Firefighters shall wear protective clothing on all forest fires. Protective clothing will be a minimum of Nomex shirt and pants, or coveralls, leather boots, hardhat or helmet, leather gloves, and fire shelter.

F. AUTHORIZATION FOR USING COUNTY FORESTRY DEPARTMENT RESOURCES

1. The DNR shall notify the County Forestry Department when feasible of potential high risk days and corresponding projected need for County Forestry Department staff.
2. The DNR and the County Forestry Department shall jointly determine any "standby" needs for staff and shall be jointly determined between the Forest Administrator and the local Forest Ranger and/or County Forest Liaison.
3. The DNR shall notify either the County Forest Administrator or Assistant County Forest Administrator to receive authorization to utilize any County Forestry Department resources to assist with wildfire suppression. The County Forest Administrator may also pre-authorize the

use of County Forestry Department resources upon notification to the County Forest Liaison or local Forest Ranger.

4. The County Forestry Department shall provide phone contact information for the Forest Administrator and Assistant Forest Administrator to the DNR annually.
5. The County Forest Administrator and the DNR County Forest Liaison and Forestry Team Leader (and others as determined necessary by the DNR) shall annually develop work roles/assignments for County Forestry Department staff, as well as review training, safety and other items as determined necessary.

G. FIRE SUPPRESSION COMPENSATION

1. When the County Forestry Department is dispatched to assist with the suppression of forest fires, any reimbursement of equipment, as itemized in section G, shall be made on an hourly rate as established by Wisconsin DOT equipment rates. Reimbursement of labor, as itemized in Section G, shall be made at the employee's current wage rate, including fringe benefits. Overtime charges will be included when applicable. Bills for suppression costs will be itemized and submitted to the local Forest Ranger for reimbursement.
2. County Forestry Department employees will remain on the County's payroll and protected under the County's workers compensation insurance at all times that they have been authorized to assist the DNR in wildfire suppression. Employees will earn overtime or compensatory time as defined by County policy. The normal work schedule for County Forestry Department employees is 8:00 a.m. to 4:30 p.m., Monday through Friday.

H. REIMBURSEMENT OF COUNTY FORESTRY DEPARTMENT COSTS

The County Forestry Department will submit an invoice for all costs associated with wildfire suppression in the event that a party is found to be negligent by the DNR and billed for suppression costs. In the event that a negligent party is not found or determine, the following procedures will apply for the services of County Forestry Department personnel and equipment assigned to DNR wildfire suppression:

1. For services provided on wildfires that occur on the Washburn County Forest, the County Forestry Department will not request reimbursement for equipment or personnel costs.
2. For services provided on wildfires that occur within Washburn County, but not on Washburn County Forest lands, the County may request reimbursement of 50% of all costs. DNR shall reimburse costs upon request by the County Forestry Department.
3. For services provided on wildfires that occur outside of Washburn County, the County Forestry Department will be reimbursed for all equipment use and for any overtime accrued by County Forestry Department staff.
4. An itemized record of cost will be submitted to DNR whether or not reimbursement is requested.

L. Equipment and Labor Rates Annual Addendum – to be updated annually

Equipment rates to be determined by DOT Equipment Rates. The following equipment is normally anticipated to be utilized on a wildfire:

<u>Unit</u>	<u>DOT Class</u>	<u>2020 DOT Hourly Rate</u>
County Dozer	216	\$46.90 - DOT Classified Equipment Rates (Aug 2019)
County Semi	106	\$52.96 - DOT Classified Equipment Rates (Aug 2019)
County Semi Trailer	496	\$38.86 - DOT Classified Equipment Rates (Aug 2019)
Pickup	101	\$15.20 - DOT Classified Equipment Rates (Aug 2019)
Skid Steer	216	\$46.90 - DOT Classified Equipment Rates (Aug 2019)
ATV	9201	\$23.64 - DOT Non-Standard Equipment (Nov 2019)

Other units rates to be determined by either current DOT Classified or Non-Standard Equipment rates.

Labor Rates to be determined by current budgeted wage and fringe.

<u>Employee</u>	<u>2020 Hourly Rate</u>	<u>2020 Fringe Rate</u>	<u>2020 Total Rate</u>
Mike Peterson	\$39.90	\$18.40	\$58.30
Buck Pettingill	\$28.74	\$16.17	\$44.91
Duran Bjorklund	\$26.07	\$9.98	\$36.05
Jeremy Erickson	\$21.71	\$16.52	\$38.23
Brandon Shutt	\$18.11	\$8.33	\$26.44
Matt Graham	\$18.11	\$8.33	\$26.44

WCFA ATV/UTV Sustainable Trail Guidance

This document is meant to be used as guidance in the development or rehabilitation of state funded, “summer” use, county sponsored ATV/UTV trails

In an attempt to simplify and standardize ATV/UTV grant applications from WCFA member counties, the following guidelines have been developed for new trail construction or trail rehabilitation projects. The guidance is not meant to apply to existing trails but should be followed when developing new trails and when trail managers determine rehabilitation is necessary due to environmental or safety issues.

It is understood these trail guidelines cover normal situations on many of the trails, but in some cases there is good reason for building trails above and beyond the guidelines. In those cases, make sure you clearly explain and justify your reasoning for requesting more than standard amounts. In a case where trail development or rehabilitation projects do not require the trail manager to achieve recommendations provided in this guidance and there are no environmental concerns, the application should explain and justify project circumstances. The goal of a trail manager should be to develop and rehabilitate trails so they are sustainable and manageable for years to come when routine maintenance is applied.

Some trail development or trail rehabilitation projects may only entail crowning and ditching of existing natural materials, most notably on trails that do not receive extensive use on a regular basis. When developing and rehabilitating heavily used trails, managers should consider adding a base layer of material to allow for routine trail grooming and maintenance.

“The trail design should minimize the ecological impact of the trail and should retain the trail’s basic stability and shape through time without abrupt changes, recognizing there are both the human and natural forces at work on the trail surface. The concept of sustainability also recognizes that appropriate maintenance and management are also necessary”¹

Trails will be developed and maintained in a sustainable manner to meet *Wisconsin Forestry BMPs for Water Quality* guidelines and all WDNR permit requirements, including new stormwater discharge permit requirements, in an effort to prevent water runoff, soil rutting and erosion that may result in environmental degradation.

¹ “So You Want to Build an ATV Trail” WDNR PUB-CF-018 2005

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.

Width – Trail widths should be adequate for intended uses, one-way trails can be built to a 9 foot width. It is recommended two-way trails have a 12 foot wide maintained trail running surface with 2 feet cleared on each side. Trails should be wider where turns/corners are required. Adequate width may also be dependent on slope, aspect, and visibility on curves. Please note that in most cases, total trail width must accommodate periodic maintenance equipment such as graders and dump trucks.

General Design - All trails should be developed with a crowned or sloped surface (2 – 4% slope) to direct cross flow of water off the trail surface and into adjacent vegetation. Trail design, rehabilitation and maintenance should be done in a manner preventing water from traveling parallel to trail direction. All slopes should contain drainage structures at intervals as follows:

Table 4-2. Recommended Maximum Distances Between Drainage Structures on Forest Roads and Skid Trails

Road Grade (%)	Maximum distance between water bars (feet)		Maximum distance between all other drainage structures (feet)	
	High Erosion Risk (most sandy soils and silt soils)	Low Erosion Risk (most rocky soils and clay soils)	High Erosion Risk (most sandy soils and silt soils)	Low Erosion Risk (most rocky soils and clay soils)
0-3	175	250	250	350
4-6	125	200	175	250
7-9	100	175	125	175
10-12	75	150	75	125
13-15	60	100	60	100
16-20	50	75	50	75
21-30	40	65	40	65
30+	30	50	30	50

Note: Broad-based dips generally become ineffective on slopes greater than 10%.

(Table 4-2 taken from “Wisconsin’s Forestry Best Management Practices for Water Quality” – WDNR PUB FR-093 2010)

Cross drainage structures should be primarily in the form of diversion ditches but may also utilize cross drain culverts, broad based dips, or water bars.

Slopes Greater than 10% - Steeper slopes should be avoided when possible. In areas where there is no other alternative, slopes should be armored with material other than gravel or native soils. 2" or larger fractured rock spread at a minimum of 4" deep is preferable. Maximum erosion control is obtained when this material is compacted and incorporated into native soil. Mat materials or concrete blocks stacked upright are also feasible alternatives on extreme slopes. Depending on soil type, other alternatives such as 1 ½" rock to a desired depth, incorporated with appropriate amounts of gravel or other suitable material, are acceptable.

Surface Material – Trail surfaces may be crushed gravel or native soils, depending on conditions, but should provide for the ability to grade/reshape/restore the trail surface and cross drainage patterns periodically. Consider grading trail surfaces a minimum of twice during a riding season depending on traffic load and surface materials. All trail surfaces should be adequately maintained to ensure longevity of base material and address environmental and safety concerns.

Culverts – Evaluate the entire trail project to identify areas with periodic cross-trail water flow and install appropriately sized culverts at these locations. Note that any stream crossing with a defined bed and bank will require a Chapter 30 permit for either a culvert or bridge.

Trail Rehabilitation – Trail Rehabilitation projects should be considered a major reconstruction of the trail surface and should occur at no less than 8 year intervals, with exceptions for unusual circumstances. The need for trail rehabilitation is somewhat dependent on terrain, soil type, and amount of use on a given trail. A project should be considered as rehabilitation only if a minimum of 50% of the trail segment requires significant reconstruction. Projects with less than 50% reconstruction should be considered part of annual maintenance.

Bridge Rehabilitation – Bridge rehabilitation on ATV/UTV trail systems will follow snowmobile bridge rehabilitation guidelines contained in Wisconsin's Snowmobile Trail Aids Program.

Construction/Rehabilitation Standards by Soil Type

It is highly recommended trail sponsors research and understand soil types in project areas. Consult county soil survey data or NRSC web soil data for reference in determining soil suitability for motorized use. When relying on information contained in soil survey data, keep in mind mapped soil types in an individual county or specific area may not always accurately depict actual on the ground conditions. Recreational trail projects require on-site visits and knowledgeable managers. Most ATV/UTV trail systems require soil surfaces that can accommodate vehicular traffic for adequate maintenance, this often means accommodating loaded dump trucks and graders.

When applying surface material consider the following options:

Sandy Soils – Establishment of ATV trails on native sand soils tends to result in “blown out” trails once the minimal organic layer on the surface of these soils is disturbed. Underlying soils are extremely loose and often deep, resulting in difficult and dangerous riding conditions. Gravel surfaces are necessary on most of these soil types in order to create safe riding conditions and to minimize erosion and water quality issues.

- Trail surfaces require 6” loose / 4” compacted gravel on a majority of trail systems occurring in this soil type.
- Deep sand pockets and corners may require an underlying road fabric or geo-textile. Any fabric materials must be covered with a minimum of 10” of rock, gravel or a combination of materials.

Loamy Sand/Sandy Loam Soils – These soil categories provide a better opportunity to utilize native soils for the trail surface. These soils do, however, present a greater risk of erosion. Trail design must incorporate cross drainage and drainage structures that shed water from the trail surface before it can gain enough velocity to erode trail surfaces.

- Trail projects on these types normally allow for at least a portion of the trail to lie on native soils.
- Pockets of heavier soils, especially on the wetter end of sandy loams, will require gravel, or other suitable material, surfaces.
- Particular attention must be paid to slopes on these types
- Soil types with larger rock components may require more gravel, or other suitable material, to permit trail maintenance and grading activities.

Silt Loam/Loam/Clay Soils – These heavier soil types present special challenges. While they may support periodic motorized traffic without causing damage, sustained use on native soils may cause rutting and soil compaction. These ruts typically become water logged and continual motorized use degrades the trail surface rapidly to the point where they become impassable. An additional concern on these soils is once water pockets begin to form, many riders bypass the rough areas and extremely wide areas of damage rapidly develop.

- Projects on these soil types typically require a minimum of 6” loose/4” compacted finish material. Some projects may require a maximum 4” – 6” crushed stone over a 6” base course of graded rock. A maximum of 12” loose / 6” compacted is accepted for these types
- It may be more feasible on certain sites , especially those with long distance slopes (it is common to find slopes of ¼ mile or more on terminal end moraines with these soil types), to add a larger diameter crushed rock as a base layer and a lighter gravel, or other suitable material, cap over the top. Rock armoring on these slopes is intended for spot applications only and not the entire trail surface.

Hydric Soils – Hydric soils are typically considered as wetland and trail development should be considered only as a last resort. Trails on these soil types normally require wetland fill permits, either in the form of puncheon bridges or solid fill. The permit process will likely dictate the majority of trail design on these soils.

- Evaluate any alternatives to trails on hydric soils
- If crossing hydric soils is the only alternative, consult with WDNR Water Regulations Staff to determine options
- For existing trails with wetland impacts already occurring, and less than 1 acre in size, consider a wetland fill permit with geo-textile and larger crushed rock.
- For short crossing distances (generally less than 40 feet) consider a clear span bridge.
- For longer crossing distances, evaluate the use of puncheon/floating bridges.

Trail Types

Rail Road Corridors - Use existing ballast as base layer. If grading only 1-2 times per year no other material is needed. If grooming on a weekly/bi-weekly basis, consider adding 6" of gravel compacted to 4" and maintain with grooming equipment.

Multi-Use Trails - Apply a manageable base layer and follow suggested guidance contained in this document

Troute/Hybrid Trails - Apply a manageable base layer and follow suggested guidance contained in this document.

**MEMORANDUM OF AGREEMENT
BETWEEN DOUGLAS, BARRON AND WASHBURN COUNTIES AND,
THE STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES**

I. Introduction

The purpose of this memorandum is to set forth the agreements and understandings which have been reached among Douglas County, Barron County, and Washburn County, (collectively known as the Counties) and the State of Wisconsin Department of Natural Resources (DNR) regarding the acquisition, development, and operations of approximately 96 miles of abandoned rail property located in Douglas, Barron and Washburn Counties.

The DNR is interested in preserving the grade corridor for recreational trail purposes. The Counties are interested in developing, maintaining, and operating a recreational trail on the corridor provided the DNR acquires same. The Counties and the DNR agree to work together to achieve their mutual goals as set forth below.

II. Description of the Property

An exact legal description of the property in each county will be agreed upon prior to the execution of trail easements.

III. Consideration

The DNR will acquire or obtain agreements for the right-of-way. In some sections DOT has agreed to cooperate with DNR and the counties in achieving a total trail. WDOT expects to use the right-of-way for transportation purposes.

IV. Obligations of the DNR

1. The DNR will purchase or obtain agreements for the right-of-way.
2. The DNR will pay all reasonable costs to acquire the property.
3. The DNR will purchase all parcels, (except those lands presently under local public ownership acquired with state or federal recreation aid grants) which may be necessary to obtain clear title to the property and pay all costs associated therewith. DNR will not accept title to or purchase land which has previously been acquired by others such as a County through the eminent domain process. The DNR agrees to purchase acreage for rest areas if recommended in the master plan and if the communities do not provide, also as per the master plan.
4. The DNR will convey by easement to the Counties the right to develop, maintain, and operate a recreation trail on lands within their respective counties.
5. The DNR agrees to complete the environmental impact process for the purchase of the property pursuant to s.1.11, Stats., and Chapter NR 150, Wis. Adm. Code.
6. The DNR agrees that any advertising or display material relating to the trail shall clearly identify the property is owned or the responsibility the DNR and under the management and operation of the Counties.

V. Obligations of Counties

1. The Counties shall convey to the DNR title to all lands within the above described

recreation corridor currently owned by the counties. The DNR will pay for such lands at fair market value, but not to exceed the original value paid by the county. The DNR will not pay for lands purchased by Federal aid grants.

2. The Counties will develop, maintain, and operate the project lands located within their respective counties for recreational trail purposes. Uses will be determined through the master planning process. Fencing and signing are included as development items.
3. The Counties will enter into an easement in perpetuity with the DNR to accomplish the purposes contained in paragraph V.2.
4. The Counties will coordinate and prepare a master plan for the project. The master plan is to be completed prior to any trail development that utilizes state or federal grant funding. The Bureau of Parks and Recreation must approve the master plan and if applicable, the Natural Resources Board.
5. The Counties will participate in or conduct public meetings which may be necessary for the master plan for the trail.
6. The Counties shall open the trail for public use within their respective counties upon completion of the trail meeting minimum trail standards established by the DNR for public use. The DNR has no obligation to develop and operate the trail at any time.
7. The Counties will indemnify and hold harmless the DNR and its employees against all claims, damages, costs and expenses, including reasonable attorney's fees, arising from the performance of this MOA by the Counties or from any act of negligence of the Counties, their agents, contractors, servants, licensees, permittees, or employees. In case any action or proceeding is brought against the DNR or its employees by reason of any such claim, the Counties will upon notice from the DNR, defend such action or proceeding.
8. The Counties agree that any advertising or display material relating to the trail shall clearly identify the property is owned or the responsibility of the DNR and under the management and operation of the respective Counties.
9. The Counties in connection with this MOA shall open the facilities to the general public subject to reasonable rules and regulations, fees, charges as the Counties deem necessary for the management and operation of the trail.
 - A. Rules and Regulations. The parties agree that the provisions of Chapter NR 45.04(1)(a), Wisconsin Administrative Code, remain applicable to the Premises. Pursuant to NR 45, Wisconsin Administrative Code, the Department retains management, supervision, and control over the Premises for the purpose of enforcing Chapter 45, Wisconsin Administrative Code, when needed to protect the Premises. Routine enforcement remains the responsibility of Counties.
 - B. Admission fees, if any, charged by the Counties shall not exceed those established in s. 27.01, Stats. Fees shall be subject to written approval by the DNR. The Counties shall retain all admission fees collected as payment for its services under this MOA. If admission fees are charged, the conservation patron licensee and senior citizen card and any state trail passes issued by the DNR shall be honored without additional county admission charges. Admission fees may be negotiated based on future discussions between DNR

and the counties.

10. Trail development, maintenance and operations will conform with DNR state trail standards and in accordance with the master plan.
11. In the exercise of its rights herein, including but not limited to the operation of the eased property as a recreational trail, the Counties 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 component of the military forces of the United States or this state.
12. Recreational lands purchased and/or facilities developed through grants and pursuant to this MOA may not be converted to other uses or other outdoor recreational uses without the prior written approval of the DNR and, if applicable, the Secretary of the United States Department of Interior or their successors or designees.
13. A payment equal to any other grant amount awarded through the community assistance program for development shall be paid to the DNR by the defaulting county based on remaining useful life values of the improvements.

VI.

1. The City of Rice Lake shall convey to the state a corridor at least 30 feet in width for trail purposes through the city limits and to a point south of the city known as Blueberry Crossing. The DNR will pay for such lands at fair market value. DNR will not pay for lands purchased by Federal Aid Grants.
2. Barron County will develop, maintain and operate the section through the City of Rice Lake to Blueberry Crossing in addition to sections within their county.

VII. General

1. This Memorandum of Agreement is subject to all applicable laws and regulations and to the approval of the Natural Resources Board and the Governor of Wisconsin.
2. This Memorandum of Agreement may be revised by mutual written agreement of the DNR and the Counties.
3. An annual meeting between the county(s) and DNR will take place to review development and acquisition progress, operational problems needing attention and to exchange ideas and information for the good of the trail project.
4. The counties will occasionally require access to timber harvesting activities from the trail. These accesses will not be permanent and will be for a maximum of 3 years.

VIII. Termination

1. County. Any or all of the Counties may terminate their Memorandum of Agreement or the easement from the DNR by providing ninety (90) days written notice of said termination. In the event any or all the Counties terminate their Memorandum of Agreement or the easement from the DNR, the DNR will assume compliance responsibility for the land and water conservation fund assisted areas. A payment equal to any land and water conservation grant awarded through the community

assistance program for development shall be paid to the DNR by the defaulting county(s). A payment equal to any other grant amount awarded through the community assistance program for development shall be paid to the DNR by the defaulting county(s) based on remaining useful life values of the improvements.

2. DNR. The DNR may terminate this Memorandum of Agreement or the easement with the Counties in the event that:
 - A. Any or all the Counties have breached any term or condition in the Memorandum of Agreement or the easement and said breach remain uncorrected for a period of sixty (60) days from receipt of the DNR's written notification of said breach by the County(s).
 - B. The DNR determines that the continued use of the premises as a recreational trail would be inconsistent with the management needs or objectives of the DNR or the State of Wisconsin. In exercising its termination rights under this provision the DNR shall give the County(s) 180 days notice of termination and reimburse the County(s) for developed improvements on the remaining useful life values of the improvements.

IN WITNESS WHEREOF, DNR and the Counties have caused this memorandum to be executed in their respective names by their respective duly authorized representatives.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By George E. Meyer
George E. Meyer, Secretary

Dated 11/30/94

DOUGLAS COUNTY

By [Signature]

Dated 9/15/94

BARRON COUNTY

By [Signature]

Dated 11/9/94

WASHBURN COUNTY

By [Signature]

Dated 9-20-94

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1020.7 TRANUS LAKE NATURAL AREA MOU

MEMORANDUM OF UNDERSTANDING
By and Between
WASHBURN COUNTY
and
THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES
BUREAU OF ENDANGERED RESOURCES

This Memorandum of Understanding between Washburn County, hereinafter called the COUNTY, and the Wisconsin Department of Natural Resources Bureau of Endangered Resources, hereinafter called the DEPARTMENT;

WITNESSETH:

WHEREAS, the COUNTY is authorized to cooperate with state agencies in the preservation of natural resources; and

WHEREAS, the COUNTY owns and manages lands that have been identified as being of statewide or regional biological significance containing natural features, specifically Tranus Lake, located in T41N-R10W Section 19 and 30, containing approximately 70 acres of County Forest Land and;

WHEREAS, the DEPARTMENT has a statutory program (Wisconsin Statutes 23.27 and 23.28) to preserve a system of state natural areas to protect examples of all types of biotic communities and other significant natural features native to the state for research and education, and to secure long-term protection of the state's genetic diversity for the benefit of future generations; and

WHEREAS, the purpose of preservation of unique natural areas for scientific and educational use as well as public enjoyment will be advanced through designation as a state natural area;

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. The COUNTY will manage its land while entered in the County Forest Law (Wisconsin Statutes 28.11) in a manner consistent with a policy of long-term maintenance and preservation of the described natural values of Tranus Lake State Natural Area. Tranus Lake is a large soft water drainage lake near the headwaters of Tranus Creek. It supports extensive beds of wild rice and many other aquatic plant species. Large numbers of diving ducks and coot use the lake during spring and fall.
2. A Management Plan for Tranus Lake State Natural Area on County Forest will be prepared jointly by the COUNTY and the DEPARTMENT and will become a part of this Memorandum of Understanding.
3. The DEPARTMENT will closely monitor research, educational, and recreational uses to assure the long-term protection of the State Natural Area.
4. Fishing and hunting are allowed in accordance with legal seasons and methods.
5. All requests for research must have COUNTY and DEPARTMENT approval on County land.

6. The DEPARTMENT will assemble information on the natural resources of each area, prepare descriptive informational leaflets, list each area in its official publication of state natural areas, and credit the COUNTY for its contribution in any reports and publications.
7. The DEPARTMENT will attempt to protect in a timely fashion the lakeshore owned by private parties through acquisition, easement, or cooperative management agreements.

This Memorandum of Understanding shall be effective and remain in effect from the date of signature until terminated by either party following 60 days notice in writing to the other party and an opportunity for negotiation of a new agreement between the parties.

IN WITNESS WHEREOF, the authorized representatives of the parties hereto have affixed their signature.

WASHBURN COUNTY


Chair, County Forest Committee

6/2/93
Date


Washburn County Forest Administrator

5/20/93
Date

DEPARTMENT OF NATURAL RESOURCES

George E. Meyer
Secretary
Department of Natural Resources

Date

Tranus Lake
State Natural Area
Management Plan
on Washburn County Forest Land

This management plan contains the Department's general procedures for State Natural Areas. It also contains recommendations specific to the management needs of each site and includes exceptions to the general procedures.

The specific management actions have been developed and approved by the Department of Natural Resources' Bureau of Endangered Resources, and the County Forest Administrator, and reviewed by the Natural Areas Preservation Council. The plan will be reviewed periodically and if necessary may be amended by mutual consent to assure that all necessary management considerations are incorporated. Changes to the management plan may be made with the advice of the Council and written agreement of the Bureau of Endangered Resources and the Washburn County Forestry Committee.

The primary objectives of these procedures is to preserve the site in a natural condition with as little disturbance as possible.

- I. General Management for this State Natural Area on County Land
 - A. Management of Terrestrial and Aquatic Communities, Geologic and Archaeological Features on County Land.
 1. Removal of rocks, plants or plant parts (except timber products and wild rice), minerals, and artifacts is not permitted. However, hunting, fishing, trapping, berry picking and nut gathering is permitted. Collecting for scientific purposes may be allowed by County and Department permit.
 2. On Washburn County Forest Lands designated within a management zone of five chains from Tranus Lake's waters edge, cutting or removal of living or dead vegetation is allowed by County timber sale contract. However, removal of such vegetation will follow State Department of Natural Resources Forest Aesthetic Handbook "Class A" aesthetic management guidelines. Along with these guidelines, special considerations will be given to the reduction of non-point pollution potential and shall include, but not limited to, supervised access construction, and low soil impact logging (forwarding and/or skidding will be done only during frozen conditions). Attempts where practical will be management to encourage long-lived species within this zone.
 3. Introductions of exotic plant and animal species is prohibited. Reintroduction of an extirpated species, or introduction of a species of concern which is known to inhabit a particular community and edaphic condition may be permitted with the advice of the Council and consent of the Department and the County.

4. Pesticides including herbicides, insecticides, fungicides, and biological controls should not be used for plant or animal control. County and Department approval on land resource, with Council review, must be obtained for each case should an exception be necessary. Biological control agents are preferred over chemical agents.

B. Public Use.

1. Intensive public use is not encouraged. Recreational uses such as hiking, hunting, fishing, nature appreciation, and educational use which do not degrade the natural features are encouraged. Duck blinds are permitted and must be removed from public land after waterfowl season.
2. Attention drawing signs should be limited to those areas that have a low site fragility or have established trails. Signs indicating the area's purpose and use limitations are desirable at access points. Boundaries may be marked for the convenience of the property manager, visitors, and adjacent landowner.
3. Land vehicle traffic of all types is discouraged. Existing walking trails and service roads may be maintained and they will be identified on the management plan map. New walking trails may be constructed where use is heavy or where needed to protect sensitive vegetation; these will be identified in the management plan.
4. No buildings and other improvements such as fireplaces, picnic grounds, athletic facilities, dams, beach improvements or other waterway modification devices will be constructed. Any public use or maintenance facility essential to the natural area should be located in a buffer zone or outside the natural area.

II. Specific Mangement for Tranus Lake

A. Communities, Species or Features of Concern and Statement of Management Objectives. (Figure 1)

The Natural Area on County Forest features around a shallow, soft, drainage lake (174 acres); northern wet forest (2 acres); swamp hardwoods (3 acres); northern sedge meadow (25 acres); alder thicket (34 acres). The area also contains northern mesic forest (6 acres).

No plant or animal species of concern has been identified.

Management objectives are to protect the lake's ecosystem, water quality, and permit natural water level fluctuations; encourage research and educational activiites; accommodate public use for non-intensive recreation use such as fishing, hunting, trapping, and wild rice harvesting; and limit access to that which currently exists.

B. Problem Identification on entire Tranus Lake Natural Area.

Facility related concerns are the presence of permanent duck blinds on the east shore, the potential for intensive development on the eastern shore areas and uplands, the potential for over-harvesting the rice resource, and overuse of the lake.

C. Management Requirements for Communities or Species and Type of Action on County Forest and the lake.

COMMUNITY MANAGEMENT

- Tranus Lake - Shallow, soft, drainage -
 - Management per Department Natural Resources guidelines.
- Northern hardwood swamps (Swamp hardwoods) -
 - Management per Co. Forest silvicultural guidelines.
- Northern sedge meadow -
 - No Management.
- Alder thicket -
 - No management.
- Northern wet forest - (swamp conifer) -
 - Management per Co. Forest silvicultural guidelines.
- Northern mesic forest (Northern Hardwoods) -
 - Management per Co. Forest silvicultural guidelines.
- Other -
 - Management strategies will be developed on the private lands upon acquisition or easement.

SPECIES MANAGEMENT

- Problem species -
 - Monitor the lake for presence of exotic submergent or emergent species and develop a control strategy, if any are found.

D. Monitoring, Research, Educational, and Public Use.

MONITORING

- Breeding Birds -
 - Survey once to determine whether additional surveys are warranted.

PUBLIC USE

- Research and educational use is encouraged.
- Fishing use is light due to the limited fishery.
- Hunting use is primarily for waterfowl.
- Trapping use is light.

INSPECTIONS

Inspections should be done once a year and the results reported on Natural Areas Inspection Sheet Form 1700-21, with one copy sent to the County Forest Administrator.

E. Facility Development and Maintenance. (Figure 2)

SIGNS

Boundary Signs -

- Erect "natural area" and "private land ahead" signs on state owned lands, when applicable.
- Erect natural area boundary markings on Washburn County land. The type of signs or post will be agreed upon by the county and natural areas, and will be posted by natural areas staff after review and approval of the County Forest Administrator.

ACCESS

Stinnett Township owns and maintains a public access to the east shore of the lake.

DUCK BLINDS

Duck blinds are permitted on State Lands in accordance with Chapter 29.27.

WILD RICE HARVESTING

Monitor wild rice production. The lake may be closed to wild rice harvesting, if production is low.

F. Land Acquisition for entire Tranus Lake Natural Area. (Figure 3)

The project boundary of 544 acres includes the 174 lake acres which are currently state owned. Seventy acres on the west and north shores are owned by Washburn County, and three acres on the east shore are owned by the Town of Stinnett. Five parcels of 297 acres would complete the maximum acquisition boundary. The Department will pursue acquisition, easement, or land use agreements in a timely manner to preserve Natural Area interest on private land.

<u>Parcel</u>	<u>Owner</u>	<u>Acres</u>	<u>Priority</u>
1	Sebek	40	High
2	Louden	45	High
3	Asp	162	High
4	Suchy	25	High
5	Melgaard	25	High

G. Anticipated Effects of Management Actions.

Through designation, acquisition, easement, and cooperative management agreements, the lakeshore should be protected from adverse impacts and the lake's integrity should be maintained. By monitoring for exotic species and managing for them if they are found, the lake should be protected from their detrimental effects.

Approved:

James Veno
County Forest Administrator

6/2/93
Date

Director, Bureau of Endangered Resources

Date

1020.8 SWIFT CAMP REVERSIONARY CLAUSE

130306 | VOL 117 PAGE 291

THIS INDENTURE, Made this 20th day of October,
 A. D., 1964, between Washburn County, A Municipal
Corporation
 _____ part Y of the first part, and
State of Wisconsin
 _____ part Y of the second part.

Notary Office }
 Washburn Co., Wis. } ss.
 Executed for Record this 20th day of
November A. D. 1964 at 3:25 o'clock
 P. M. and recorded in Vol. 117 of
Records on Page 291
Jacob Gullickson
 Notary
 By Phyllis Hoefer
 RETURN TO J. F. Holmes, Sup
 Youth Cons. Camp Program
 State Dept. of Public Wel.
 Madison, Wisconsin

Witnesseth, That the said part Y of the first part, for and in consideration
 of the sum of One Dollar and No/100
 _____ Dollars, to them in hand paid by the said part Y of the second part, the receipt whereof is hereby
 confessed and acknowledged, has S given, granted, bargained, sold, remised, released, and quit-claimed, and by these presents do S give,
 grant, bargain, sell, remise, release and quit-claim unto the said part Y of the second part, and to it's heirs and assigns forever, the
 following described real estate, situated in the County of Washburn and State of Wisconsin, to-wit:

The West one half of the Northwest Quarter (W $\frac{1}{2}$ - NW $\frac{1}{2}$)
 Section Six (6), Township Forty-two (42), Range Twelve (12).

Should this property cease to be used for a public
 purpose by the State of Wisconsin, for a period of more
 than one year, then the title shall revert to the Grantor.

TRACT	<input checked="" type="checkbox"/>
RECORDED	<input checked="" type="checkbox"/>
GRANTOR	<input checked="" type="checkbox"/>
GRANTEE	<input checked="" type="checkbox"/>
COMPARED	<input checked="" type="checkbox"/>

To Have and To Hold the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise
 thereto appertaining, and all the estate, right, title, interest and claim whatsoever of the said part Y of the first part, either in law or
 equity, either in possession or expectancy of, to the only proper use, benefit and behoof of the said part Y of the second part,
it's heirs and assigns forever.

In Witness Whereof, the said part Y of the first part has hereunto set it's hands and seal S this
 day of October, A. D., 1964.

SIGNED AND SEALED IN PRESENCE OF
Kenneth M. Schricker
Kenneth M. Schricker
Rachel Gullickson
 Rachel Gullickson

Dom Mecure (SEAL)
 Dom Mecure, Chairman, Washburn County Board
O. S. Scholt (SEAL)
 O. S. Scholt, Washburn County Clerk
 _____ (SEAL)
 _____ (SEAL)

STATE OF WISCONSIN, }
Washburn County, } ss.
 Personally came before me, this 26th day of October
 the above named Dom Mecure and O. S. Scholt, A. D., 1964

to me known to be the person S who executed the foregoing instrument and acknowledged the same.
Lois M. Donatell
 Lois M. Donatell
 Notary Public Washburn County, Wis.
 My Commission (Expires) (Is) 3/31/68



(Section 59.51 (1) of the Wisconsin Statutes provides that all instruments to be recorded shall have plainly printed or typewritten thereon the
 names of the grantors, grantees, witnesses and notary).
 QUIT CLAIM DEED—STATE OF WISCONSIN, FORM NO. 11

242078 1

VOL. 3 4 6 PAGE 1 4 8

5692-12 NW-1/4
SW-1/4

RECEIVED OF RECORD
8:10 A.M.

OCT 9 1995

Sandra Johnson

WASHBURN CO. REGISTER OF DEEDS

NOTICE OF CONTINUED RIGHTS IN REVERSIONARY INTEREST

Due: \$10.00

By & Return to:

Washburn County Forestry

342 Walnut St.

Spoooner WI 54801

TO WHOM IT MAY CONCERN:

WASHBURN COUNTY, the Grantor of a deed recorded at V. 117 P. 291 which relates to the West one half of the Northwest quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) Section Six (6), Township Forty-two (42) North, Range Twelve (12) West, hereby declares its continued rights per Sec. 873.30 Wi. Stats. in the reversionary interest set forth in said deed, to wit: "Should this property cease to be used for a public purpose by the State of Wisconsin, for a period of more than one year, then the title shall revert to the Grantor."

Dated this 06 day of Oct., 1995

Robert W. Washkuhn
ROBERT W. WASHKUHN
Chairman, Public Property Committee,
Board of Supervisors of Washburn County

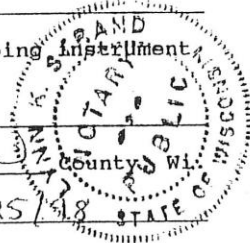
ACKNOWLEDGEMENT

State of Wisconsin }
County of Washburn } S.S.

Personally came before me this 6 day of October, 1995,
the above named Robert W. Washkuhn

to me known to be the person or persons who executed the foregoing instrument
and acknowledge the same.

Lynn K. Stearns
Notary Public, Washburn County, Wi.
My commission 10/25/98



Drafted By:
Edward Fischer
Washburn County Corp. Council

1020.9 NORTHERN HARDWOOD MANAGEMENT MATRIX

WASHBURN COUNTY FORESTRY – HARDWOOD MANAGEMENT MATRIX

These guidelines have, and will be, applied to all northern hardwood stands scheduled for reconnaissance updates, regardless of the next scheduled management date. For stands not due for a prescription in the near future, this matrix is intended to provide data for longer range planning. When evaluating stands that are due for management on the WisFIRS schedule, they should be re-inventoried for crop trees, regeneration, ironwood competition, sedge and dieback; and evaluated through this matrix again to determine management direction. Please be aware that this guide is a “work in progress” and certain stands may require decisions that fall outside the scope of this document. Please consult the property manager for direction on stands that do not fit within this matrix.

- 1) **STAND HAS BEEN PREVIOUSLY MANAGED FOR NORTHERN HARDWOOD** **GOTO 2**
(does not include aspen removals done 25 or more years ago)
STAND HAS NOT BEEN PREVIOUSLY MANAGED FOR HARDWOOD **GOTO 9**
(includes aspen removals done 25 or more years ago)

- 2) **50 OR MORE CROP TREES PER ACRE** **GOTO 3**
LESS THAN 50 CROP TREES PER ACRE **GOTO 5**

- 3) **5000 OR MORE PREFERRED AND QUALITY SAPLINGS PER ACRE**
All aged regeneration harvest at 120 basal area using traditional guidelines. (PRESCRIPTION 1)

LESS THAN 5000 PREFERRED AND QUALITY SAPLINGS PER ACRE – GOTO 4

- 4) **LESS THAN 25% IRONWOOD SEEDLINGS AND LIGHT TO MODERATE IRONWOOD SAPLINGS**
All aged regeneration harvest at 120 basal area using traditional guidelines, WITH regeneration checks to determine future management. Evaluate for development of sedge and ironwood. Re-evaluate stand on subsequent entries to determine future direction. (PRESCRIPTION 2)

25% OR MORE IRONWOOD SEEDLINGS OR MODERATE TO HEAVY IRONWOOD SAPLINGS
Even aged management with intermediate treatments at 120 basal area until rotation age. Re-evaluate stand for direction when reaching rotation age, but generally no more than 100 years on poorer sites and 120 years on better sites. Evaluate hardwood stocking guides for B-Level stocking and retain 80% crown cover on first thinning and 90% on subsequent thinning. (PRESCRIPTION 4)

- 5) **5000 OR MORE PREFERRED AND QUALITY SAPLINGS PER ACRE AND OVERSTORY IS 15+ HARDWOOD**
GOTO 14 TO REVIEW OVERSTORY REMOVAL CRITERIA BEFORE CONTINUING (PRESCRIPTION 10)

5000 OR MORE PREFERRED AND QUALITY SAPLINGS PER ACRE
All aged regeneration harvest at 120 basal area using traditional guidelines. Even though site has low crop tree numbers, retain the best available quality to develop age class distribution. Be aware that stand evaluation is based on a 16” maximum size for crop tree identification. Large diameter sawlog stands may be of very good quality, but is generally lacking sufficient crop trees per acre. These stands are still managed under traditional all aged prescriptions. RETAIN TARGET RESIDUAL BASAL AREA REGARDLESS OF QUALITY (PRESCRIPTION 3)

LESS THAN 5000 PREFERRED AND QUALITY SAPLINGS PER ACRE – GOTO 6

- 6) LESS THAN 25% IRONWOOD SEEDLINGS AND LIGHT TO MODERATE IRONWOOD SAPLINGS – GOTO 7
- 25% OR MORE IRONWOOD SEEDLINGS AND MODERATE TO HEAVY IRONWOOD SAPLINGS
Even aged shelterwood harvest with pre-sale ironwood mowing. Shelterwood may be prescribed immediately or delayed until sufficient volume on the site to allow for merchantability concerns. (PRESCRIPTION 5)
- 7) SEDGE COMPONENT MODERATE TO HEAVY
Even aged shelterwood harvest with site preparation (either mechanical or chemical). Shelterwood may be prescribed immediately or delayed until sufficient volume on the site to allow for merchantability concerns. (PRESCRIPTION 6)
- SEEDGE COMPONENT LIGHT TO MODERATE – GOTO 8
- 8) MODERATE TO HEAVY CROWN DIEBACK / DETERIORATION
Even aged shelterwood harvest without site prep or mowing, WITH regeneration checks to determine future management. (PRESCRIPTION 7)
- LIGHT CROWN DIEBACK / DETERIORATION OR LESS
All aged regeneration harvest at 120 basal area using traditional guidelines, WITH regeneration checks to determine future management. Evaluate for development of sedge and ironwood. Re-evaluate stand on subsequent entries to determine future direction. (PRESCRIPTION 2)
- 9) 50 OR MORE CROP TREES PER ACRE
All aged regeneration harvest at 120 basal area using traditional guidelines, WITH regeneration checks to determine future management. Evaluate for development of sedge and ironwood. Re-evaluate stand on subsequent entries to determine future direction. (PRESCRIPTION 2)
- LESS THAN 50 CROP TREES PER ACRE GOTO 10
- 10) 40 OR MORE WELL SPACED ASPEN TREES PER ACRE (AGE 40+)
Regenerate the stand to aspen either in whole, or in part depending on composition and spacing of aspen trees. (PRESCRIPTION 8)
- LESS THAN 40 WELL SPACED ASPEN TREES PER ACRE GOTO 11
- 11) 5000 OR MORE PREFERRED AND QUALITY SAPLINGS PER ACRE GOTO 5 *(PRESCRIPTION 3)*
 LESS THAN 5000 PREFERRED AND QUALITY SAPLINGS PER ACRE – GOTO 12
- 12) 25% OR MORE IRONWOOD SEEDLINGS OR MODERATE TO HEAVY IRONWOOD SAPLINGS GOTO 6
(PRESCRIPTION 5)
 LESS THAN 25% IRONWOOD SEEDLINGS AND LIGHT TO MODERATE IRONWOOD SAPLINGS GOTO 13
- 13) MODERATE TO HEAVY CROWN DIEBACK / DETERIORATION OR 90 BASAL AREA OR LESS GOTO 8
(PRESCRIPTION 7)
 LIGHT CROWN DIEBACK / DETERIORATION OR LESS
All aged regeneration harvest – first entry. Stand has low crop trees per acre, but retain best quality stems for all aged management. Evaluate regeneration to determine future management direction. (PRESCRIPTION 9)

- 14) If the stand has abundant, vigorous hardwood regeneration, dominated by saplings and the overstory is dominated by large diameter hardwood (without small saw or pole timber class), evaluate stand conditions for an overstory removal. Remember that hardwoods are generally shade tolerant and overstory removals should be carefully considered before prescribing. Criteria for evaluation include:
- Overstory size, density and quality. If the overstory is dominated by 20" high quality sawlogs and veneer and basal area is low, consider removal of overstory since they will likely not survive to first entry into pole timber stand.
 - Basal area should be considered as a criteria for overstory removal. Lower basal area (60 or less) stands should carry a higher priority for overstory removal. If basal areas are high than 60, they should be evaluated for retaining overstory and gradually harvest larger trees through subsequent entries into the stand.
 - Evaluate stand health for crown dieback or decline. If sufficient volume exists for merchantable sale and overstory is likely to not survive until next entry.
 - Can overstory be harvested without causing significant damage to regeneration.
 - If overstory is low quality with numerous cavities, den trees, cull trees, consider leaving the overstory as part of the age structure and allow them to gradually decline within the stand.
 - Composition of sapling class. Higher percentages of mid-tolerant species may warrant a higher priority on removal of the overstory.
- (PRESCRIPTION 10)*

- ALL AGED (1) All aged regeneration harvest at 120 basal area using traditional guidelines.*
- ALL AGED (2) All aged regeneration harvest at 120 basal area using traditional guidelines, WITH regeneration checks to determine future management.*
- ALL AGED (3) Same as (1) except given the low crop trees per acre, retain best available quality stems and develop age class structure.*
- EVEN AGED (4) Even aged management with intermediate treatments at 120 basal area until rotation age (evaluate stand conditions for shelterwood).*
- EVEN AGED (5) Even aged shelterwood prescription with pre-sale ironwood mowing.*
- EVEN AGED (6) Even aged shelterwood prescription with site prep for hardwood regeneration*
- EVEN AGED (7) Even aged shelterwood prescription without site prep or mowing, WITH regeneration checks to determine future management.*
- EVEN AGED (8) Aspen Coppice Cut*
- ALL AGED (9) All aged regeneration harvest, first entry. Low crop trees per acre, retain best available stems, evaluate WITH future regeneration checks*
- EVEN AGED (10) Overstory removal (***)In addition, evaluate site based on criteria 14)*

1020.10 TIMBER SALE INSPECTION CHECKLIST

CONTRACTOR:	CONTRACT:	TRACT:
Expiration	PHONE:	CELL:

Paste Prospectus Language Here

Paste Prospectus Map Here

Insert scanned jpg of 2460 Narrative Here

PRE-SALE CHECKLIST CONTRACT # _____

Reviewed Sale File and Narrative, Including Silvicultural Prescription (Initial and Date): _____

Cultural Work Complete: No Cultural Work Prescribed
 Scarification – Straight Blade _____ acres: _____ species
 Scarification – Salmon/Root Rake _____ acres: _____ species
 Other _____ acres: _____ species

Pre-Sale Meeting With Contractor: yes Date: _____
 No

Reason: _____

Required Docs: Workers Comp Expiration Date: _____
 Safety Training Expiration Date &

Individual(s) _____
 Bond Cash ILC Bond Blanket
List amount and expiration

date: _____

Advance Payment: Yes 40% Amount: \$ _____
 \$10,000 Other Amount \$ _____
 No Explanation: _____

Outstanding Debts No Yes**FOREST ADMINISTRATOR MUST AUTHORIZE ANY SALE ACTIVITY

Other NHI Review Date: _____
 Arch/Cult/Hist Date: _____

Harvesting Restriction Compliance: (Document any non-compliance reasons)

Frozen Ground Restrictions yes no Compliance yes no
Biomass Restrictions yes no Compliance yes no
Oak Wilt Restrictions yes no Compliance yes no
Dry Summer Conditions yes no Compliance yes no
Endangered Resources yes no Compliance yes no
Chpt. 30 Permits (if any) secured yes no Type: _____
Driveway Permits (if any) secured yes no
Rec. Issues Discussed w/ Contractor yes no Trail Type: _____
Caution Ahead Signs on Rec. Trails yes not needed
Consulted Recreation Staff* yes – date _____ No trail impacts

**all sales with recreational trail/facility impacts must be routed to Asst. Rec. Admin prior to sale start*

Operability Concerns (Row width, marking spacing, etc.) yes no

List any adjustments to sale, and summary of discussions with field forester and contractor.

Can sale operations start without causing damage? yes no **sale cannot be started

Lock Box Placed and Tickets Issued yes no Date and Location of Box _____

Other concerns, conditions, adjustments:

Timber Sale Closeout Checklist

Forester: _____ **Date:** _____

Yes No N/A* If checked no, explain

Harvesting Complete			
All Designated Wood Harvested			
Final Wood Scaled			
Acceptable Stump Height			
Residual Damage Within Limits			
Rutting Damage Within Limits			
Hauling Complete			
BMP Compliance			
Compliance with ER, Invasive, etal			
Tree Retention Compliance			
Residual Cruise Completed			
Lock Box Picked Up			
Load Tickets Collected/Turned In			
Trails Repaired/Restored			
New roads mapped and reported to office			
Wetland Mats/other materials removed			
Gates Closed			
Gates in good condition (doc. needs)			
Berms Replaced			
RAP signage in place/current (doc. needs)			
Contractor's lock removed from gate			
Trail Reclamation Complete			
Invasive Species Noted on Site (document)			
Rec. Trails Repaired/Restored			
Rec. Trail Culverts/Drainage inspected			
Rec. Trail Signs Replaced/Restored			
Water diverted from new trails inter. Rec trails			
Assistant Rec. Admin. Notified (if applicable)			
Caution Signs Removed			
Final Payment Received			
Bond/ILC Release Notice to Office			
Adjustments to Prescription (itemize below)			
Silvicultural Prescription Met (itemize below)			
Any Post Sale Work Needs (itemize below)			

**only those categories with designated box may be marked as N/A*

Describe any adjustments made to timber sale including silvicultural practices, acres, roads, etc.:

Evaluate silvicultural prescription, marking, accomplishment of prescription goal (target BA, etc.)

Post timber sale work needs (seeding, site prep, signs, gates, invasives, etc)

NOTICE ON INTENT TO START

(TIMBER SALE ADMINISTRATOR TO DOCUMENT AND SUBMIT TO OFFICE UPON NOTIFICATION OF START BY TIMBER SALE CONTRACTOR)

CONTRACTOR GRINDSTONE ENTERPRISES SALE # _____

ANTICIPATED START DATE _____

ADVANCE STUMPAGE

\$10,000 40% OTHER _____ MASTER LOGGER

STUMPAGE

WHOLE TREE BLENDED FORMULA

SAP PEELED (12.5%) MACHINE PEELED (16%) ROSSETTER TYPE PEELED (25%)

SALE OPERATOR(S) _____

DATE OF NOTICE OF INTENT TO TOWNSHIP _____

ADDITIONAL NOTES _____

1020.11 TIMBER SALE EXTENSION POLICY

Timber Sale Extension Policy

Washburn County has been experiencing an excessive numbers of timber sale contracts under extension. There have often been specific contractors holding multiple contracts and a corresponding need for extension requests.

The Washburn County Forestry Committee and the Forestry Department asserts an expectation that sales are to be completed during the original contract period as established in Section 500.5.2 of the Washburn County Forest Comprehensive Land Use Plan 2021-2035. Timber sale contract extensions may be considered as described in Section 500.11.

500.4.2 of the Plan dictates reservation of the ability of the committee to reject any or all bids, including a list of reasons why a bid may be rejected. This list includes item “d”, “Timber sale contracts under extension at the time of bidding.

In order to create an incentive for timber sale contractors to complete Washburn County timber sales within a timely manner, and to further clarify language contained within the county forest plan, the Forestry, Parks and Recreation Committee adopts the following policy relating to timber sale contract extensions.

1. 1 year contract extensions may be granted, in accordance with 500.11, with a minimum of a 10% stumpage increase on remaining wood to be harvested.
2. Contract extensions may also be granted in 3 or 6 month increments with a stumpage increase of 0 to 10% at the discretion of the Committee
3. The Forestry, Parks and Recreation Committee will not accept any timber sale bids from any timber sale bidder with a contract extension that is more than 1 year beyond the original contract expiration date.
4. Bids submitted by contracts with sales extended beyond 1 year from the original contract expiration will be returned to the bidder unopened.
5. Any bid or performance deposit, letter of credit, insurance, correspondence or other documents submitted as part of the timber sale bid, contract, or harvesting process are to be made or submitted solely in the name of the entity or individual listed on the original timber sale bid.
6. Any contractor with sale extension more than a year beyond the original contract expiration must request a waiver in order to have bids considered by the Committee. This request must be made to the Forest Administrator, in writing, at least 10 business days prior to the bid opening.
7. Requests for waiver to #3 above may be approved by the Forest Administrator, and only under circumstances as follows:
 - a. Contract extension is needed due to work being done on salvage operations in Washburn County.
 - b. Weather conditions prohibited operations on the timber sale contract (at the determination of Washburn County)
 - c. Other extenuating circumstances beyond the contractor’s control, as determined by Washburn County.
 - d. Market conditions will generally not be used as a determining factor for waiver.
8. A denial of waiver may be appealed by making a request to the Forestry, Parks and Recreation Committee prior to the opening of timber sale bids.

1020.12 BLANKET PERFORMANCE BOND POLICY

January 18, 2012

Timber Sale Policies for Washburn County Forest

The Washburn County Forestry Committee has adopted a policy that allows for “blanket” or “umbrella” performance deposits that cover all bidding and timber sale activity on the county forest. In addition, those contractors holding Master Logger certificates are now offered the option to request the use of 30-day payment terms for timber sale invoices. Effective February 17, 2010, the following policies became effective:

Timber sale contractors holding multiple contracts with Washburn County may submit a single bond, deposit or letter of credit to cover all timber sale contract activities (including bidding) on the Washburn County Forest. Rate schedules are as follows:

<u>Gross Contract Values</u>	<u>Master Logger Deposit</u>	<u>Other Logger Deposit</u>
\$0 – 250,000	\$20,000	\$25,000
\$250,000-500,000	\$30,000	\$45,000
\$500,000-750,000	\$40,000	\$65,000
\$750,000-1,000,000	\$50,000	\$85,000
\$1,000,000 +	\$60,000 (max)	\$100,000 (max)

Other stipulations:

- Bond or deposit covers all timber sale activity and may be drawn upon at any time by Washburn County.
- Bonds or letters of credit must be issued for a minimum effective time period of 2 years, but may be revised to increase the coverage amount at any time.
- Cancellations or reductions of the performance deposit or bond require a 90-day notice to Washburn County.
- Blanket bonds are voluntary but Washburn County reserves the right to reject or refuse any request to use a blanket bond.
- If it is necessary to draw funds from a letter of credit or a bond, Washburn County will offer the opportunity to make cash payment.

- Unless specifically directed by the Forestry Committee, Washburn County will require contractors to replace the blanket bond with individual 10% bonds on each sale if Washburn County is required to draw from the blanket letter or bond.
- If funds are drawn, the original full value of the bond or deposit shall be restored immediately. Failure to restore the original full value will result in draft of the entire value and revocation of the timber sale contracts.
- For contractors with high numbers of timber sale contracts, Washburn County reserves the right to require additional performance bonds or deposits if, in the opinion of the County Forest Administrator, contract activity is likely to exceed the blanket performance deposit value.
- Master Loggers also eligible to request 30 day payment terms on billing.
- Failure to submit payments within the 30-day payment window will result in the loss of the 30 day billing privilege.
- In addition to the above listed criteria and penalties, Washburn County may report any violations to the Master Logger program.
- Non Master Loggers are eligible for 30 day payment terms by issuing a letter of credit, in addition to the performance deposit, to Washburn County as a surety in place of advance stumpage payments. This line of credit must be a minimum of 40% of the timber sale value or a higher value as determined by Washburn County. A higher value, if needed, would be determined based on an estimate of monthly timber value. If 30 day payment terms are not complied with, the Forestry Committee will determine if the sale is delinquent and take action to draw against the letter of credit.

1020.13 LATE PAYMENTS POLICY

Revised Timber Sale Payment Terms and Policies

Established by Forestry Committee, March 21, 2007, revised July 21, 2010

The following payment policies apply to all timber sale activity occurring on Washburn County timber sales after April 1, 2007.

Current policy requires that the value of any wood removed from a timber sale be covered by an advance stumpage payment. Current payment terms require 40% advance before starting, and a 40% and 20% payment as advances are drawn down. This policy also allows for 40% or minimum payments of \$10,000. This policy remains in place and is not altered by the new payment terms.

Policy:

1. Payment terms are 10 business days for all billings. Payments not received within 10 business days of date of mailing or request from Forestry office are considered delinquent.
2. All timber sale activity may be automatically suspended upon delinquency of any payment. Any timber sale activity occurring after suspension is considered breach of contract. Any wood harvested or removed from the timber sale site after suspension is considered as timber theft in accordance with 943.20 of Wis. Statutes.
3. For delinquent payment balances (wood value removed in excess of advance stumpage), an interest rate of .0658% per day (2% per month) will be assessed on the outstanding debt for each day the payment is delinquent. The interest rate will be applied only to negative balances (wood value in excess of payments).
4. Interest accrues daily and compounds monthly. Interest begins to accrue on the 11th business day after billing.
5. Purchasers wishing to continue harvesting operations after delinquencies are made current will be issued lock box tickets in increments that equal advance payments. Ticket numbers will be assigned to that sale. Ticket value will be assigned by dividing the total sale value by the estimated number of truckloads on the sale. Any lock box tickets used not matching those assigned to the sale will be charged at a rate of double stumpage. This provision may also be required at any time, upon the discretion of the Forest Administrator or Forestry Committee.
6. 30-day payment terms on wood removal will be permitted upon submission of a 100% (estimated sale value) performance deposit, in the form of cash or irrevocable letter of credit. Master Loggers are eligible to request 30-day payment terms without additional performance deposit values. Interest begins to accrue for 30-day payment terms on the 31st day after billing.
7. Authorized 30-day contractors will be billed based on mill scale slips received by the Forestry office. Payments are to be received within 30 days of the date listed on the billing statement or invoice.

Region	Property Code	County
NOR	6600	Washburn

Tract Number	
Sale Number	

15. NARRATIVE

a. General Sale Description, Objectives and Prescription

Ecological Landscape:

IRMU Landscape Considerations:

Soil Type(s):

Habitat Classification:

Topography: Level Gentle Rolling Moderate Slopes Steep Slopes

Silviculture- Stand history, description, objective, silvicultural system & prescription:

Regeneration Needs:

Merchantability Standards: 4" Top 2" Top Whole Tree Other

Biomass Suitability: Yes No

Roads, Access, & Landings:

Skidding / Seasonal Restrictions: Yes No *(If yes insert comments)*

Private Boundary Line Established-Date: N/A **Landowner Contact:** Yes No **Trespass Concerns:**

b. Ecological Considerations

Green Tree Retention:

Invasive Species Evaluation:

Insect/Disease Concern(s):

Wildlife Action Plan / Species of Greatest Conservation Need: The County Forest Comprehensive Land Use Plan contains a list of wildlife species that benefit from the individual types of management that occur on the three ecological landscapes within the forest. This provides information and guidance to better understand the relationships between forestry activities and wildlife.

Conservation Opportunity Area (COA): Yes No *(If yes, identify COA)*

Results of NHI (Natural Heritage Inventory) Review:

Forest Chemical Use? Yes No - *If yes, list chemical:*

c. Water Quality Considerations; Stream crossings, Drainages, Wetlands, Riparian corridors,

Lake, Stream or wetland within sale or impacted by sale? Yes No *(If yes insert comments)*

Chpt.30 Permits Needed? Yes No

d. Aesthetic Considerations

Aesthetic Considerations Yes No - *(If yes, explain)*

Operational Modifications (seasonality, sale size, big tree mgmt., species diversity, slash):

e. Wildlife Considerations

Snag, Den, and Mast Tree Retention: Yes N/A

Game Openings: Yes N/A

f. Recreation Considerations (Trails, Campgrounds, Parks, Wild River, etc)

Recreation Impacted? Yes No

Recreation Stakeholder Contacted? Yes No

Signage Needed: Yes No

g. Resources of Special Concern Considerations (Archaeological / Historical Review)

Results of Cultural Review:

Field Crew:

1020.15 DISABILITY PERMIT

Washburn County Forestry Department

**Application for Disability Permit
to use motor vehicle in closed area**

Note: Only Class A or Class C permit holders as defined in s. 29.09(9)(a)2, Wis. Stats., are eligible for this permit. If you are not in possession of a current Class A or Class C permit, you must first apply for and obtain one before receiving this permit. *Please read all conditions of this permit listed on the front and back of this form before applying.*

Applicants Name			Drivers License Number		
Street or Route			Home Telephone Number		
City, State, Zip Code			Class A or Class C Permit Number		
Date of Birth	Color Eyes	Color Hair	Weight	Height	Sex

**These permits are area specific. Application must be made as an access route from point to point. Please indicate the legal description and provide a brief sketch of the road to be used.

Section _____ T _____ N-R _____ W; _____ township.

Description of intended activities or desired uses of property (this should include specific areas and times of year you wish to exercise this permit)

List all vehicles you wish to use under authorization of this permit. Include license or registration number and make, model and year.

License or Registration	Description
_____	_____
_____	_____
_____	_____

This permit allows one passenger to accompany permit holder to act as an assistant. The passenger is not permitted to take part in the activities described on this permit and may act as an assistant only if named below. Please provide the name and address of potential assistants.

Please read all of the general conditions on the back of this form and sign where indicated.

1. This Permit may only be issued to those applicants holding a Class A or Class C disability permit from the State of Wisconsin. If you are not in possession of a Class A or Class C disability permit, you must first apply for and obtain one from the State of Wisconsin using form 2300-105.
2. Permits are valid for one year.
3. This permit must be in the applicant's possession while operating a motor vehicle under the conditions of this permit. A copy of this permit must also be displayed in a visible fashion on the dash of any vehicle parked at the access point.
4. Permits will not be issued for "most restricted" areas as defined in the Washburn County Integrated Resource Management Plan. These are defined as Totogatic Park, Leisure Lake, DeRosier, Cedar Creek, Village, Nordic, Birchwood Canoe, Welsh Lake, and Silent Woods units. (Units 3, 7, 18, 24, 25, 28, & 29).
5. Permits may be issued for established roads and trails only. Cross-country travel is not allowed.
6. Permits are issued for a specific access to and from a point, not for a general area. Motor vehicle travel is only allowed on the route defined on the map, which is made part of this document.
7. If the approved access point is through a gate, the permittee will provide a lock, which will be locked into the County Forest lock. This will allow for access for both the permittee and County Forest Personnel.
8. Vehicles used under this permit may not be operated in excess of normal walking speed.
9. The permit holder is allowed only one passenger to assist his or her activities. This passenger is not permitted to participate in the activities for which the motorized access is desired. For example, if the permittee has applied for hunting access, the passenger may assist but not hunt.
10. Permit may be issued for any legal activity on the County Forest, but access may be restricted seasonally or for other pertinent reasons. Permits will be automatically suspended from April 1 – May 31.
11. Washburn County may deny any permit application in cases including but not limited to potential for environmental damage, active timber sales, sensitive areas, and safety concerns.
12. Violations to the terms of this permit will immediately render this permit null and void and subject the permittee to the terms of the Washburn County Owned Lands Ordinance and corresponding citations and forfeitures.

Signature of applicant	Date Signed
------------------------	-------------

(Map to be inserted below by Washburn County)

Leave this section blank – to be used by Washburn County Forestry Department	
<input type="checkbox"/> Approved <input type="checkbox"/> Denied (if approved, see specific conditions listed below.)	
Specific Conditions (authorized by County Forest Administrator)	
	Permit expiration date
County Forest Administrator Signature	Date Signed

By signing this agreement, the permittee agrees to all the terms and conditions contained herein. Violations of any of the terms of this agreement will immediately render this permit null and void. ***Signature required below only after approval of this permit by Washburn County.***

Permittee's Signature	Date signed
-----------------------	-------------