

# DOUGLAS COUNTY FOREST COMPREHENSIVE LAND-USE PLAN 2006-2020

## CHAPTER 500 Land Management and Use

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## **CHAPTER 500**

### **LAND MANAGEMENT AND USE**

#### **500 OBJECTIVES**

- (1) Identify policies and procedures required to effectively manage, use and sustain the resources of the Douglas County Forest.
- (2) Identify regulated management activities, land uses, and special resource areas.

#### **505 SILVICULTURAL PRACTICES**

Silviculture is the practice of controlling the establishment, composition, structure, health, quality, and growth of forests to meet the diverse needs of society on a sustainable basis. The goal is to encourage health and vigor within all developmental stages of forest stands. These practices are based on research and general silvicultural knowledge of the species being managed. Information on the management of different timber types and how specific silvicultural treatments are included in Chapter 800. Guidelines in the WDNR Public Forest Lands and Silviculture Handbooks will be followed as appropriate on the Douglas County Forest. When the County determinates a course of action that is not consistent with the guidelines and procedures in these Handbooks, the rationale for the management decision will be documented.

##### **505.1 Timber Sales**

Regulated timber cutting is essential to achieve the goals and objectives of this Plan. Timber harvesting will be conducted on an annual basis at a level that is sustainable. Harvest areas will be distributed throughout the County Forest to accommodate needs related to biodiversity, wildlife, aesthetics, watershed protection, and other biological factors. The forest inventory (Section 335.1) records that are maintained and continually updated by the DCFD, will be the foundation for planning and scheduling harvests. Where appropriate on the County Forest sales will be established, administered, and reported according to the WDNR Timber Sale Handbook (2461). When the County determines a course of action that is not consistent with the guidelines and procedures in that Handbook, the rationale for the management decision will be documented.

All timber sales on the County Forest are to be advertised for public bidding except for those that qualify for direct sale as per s. 28.11 (6) Wis. Stats.

##### **505.1.1 Field Preparation of Timber Sales**

The Director of Forestry and Natural Resources will provide direction for the planning, locating, designating, and preparing harvest areas for sale. With support from the WDNR Liaison Forester, the Director shall be responsible for ensuring that the fieldwork on sales is accomplished according to DCFD policy and WDNR guidelines.

### **505.1.2 Advertising for Bids**

After field work is completed and necessary reports are prepared for WDNR approval, the Director of Forestry and Natural Resources shall prepare a sale prospectus and make it available to interested loggers. Timber sales will be advertised for public bidding in accordance with s. 28.11 (6)(b)(1) Wis. Stats. Currently, that statute requires all sales be advertised except those with an estimated value of \$3,000 or less, or sales that would qualify under a salvage provision (s. 28.11 (6)(c) Wis. Stats.). These sales do not require prior advertising for public bidding. When required, public notice at a minimum will be by classified ad in a general-circulation newspaper in the County (s. 28.11 (6)(b) Wis. Stats.). Sealed bid sales generally will be offered three times a year, or as needed.

### **505.1.3 Prospectus**

The following information will be made available to prospective bidders:

- (1) A sample contract.
- (2) Species to be harvested and estimated volume(s).
- (3) Minimum acceptable bid.
- (4) Map of sale area(s).
- (5) Method of sale (lump sum or scaled).
- (6) Special contract provisions.
- (7) Procedures and requirements for bidding.
- (8) Bid forms.
- (9) Timber sale bond and advance stumpage payment schedule.
- (10) Date, time, and location of the bid opening.

### **505.1.4 Method of Bidding**

A sealed envelope showing the tract number and marked "Sealed Timber Bid" shall be submitted on a standard Douglas County Forest bid form by the bidder at the designated location no later than the date and time of bid closing for each separate tract bid on, and shall contain:

- (1) The individual tract number for the tract.
- (2) The offered species for the tract.
- (3) The units of advertised estimated measure (e.g., cords, thousand board feet, tons) for each species offered.
- (4) The bid price per unit of advertised measure for each species offered (must meet or exceed the advertised minimum).

- (5) The total bid for each species offered (must meet or exceed the advertised minimum).
- (6) The total tract bid (must meet or exceed the advertised minimum). The total tract bid shall be indicated on both scaled and lump sum bids.
- (7) A minimum of 10 percent of the advertised minimum value of each tract must accompany the bid as a bid guarantee bond, payable to Douglas County.

**505.1.5 Awarding Sales**

- (1) Timber sale bids will be opened and reviewed as scheduled in the prospectus. Bid openings will be open to the public.
- (2) The high bidder usually is awarded the sale contract. However, the FPRC reserves the right to reject any or all bids, and accept the bid offer most advantageous to Douglas County. Grounds for rejecting bids may include without limit:
  - (a) Past or present noncompliance with DCFD's contract requirements.
  - (b) Past or present delinquent financial obligations.
  - (c) Past or present unsatisfactory performance.
  - (d) Noncompliance with bidding and/or contract execution requirements.
  - (e) Inability to demonstrate financial or professional capability.
- (3) Tie bids will be settled by toss of a coin.
- (4) Sales remaining unsold after being advertised for two bid openings may be sold directly to a purchaser at not less than the appraised value even though their estimated value exceeds \$3,000 (see Chapter 52 of WDNR Timber Sales Handbook).
- (5) Sales appraised at less than \$3,000 may be sold directly or advertised at the discretion of the Director of Forestry and Natural Resources. Direct sales must be advertised and sold at or above the total appraised value with no percentage reductions. Cut and/or seized products also may be sold through this method provided that the cumulative appraised value is less than \$3,000. The DCFD requires full payment in advance for any direct sale sold with an appraised value of less than \$3,000. Payment is required in full from the purchaser before the sale is awarded.
- (7) Section 28.11 (6)(c) Wis. Stats., authorized the FPRC to sell timber on county forest land that has been damaged by fire, snow, hail, ice, insects, disease, or wind in the method and upon such terms and in such manner it deems in the best interest of the County. This includes the sale of timber without advertisement or competitive bidding if warranted, or the inclusion of additional timber on an ongoing sale.
- (8) Charitable programs incorporating the harvest of timber are permissible on the Douglas County Forest with several reservations. Only one such event can be held annually on the Forest. The

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competitive bid process should be used and timber sales that typically are difficult to sell or those classified as salvage should be identified. Section 28.05 (2) Wis. Stats. allows for a direct sale so long as the appraised value of the sale does not exceed \$3,000.

(9) Merchantable timber cut in conjunction with construction projects to develop items such as roads, firebreaks, recreational trails, and parking lots, that may be difficult to sell due to unique circumstances can be offered one of two ways. If suitable for regular commercial sale, the normal timber sale procedure for establishment, advertising, and bidding will be followed. If unsuitable for regular commercial sale due to unique circumstances, the WDNR Regional Forester will be apprised of alternatives on a case-by-case basis.

### **505.1.6 Timber Sale Contracts**

All timber sale contracts will be offered on the document approved by the FPRC and all provisions therein shall apply. A copy of the timber sale map, special contract provisions, and any attachments will become part of the contract.

Contracts are to be signed by the successful bidder within 30 calendar days of the bid opening date or before sale operations begin, whichever occurs first. However, the contract may not be signed and executed by the County until the successful bidder provides the County with insurance documentation, performance bond and/or current SFI training certificate. Failure to fulfill these obligations and sign the contract within 30 calendar days of the bid opening will result in forfeiture of the bid guarantee bond in its entirety to the County and forbid the bidder from being awarded the Contract.

A copy of the signed timber sale contract will be provided to the purchaser; the original will be retained by the DCFD.

### **505.1.7 Timber Sale Performance Bond**

(1) A written performance bond (surety bonds will not be accepted) or irrevocable letter of credit issued by a bank which is a member of the Federal Reserve System or insured by the Federal Deposit Insurance Corporation may be used in lieu of cash as a performance bond on sales. The performance bond must be in the amount of 20 percent of the total contract purchase dollar value and have an expiration date of no less than 30 calendar days past the sale expiration date.

(2) The bid guarantee bond will be deposited immediately and applied towards the performance bond for all cash performance bonds.

### **505.1.8 Training Requirement**

(1) A valid certificate of completion for the current Wisconsin Sustainable Forestry Initiative (SFI) training standards or comparable certification training standards of different States (depending on the successful bidder's address of its principal place of business) as approved by the Forest Industry Safety & Training Alliance (FISTA) is required for all sales.

- (2) Such certificate shall be in the name of the individual responsible for executing the Contract on behalf of the successful bidder.
- (3) The successful bidder will identify to the County one “In-Woods Person” for the sale who holds a valid certificate of completion for the current Wisconsin SFI training standards or comparable certification training standards as approved by FISTA prior to commencement of any operations.
- (4) Criteria and information for the required training standards will be provided by FISTA.
- (5) All training requirements will be included in the timber sale contract (see Appendix T-I).

#### **505.1.9 Duration and Extension of Contracts**

(1) Generally, contracts will be issued for a 6-month to a 2-year contract period, the latter period being most common, unless otherwise stated on the prospectus, advertisement, and/or contract. Exceptions may be made in cases of extenuating circumstances as deemed necessary by the Director of Forestry and Natural Resources.

(2) The decision to extend a sale will be made by the Director of Forestry and Natural Resources on a case-by-case basis. Extensions shall be requested by the purchaser and require completion of an official DCFD contract extension amendment at least 30 calendar days prior to the Contract expiration date. Extensions are not guaranteed and contracts are expected to be completed prior to the initial expiration date.

If deemed necessary and advantageous to Douglas County in meeting management goals, extension(s) may be granted for up to 12 months. Each consecutive extension will have a progressive 5-percent increase in stumpage rates (first extension, 5-percent increase from original prices, second extension, 10-percent increase over the first extension prices, third extension, 15-percent increase over the second extension prices and so on).

(3) The maximum duration of a timber sale contract, including extensions, shall be 4 years. An extension beyond this period of time shall be considered by Director of Forestry and Natural Resources only in the event of extraordinary circumstances, as determined by the County. The bidding privileges of the purchaser throughout any period of such extension may be restricted up until that point successful performance on the extended contract has been completed. Special stumpage rate adjustments may be made.

(4) If a purchaser does not complete a timber sale by the expiration date and the Director of Forestry and Natural Resources does not grant an extension for that sale, it will be terminated. The Director may then pursue all remedies available within that timber sale contract, including forfeiture of all or a portion of the performance bond.

(5) The purchaser or representative acting lawfully on his/her behalf may request a contract release due to circumstances that will in no way allow the contractor to complete the contract. Examples of said circumstances are death, severe personal injury, long-term disability, or financial issues resulting in bankruptcy as recognized, defined, and described by Wisconsin State Law. The Director of Forestry and Natural Resources may request official confirmation of said circumstance

and shall determine whether a release will be granted. All or a portion of the performance bond may be withheld for damages.

**505.1.10 Contract Administration**

The Director of Forestry and Natural Resources or designee will field-examine all sales during harvesting to ensure that all operations are proceeding in compliance with the timber sale contract. These inspections will be performed periodically and a record of each visit will be included in the sale record highlighted will be observations, discussions, level of performance, and contractual compliance. If a violation of the contract has occurred or is occurring, enforcement of the contract will follow these procedures:

- (1) The Director of Forestry and Natural Resources or designee will attempt to resolve inadvertent or minor violations by verbal contact with the contractor.
- (2) The Director or designee may immediately suspend harvesting and/or hauling operations should a serious or emergency situation arise.
- (3) The suspension will be followed by written notice to the contractor stating the nature of the violation.
- (4) In consultation with legal counsel, the Director may consider the following remedies:
  - (a) Seek Timber Sale Ordinance 7.6 penalties/fines (see Appendix F-I).
  - (b) Charge no less than double stumpage and no more than triple stumpage.
  - (c) Charge for actual damages.
  - (d) Require advanced payment plan.
  - (e) Charge remedial costs.
  - (f) Terminate individual contract.
  - (g) Terminate all held contracts.
  - (h) Retain all deposits and/or performance bond.
  - (i) Seize all standing stumpage and harvested forest products on sale.
  - (j) Refer to District Attorney for prosecution.
  - (k) Seek civil damages in addition to the performance bond.
- (5) Suspension of operation will remain in effect until receipt of written or oral notice from the County.
- (6) The contractor may be required to follow additional terms set forth by the County.
- (7) Failure of the contractor to fulfill his/her obligations under the timber sale contract may result in the contractor becoming a nonqualifying and ineligible bidder in the future.
- (8) At the discretion of the Director of Forestry and Natural Resources, a contractor may be ineligible to bid on County timber sales for a predetermined period or indefinitely.

**505.1.11 Timber Sale Restrictions**

- (1) To minimize resource damage and better accomplish sale objectives, the Director of Forestry and Natural Resources will specify appropriate contract clauses to restrict certain types of harvesting and, road-building equipment, harvest systems, and methods, and times of operation.
- (2) Special contract clauses may be included to meet management objectives related to aesthetics, BMP's, fire fuel reduction, slash disposal, site preparation, and other resource needs.
- (3) Restrictions (seasonal, operational, equipment type and/or harvest system, etc.) may be imposed to maximize silvicultural opportunities, protect fragile soil conditions, protect roads and skid trails, minimize residual tree damage, recreation use conflicts, and landing work space, maximize site preparation opportunities, coincide with seed dispersal, benefit wildlife management, avoid endangered resources concerns, minimize insect and disease damage, and assist in fire protection.
- (4) To avoid and minimize soil disturbances, such as soil compaction and displacement by heavy equipment, thresholds that define the limits of acceptable soil disturbance will be established by the Director of Forestry and Natural Resources and included in the timber sale contract (see Appendix T-I).

**505.1.12 Special Forest Product Contracts**

Sales of fuel wood, Christmas trees, boughs, posts, poles, or other special forest products if offered with contract or permit terms or conditions that make them ineligible for a Special Forest Product Permit will be handled as a regular timber sale.

**505.1.13 Timber Sale Roads**

- (1) The DCFD will attempt to secure access to timber sales that require crossing private or other non-County ownership. However, at times, the contractor may assume this responsibility.
- (2) The contractor will be responsible for securing permission from the appropriate agency to conduct staging activities within Town, County or State road rights-of-way (decking, skidding, loading, piling, etc.).
- (3) DCFD professionals will locate, design, designate, and specify appropriate contract clauses for the layout and construction/reconstruction of all roads and landings. This includes roads and landings that cross private property and those that are within Town, County, or State road rights-of-way. These will be included in the timber sale contract and approved by the Director of Forestry and Natural Resources before advertising the sale.
- (4) Timber sale access roads, including County Forest Roads, will be maintained by the contractor. Damage to the road that occurs during the sale will be repaired by the contractor as per the timber sale contract. Roads will be inspected by the Director of Forestry and Natural Resources or designee.

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(5) All skidding, decking, or other logging activity on or along County Forest Roads and ditches must be approved by the Director of Forestry and Natural Resources or designee.

(6) The Director of Forestry and Natural Resources or designee may post a timber-sale access road as being closed to unauthorized motorized traffic during active harvesting and/or hauling operations. These roads will remain open to non-motorized access by the public. Motorized access by the contractor or employee will be permitted for authorized contract obligations only. Access for other reasons (hunting, fishing, trapping, recreation, etc.) will be prohibited.

(7) A contractor may request permission to physically block a timber-sale access road at the contractor's expense to prevent vandalism to equipment or damage to that road. The Director of Forestry and Natural Resources may grant this permission to prohibit only motorized traffic; the area will remain open to non-motorized access by the public. Road blocking structure and plan must be approved by the Director and motorized access by the contractor or employee will be permitted only for authorized contract obligations. Access for other reasons (hunting, fishing, trapping, recreation, etc.) will be prohibited. The structure shall be removed upon completion of the contract by the contractor and supervised by the Director or designee.

(8) See Chapter 700 for additional information on timber-sale access roads.

**505.1.14 Forest Product Measurement and Accountability**

The following standards and methods will be used as part of continuing efforts to improve timber-product accountability and reduce losses.

**505.1.14(a) Forest Product Scale Measurement**

(1) When sawlogs are sold with a price per thousand board feet (MBF), they will be scaled by the Scribner Decimal C log rule. A sawlog is defined as:

(a) Softwood - any section of the tree at least 100 inches in length (including trim) with a 9-inch diameter or larger inside the bark (D.I.B.) small end, with a minimum net scale of 50 percent of the gross scale of the section.

(b) Hardwood - any section of the tree at least 100 inches in length (including trim) with a 10-inch diameter or larger inside the bark (D.I.B.) small end, with a minimum net scale of 50 percent of the gross scale of the section.

Sawlogs also may be sold on a price per cord or price per ton basis.

(2) The standard unit of measure for a cord is 128 cubic feet of unpeeled wood products. Sapeeled wood products, including products peeled by a processor head, will be converted to the standard cord by adding 12.5 percent to the gross product scale. Machine peeled wood will be converted to the standard cord by adding 25 percent to the gross product scale.

(a) A pulpwood tree contains at least one 100-inch log or stick to a minimum top diameter as defined in the timber sale contract.

(b) The timber sale contract will be used to determine conversion rates and product definitions for posts, poles, bolts, chips, weight-scaled wood, or other types of forest product. If the contract does not address a specific conversion, the WDNR Timber Sale Handbook will be used as a guide. The species conversion rates used by Douglas County to convert green, fresh-cut, weight-scaled roundwood and chips to cord equivalents are:

**Table 505.1  
Species Conversion Rates**

Species	Pounds/per cord
Ash	4,600
Aspen	4,600
Balsam fir	4,500
Basswood	4,000
Cedar	3,150
Hemlock	4,800
Jack pine	4,400
Mixed hardwood	4,900
Red maple	4,550
Red oak	5,500
Red pine	4,500
Scrub oak	5,600
Spruce	4,000
Sugar maple	5,100
Tamarack	4,650
White birch	4,800
White oak	5,850
White pine	4,400
Yellow birch	5,350

(3) In cases where conversion is required, a conversion factor of 2.44 cords per MBF will be used for softwoods and 2.20 cords per MBF will be used for hardwoods.

**505.1.14(b) Forest Product Utilization Standards**

Utilization standards will be specified in each contract to provide maximum utilization of all merchantable forest products.

**505.1.14(c) Methods of Forest Product Sale and Accountability**

Forest products specified for harvest in the timber sale contract will be accounted for in accordance with the contract and existing policy and procedure. One or more of the following may be used on an individual sale:

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(1) Scaled Sales. The contractor pays for exactly the amount of product that is harvested under the timber sale contract regardless of how much product was estimated to be on the sale. One or both of the following methods may be used to track the amount wood is harvested from a sale:

(a) The ticket system that uses serialized three-part tickets. When a load of product leaves the timber sale area, the first part of the ticket is deposited in a lockbox. The second part accompanies each load to the mill and is supplied to the mill when the product is delivered. The mill returns that ticket to the County along with a scale slip that lists the amount of volume in the load. The third part of the ticket is retained by the contractor for record keeping and inventory tracking.

(b) County personnel may scale the forest product on the landing before leaves the sale.

(2) Lump Sum Sales. The purchaser pays for the amount of wood that the County estimates is on the sale regardless of how much wood is actually harvested.

### **505.1.14(d) Surveillance**

In addition to systematic and frequent on-site inspections of harvesting operations, electronic cameras and other surveillance techniques such as conspicuous marking of products will be utilized on the forest as an extremely important part of the security process to deter theft and fraud. The use of surveillance cameras on the Douglas County Forest has been occurring since the year 2000 and has resulted in reducing both timber theft and vandalism. Surveillance will be used in both a random and targeted fashion working in close conjunction with the Douglas County Sheriff's Department. Continual advancements in surveillance technologies will be monitored by the Department and new, more effective and efficient technologies will be considered when available.

### **505.1.14(e) Forest Product Payment**

Timber sale contracts will include a payment schedule that places requirements on the size and timing of payments to the County. Scaled sales will be structured according to a predetermined increment schedule entailing payments of certain percentages of the total sold value of the sale. The payment schedule for lump-sum sales will be structured as outlined within individual sale contracts. The County may allow a purchaser to secure payment with an irrevocable letter of credit. Other than those prescribed by the County, alterations to the specific requirements of the payment schedule advertised with any individual timber sale shall not be considered (see the payment schedule in the timber sale contract – Appendix T-I).

Department policy will also include a late payment policy that places requirements on the timeliness of payments to the County. Delinquent purchasers will be referred to County Corporation Counsel (see Appendix J-II).

A nonsufficient funds (NSF) payment policy will also be included in Department policy (see Appendix K-II).

### **505.1.15 Miscellaneous Forest Product Permits**

Permits issued will be for a specific designated area and will be valid for a predetermined period from the date of issuance. Appropriate restrictions will be made part of the permit. In some case, a fee will be charged for the permit and will be subject to change by the FPRC. An annual summary report of cut products harvested by permit (Timber Sale Notice and Cutting Report) will be filed with the WDNR. The Director of Forestry and Natural Resources may issue written permits to harvest the following miscellaneous forest products:

- (1) Dead and down firewood for personal use.
- (2) Christmas trees.
- (3) Balsam fir boughs.
- (4) Birch stems and/or twigs.
- (5) Birch bark from down trees on a commercial logging job.
- (6) *Lycopodium spp.* (club moss).
- (7) Pine/spruce cones.
- (8) Hardwood seed.
- (9) *Cornus spp.* (dogwood).
- (10) *Salix spp.* (willow).
- (11) Spruce tops.
- (12) Maple syrup.
- (13) Marsh hay, cattails, alder, etc.

Additional products will be considered on a case-by-case basis by the Director of Forestry and Natural Resources.

### **505.2 Natural Regeneration**

Where feasible, natural regeneration will be encouraged through the use of silvicultural methods or cultural activities including but not limited to clearcuts, shelterwood cuts, strip cuts, site preparation, prescribed burning, select cuts, and seed-tree cuts. These practices can be enhanced by additional treatments, including the cutting of nonmerchantable trees following harvest, site preparation before, during, or after cutting for natural seeding, prescribed burning, and chemical treatment. These treatments can be used alone or in combination depending on the site. The WDNR Silviculture Handbook shall be used as a reference in determining the timing, techniques, and adequacy of natural regeneration.

#### **505.2.1 Removal of Nonmerchantable Residual Vegetation**

To meet certain silvicultural objectives, the cutting of nonmerchantable residual vegetation (slashing) may be required as part of a timber sale contract. This slashing requirement usually will be included in the contract when stand evaluation indicates that the density of nonmerchantable

vegetation following harvest is likely to inhibit the establishment and/or growth of desirable shade-intolerant tree species. Nonmerchantable residual vegetation also may be removed by a post-sale contractor or by County crews if it cannot be done as part of the timber sale contract, so long as funding and a labor source are available.

### **505.2.2 Prescribed Burning for Natural Regeneration**

Fire is effective in stimulating the regrowth of early successional species. It will be used as a management tool when possible and practical. Prescribed burning is especially useful in regenerating fire dependent (serotinous) tree species. A stand may require a prescribed burn several times over a period of years to control undesirable plant competition. When a good seed crop is projected, the stand should receive a prescribed burn prior to seed fall to prepare the seedbed. Prescribed burning for site preparation, slash removal, or replacement of natural fire ecology will be conducted when conditions, budget, and staffing allow. All prescribed burning shall be in accordance with a WDNR signed and approved burn plan and burning permit. WDNR personnel will provide guidance and assistance (see WDNR Prescribed Burn Handbook (4360.5)).

### **505.2.3 Other**

Site preparation by other means may be considered where natural regeneration would be aided by treatment.

## **505.3 Artificial Regeneration**

When natural tree regeneration fails, when environmental conditions dictate, or when tree species present do not coincide with management objectives for the site, artificial means shall be used to establish a more desirable stand of trees. The establishment of a forest stand through artificial means usually requires preparation of the site followed by seeding or planting.

### **505.3.1 Site Preparation**

Desirable artificial regeneration by planting or direct seedling will be achieved by the following methods of site preparation:

#### **505.3.1(a) Mechanical Site Preparation**

Mechanical site preparation includes the use of soil-disturbing equipment prior to tree planting or seeding. The equipment exposes the mineral soil, reduces logging debris to smaller sizes, and incorporates the debris into the soil, clears brush and debris from the site to facilitate planting or seeding, and reduces competition from other vegetation. Methods of mechanical site preparation include shearing, root raking, blading, chopping, disking, bedding, piling, furrowing, plowing, and scarifying.

**505.3.1(b) Chemical Site Preparation**

Herbicide application can be effective in controlling unwanted vegetation to establish seedlings or plantations. It should be used only where mechanical treatment is not expected to provide the level of vegetative control needed. Chemicals will be selected and applied in strict accordance with label recommendations and requirements. The objective of herbicide use is not to kill all competing vegetation but to kill or set back competing vegetation so that reasonable stocked stand of desirable trees can become established. Proximity to private lands, residences, highways, and other public-use areas must be considered when selecting a herbicide and the means of application. Herbicides can be applied with hand-held equipment, by motorized, ground-based equipment, or by aircraft. Methods of chemical site preparation are; broadcast application and individual stem application. A written prescription for each herbicide application will be prepared, be on file, and be made available to the primary applicator. All chemical site preparation shall follow County Pesticide Ordinance 1.17 (see Appendix G-I) that currently prohibits its use on the County Forest. Over the next 15 years, the potential use of herbicides on the forest may need to be reexamined as efficient, effective, and safe solutions to extensive problems related to site preparation and planting, exotic weed control (see Section 615.1), and road and trail maintenance.

**505.3.1(c) Prescribed Burning**

Prescribed burning for site preparation can be used to reduce logging debris, clear the site, kill or set back unwanted vegetation, and release nutrients into the soil. It often is used in combination with other site-preparation methods. The WDNR will provide guidance and assistance in the use of fire as a tool (See WDNR Prescribed Burn Handbook).

**505.3.2 Tree Planting/Seeding**

Planting may be accomplished with bare-root or containerized stock and by hand or machine. Seeding may be accomplished by ground or aerial application. The selection of species will be determined according to specific management objectives and capabilities of each site. Most of planting/seeding will be in previously harvested stands or in areas not specifically maintained as open wildlife habitat where natural regeneration of trees is not possible or is inadequate. Planting/seeding also may be used to maintain a desirable species distribution on the Forest for purposes such as aesthetics, biodiversity, and wildlife.

**505.4 Lack of Regeneration**

One of the largest challenges facing the Douglas County Forest is a lack of fully stocked forest regeneration, both natural and artificial, due to over-browsing of white-tailed deer.

Deer populations have grown significantly since the turn of the century and as populations have proliferated in recent years, the adverse impact on forest re-growth has become critical. The WDNR has documented deer densities that exceed goals for habitat sustainability goals set by wildlife biologists for most of the County's deer-management units. Regeneration of tree seedlings

has been inadequate or severely stunted, especially in many artificial plantations, during the past decade. Jack pine and white pine are especially prone to severe overbrowsing (see Chapters 830.1.7 and 830.1.8). Northern white-cedar no longer is managed on the Forest because it is virtually impossible to regenerate that species due to deer browsing (see Chapter 830.3.1).

Currently, no economically warranted approaches have been developed to defend or protect stands from deer on a large scale. In recent years, Douglas County has established multiple research and demonstration sites on which enclosure devices have been located to prevent deer from browsing a measurable area. These sites will be monitored over time to learn more about deer/vegetation interactions with certain forest types.

In many areas of the County Forest a well-defined line approximately 4 feet above the ground, the approximate head height of the average deer, is clearly evident. This “browse line” and its frequency underscores the influence of deer populations on forested habitats within the Douglas County Forest. Each year for the past decade the County has incurred thousands of dollars in replanting costs where deer have caused 50 to 70 percent mortality in plantings.

Overbrowsing changes the structural and biological diversity of forests and numerous plant species are at risk of being lost. The under-story, sub-canopy, and shrub and herbaceous layer are reduced, limiting habitat for species that depend on such sites for cover. Aggressive undesirable plant species can become better established on many sites where the re-growth of desired tree seedlings is inhibited and control costs increases. Decimating ground cover composed of native species also provides opportunities for more aggressive exotics to become better established and proliferate. Although the long-term effects of over-browsing are not fully understood, many biologists and ecologists warn that forest biodiversity and sustainability may be permanently reduced, both in species composition and structure, if aggressive measures are not taken to better manage and control deer populations.

### **505.5 Timber Stand Improvement**

Timber stand improvement (TSI) entails release, thinning, and pruning practices to increase the health, growth and quality of forest stands. Specifically, it includes releasing desirable trees from vegetative competition, non-commercial thinning of dense tree stands, and pruning of lower tree branches. TSI practices can be accomplished by hand, mechanically, or chemically. All practices and applications may be used during this Plan period.

#### **505.5.1 Release**

If it cannot be done by commercial timber harvest release work will be conducted by mechanical or chemical means as site and/or environmental conditions warrant. Release is defined as the removal of vegetation that competes with desirable tree species.

### **505.5.2 Non-Commercial Thinning**

Most thinning can be accomplished by commercial harvest operations. Non-commercial thinning will be considered if the individual site requirements, funding, and/or available labor make it desirable. Non-commercial thinning is defined as cutting non-commercial trees from a stand so that the remaining trees have additional space in which to grow. The primary intent is to improve growth potential for the trees left after thinning.

### **505.5.3 Pruning**

Pruning will be considered primarily for conifer species and carried out when economically feasible. Pruning is defined as removing lower branches that otherwise would develop defects that affect future growth and product quality.

## **510 RECREATION**

The County Forest Ordinance and s. 28.11 Wis. Stats. authorizes the FPRC to provide recreational opportunities for the public: This authority is further recognized in the mission statement for the DCFD (Chapter 100), which identifies specific opportunities for outdoor recreation.

- (1) The FPRC may establish and maintain recreation areas and facilities within the County Forest. The FPRC has been authorized to establish and enforce rules and regulations for the use of such developments and to establish fees for their use.
- (2) The County Outdoor Recreation Plan will reflect the public use and interest in the County's recreation facilities and how the County plans to accommodate those uses and interests (see Appendix F-II).
- (3) County codes and ordinances shall govern the lands designated by the County for park or recreational purposes.
- (4) The FPRC will approve activities in a manner that prevents or minimizes the degradation of natural resources and user conflicts.
- (5) Examples of County recreation maps and the ordinances are included in the Appendixes.

### **510.1 Recreational Service Agreements**

The FPRC may contract with clubs, organizations, businesses, agencies, or individuals to provide recreational services for the public. The DCFD contracts with a local snowmobile and ATV association for grooming and maintaining County recreational trail systems.

## **510.2 Recreational Use Permits**

Permits or use agreements for use of the County Forest may be issued by the FPRC for recreational purposes (see the Appendixes for permit templates).

- (1) No permits for sale of malt or intoxicating beverages will be issued on the Douglas County Forest.
- (2) Other types of special use permits are found in Section 515.
- (3) Permits will not be issued for cabin sites on the Forest.
- (4) Organized events or special uses other than informal recreation (Section 510.4) must be approved by the FPRC.

## **510.3 Entrance and User Fees**

Fees for camping shall be in accord with fees charged by similar private facilities to prevent undue competition. Fees shall be subject to change periodically at the discretion of the FPRC.

## **510.4 Dispersed Recreational Use of County Forest**

Dispersed (informal) County Forest uses shall include but not necessarily be limited to hunting, fishing, trapping, picnicking, snowshoeing, biking, hiking, cross-country skiing, photography, and nature study. Such uses do not require a County permit but must be conducted according to the provisions of State law and County ordinances.

### **510.4.1 Hunting and Trapping**

The entire County Forest is open for regulated hunting and trapping except for designated areas that are developed for high public use, e.g., County parks and portions of the Douglas County Wildlife Area. Temporary hunting stands and blinds are permissible but must be in accordance with the Land Recreation Ordinance 7.2 (see Appendix C-I). The use of nails, lag screws, screw steps, or other damaging devices that can penetrate the bark of trees is not permitted. No permanent structures are permitted.

### **510.4.2 Fishing**

All lakes and streams within the Forest are available for regulated fishing unless otherwise listed in State and/or County regulations.

### **510.4.3 Picnicking**

Picnicking is allowed throughout the County Forest. Users must remove all garbage and debris that might be generated. The “you pack it in, you pack it out” concept will be emphasized.

#### **510.4.4 Camping**

A permit and associated fee is required to camp outside of developed campgrounds on the County Forest. The following rules apply:

- (1) The FPRC will set the permit fee.
- (2) Littering or site destruction will not be tolerated.
- (3) Maximum permit period is 10 days.
- (4) Up to three consecutively dated permits, totaling 30 days, may be issued for one location.
- (5) Natural vegetation and terrain may not be damaged or altered in any way except for the construction of an adequate fire ring. The fire ring must be dismantled and the area returned to a “natural” state when finished. Fasteners such as nails, screws, or bolts may not be attached to trees.
- (6) Manufactured materials (lumber, concrete, plastics, etc.) may not be left on the site when it is vacated. No trees or other vegetation, either native or exotic, may be planted on the site.
- (7) Campfire and firewood use (Section 605.4) is regulated by Ordinance 7.2 (see Appendix C-I).

“Leave No Trace” camping ethics are encouraged on the Douglas County Forest see Appendixes C-I and P-I for regulations pertaining to camping.

#### **510.4.5 Gathering Non-Timber Forest Products**

For purposes of this section, nontimber forest products (NTFP) are plants, or parts of plants, fungi, or other biological material on the County Forest, that are harvested for personal, noncommercial use. Excluded are commercially sawn timber products and products that require a permit (see Section 505.1.15).

NTFP allowed for harvest will be restricted to edible plants and seeds from plants only. Under State and Federal laws (State Statute 29.604 and Administrative Rule NR 27), it is illegal to process any plant that is listed as threatened or endangered. Examples of NTFP may include but are not limited to berries, nuts, mushrooms, plant roots, tubers, and bulbs. No permit will be required for an individual to gather these products. However, all such material must be harvested in a sustainable and ecologically conscious manner. The harvesting of NTFP must not inhibit the reproductive capabilities of the plant population considered for harvest on or at a given area non adversely affect the quality of habitat on the site. The Director of Forestry and Natural Resources may prohibit harvesting that has been deemed environmentally destructive.

#### **510.5 Intensive Recreation Areas**

The Douglas County Forest has developed sites that accommodate a high degree of public use. The

FPRC may prohibit recreation activities that are not compatible with the intent of the developed facilities, and also may designate other sites to be developed to accommodate a high level of public use. Examples include: campgrounds, picnic areas, swimming beaches, boat landings, wayside rest areas, shooting ranges, and ATV parks.

#### **510.5.1 Campgrounds**

Designated camping areas provided by the DCFD include Lucius Woods County Park, Gordon Dam County Park, and Mooney Dam County Park.

#### **510.5.2 Picnic and Day-Use Areas**

Designated picnic and day-use areas provided by the DCFD include Bass Lake County Park, Long Lake County Park, Anna Gene County Park, Minnesuing County Park, and Park Creed Pond.

#### **510.5.3 Swimming Areas**

Designated swimming areas provided by the DCFD include Lucius Woods County Park, Bass Lake County Park, Long Lake County Park, and Minnesuing County Park. Lifeguards are not provided at these areas.

#### **510.5.4 Boat Landings**

The DCFD has developed and maintains several water accesses points. These generally include a parking lot, surfaced approach to the water (landing ramp), and appropriate signing. They provide public access to waters for recreational purposes (see recreation map in Appendix L-III). These landings are not to be considered boat-mooring sites. See the Access Management Plan for detailed information on water access on the Douglas County Forest. Boat landings maintained by the DCFD include Gordon Dam, North Flowage, Lyman Lake, Minnesuing Lake, Amnicon Lake (County Highway L), and Lower Eau Claire Lake.

#### **510.5.5 Waysides**

Waysides are day-use areas and are located throughout the County (see Appendix L-III for a recreation map) waysides provided by the DCFD include Belden Swamp (Highway 35) and Chief Kabamaba Overlook (County Highway Y).

#### **510.5.6 Shooting Ranges**

Ranges that allow for public use of rifles, bows, pistols, etc. are permitted on County forest lands so long as the area meets range safety requirements and follows all applicable Federal, State, and County laws. If the range is operated by an organization other than the County, a written land-use agreement, including proof of insurance, is required. A provision for use by the public will be included in the agreement.

## **510.6 Managed Trail Systems**

Multiple uses of the various trail and road systems are encouraged and are subject to policy review by the FPRC. User conflicts are to be avoided as much as possible. Managed trail systems are identified and discussed in Chapter 700, recreation maps showing trail locations are included in Appendixes Q-III, T-III, W-III, Y-III, Z-III, and B-IV.

### **510.6.1 Motorized Trail Opportunities**

Motorized travel on trails is a legitimate use of the Douglas County Forest so long as trails are designed and maintained in a manner that minimizes damage to the environment and reduces user conflict. Trail use and development must be compatible and sustainable with the characteristics of the landscape. It shall be the policy of the FPRC to consider opportunities for motorized trail use by snowmobiles, ATV, motorcycles, light utility vehicles (LUV), and other vehicles propelled by a motorized means (see Chapter 700).

### **510.6.2 Non-Motorized Trail Opportunities**

The Douglas County Forest maintains an “open lands” policy such that all areas of the Forest are open to foot traffic. Other non-motorized means are a legitimate use of the Forest where permitted. The development and maintenance of non-motorized trails may highlight natural features and should minimize damage to the environment and reduce user conflict. Trail development and use must be compatible with the characteristics of the landscape. It shall be the policy of the FPRC to consider opportunities for non-motorized trail use for cross country skiing, hiking, horseback riding, and biking, and other such non-motorized uses (see Chapter 700).

## **510.7 Recreation Opportunities for People with Disabilities**

Douglas County will comply with all provisions of the Americans with Disabilities Act as it is the policy of the FPRC to provide recreational opportunities for people with disabilities (see Chapter 700).

## **515 SPECIAL USES**

Recognizing the vast potential for a variety of special uses of the Douglas County Forest by governmental units, businesses, organizations or individuals, the FPRC may designate certain areas for special use. Appropriate management prescriptions and requirements will be established for these areas. All special use must be compatible with the intent of the County Forest Law.

All requests for special use on County forest land will require a permit or letter of authorization as determined by the Director of Forestry and Natural Resources and authorized by the FPRC.

### **515.1 Sand and Gravel**

Sand and gravel pits on the Douglas County Forest may be used only by units of government or contractors performing public works. Requests for use of existing pits and/or the opening of new pits by other than the DCFD will be considered on a case-by-case basis and will require FPRC approval. Authorization will be by permit only. Sand and gravel pits will be maintained and operated in accordance with the Non-Metallic Mining Reclamation Ordinance 8.9 (see Appendix I-I). Permit requirements may include but are not to be limited to:

- (1) Requiring the pit and its access road to be screened from view from public highways.
- (2) Severing trees from the stump.
- (3) Disposition of stumps, brush, and dirt spoil.
- (4) Stripping and stock piling topsoil.
- (5) Erosion control measures.
- (6) Pit rehabilitation plan.
- (7) Sloping to prevent steep banks.
- (8) Filing with the DCFD an annual written report detailing types and volumes of material removed.

Other requirements may be specified by the FPRC or the Director of Forestry and Natural Resources. Fees for materials removed may be required. Other non-metallic materials will be considered on an individual basis. All active, non-metallic sites more than 1 acre in size, including those on the County Forest, are also subject to the provisions of the Non-Metallic Mining Reclamation Program, NR 135 Wis. Adm. Code. The DCFD shall work with the County Zoning Department in obtaining the necessary permits for all non-metallic mining operations.

### **515.2 Exploration, Prospecting, and Mining**

The Director of Forestry and Natural Resources will review all mineral exploration, prospecting, and mining requests as they are received.

The WDNR will be notified of all requests as they become known in accordance with Manual Code 2712.1., mineral exploration on County Forests per s. 28.11 (3)(i) Wis. Stats., or other codes that may be subsequently adopted, (see the WDNR Public Forest Lands Handbook).

### **515.3 Sanitary Landfills**

The use of County forest land for sanitary landfills will be prohibited unless the land involved is withdrawn from the County Forest Law.

#### **515.4 Cemeteries**

The use of County forest land for new cemeteries will be prohibited unless the land involved is withdrawn from the County Forest Law.

#### **515.5 Military Maneuvers**

Military maneuvers on County forest land will be considered under a lease or written land-use agreement. Upon receipt of a written request from the military, members of the FPRC, the Director of Forestry and Natural Resources, and representatives from the WDNR and military will discuss the request at a scheduled FPRC meeting. After the request has been explained, the proposed site shall be field-checked by the Director of Forestry and Natural Resources or designee. If the request appears reasonable, WDNR input and consistency with the County Forest Law will be sought and Town officials will be advised. Depending on the scope of the project, a public hearing may be scheduled. If all aspects and concerns are addressed and agreed to, a permit will be drafted by the Director of Forestry and Natural Resources and reviewed by County Corporate Counsel. The proposed permit will then be approved or rejected by the FPRC (see WDNR Public Forest Lands Handbook).

#### **515.6 Public Utilities**

Requested easements for public utilities will be considered by the FPRC. Easements shall be with the utility provider and will not be offered to landowners or land managers. Underground installations are encouraged. The following provisions shall be included in any resolution by the County Board of Supervisors that approves utility-related construction:

- (1) Utility must obtain written permission from the County before undertaking related field work on County forest land.
- (2) Utility must obtain an easement from the County prior to construction activities and/or installation of equipment.
- (3) Utility may be billed for cutting merchantable forest products or existing timber reproduction.
- (4) Merchantable timber will be removed in manner approved by the Director of Forestry and Natural Resources. Timber cut must be reported to the WDNR.
- (5) Utility will be billed for any land removed from production due to clearing for losses of future income and multiple-use benefits.
- (6) Land removed for utility operations that no longer is suited “primarily for timber production or, that is no longer suitable for scenic, outdoor recreation, public hunting & fishing, water conservation or multiple use purposes” (s. 28.11 (4)(c) Wisc. Stats.) may need to be withdrawn from County Forest Law designation. The utility shall replace any lands requiring withdrawal from County Forest Law with other lands suitable for County Forest Law entry. Priority will be given to lands that are within the County Forest blocking boundary.

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(7) All vegetation maintenance through the application of herbicides is prohibited on Douglas County forest lands per Pesticide Ordinance 1.17 (see Appendix G-I). It is the responsibility of the utility to know what portions of its easement(s) crosses County forest land and to avoid chemical applications on these areas.

(8) Utility will be encouraged to use existing corridors and underground lines to minimize environmental and ecological disturbance to native plants and animals on the County Forest.

(9) Utility must provide notice of proposed route, including a map of not less than 1 inch/mile scale with the initial proposal.

(10) Special maintenance, controlled access, and signage concerns shall be addressed in all proposals.

(11) An appropriate fee shall be charged for easements.

(12) Should the utility operation be abandoned by the landowner or land manager, all materials related to the utility project shall be removed (including materials buried underground) as agreed to by the Director of Forestry and Natural Resources. If these materials are not removed by the specified method or time, the DCFD will supervise the removal and bill the appropriate party or parties for all costs incurred.

### **515.7 Private Utility Access Permits**

The DCFD will not provide a utility easement to a private landowner or land manager. All easement requests must follow the procedures outlined in Section 515.6 Public Utilities, shall be between the utility and the DCFD, and be considered only after all other options for gaining utility access across other lands have been exhausted. Easements granted across County forest land shall remain exclusively the property of the County Forest. Neither the landowner, land manager, nor utility shall have any rights to the land or property thereof where said easement of right-of-way, path, line, corridor, etc. cross over County forest land except when providing, servicing, and maintaining the utility as detailed in the easement.

### **515.8 Towers**

Requests for siting of towers on the Douglas County Forest will be considered on a limited basis by the FPRC. Consideration will be given only after all other options for tower location have been exhausted. Towers may be for radio, cellular, microwave, and other forms of communication technology, monitoring, or government and military purposes. All requests for towers will be considered on a case-by-case basis subject to the following conditions:

(1) The tower(s) serves a demonstrated public need.

(2) The location of the tower(s) provides the maximum coverage with the least number of tower sites within the practical application of tower height.

- (3) Consideration will be given to requests for towers that serve more than one entity or application.
- (4) Consideration will be given to tower sites that are close to existing telephone and/or utility power lines.
- (5) The land for a tower site maybe leased to the party(s) that owns and/or operates the tower so long as the impact on forest productivity is minimal. The lease agreement shall provide appropriate compensation for loss of fiber production for the term of the lease. In cases where the impact would be substantial, the affected lands will be withdrawn from County Forest Law. Withdrawal is subject to the approval of the FPRC, County Board of Supervisors, and WDNR.
- (6) Land withdrawals will require replacement with other land of equivalent value within the County Forest blocking boundary.
- (7) Any agreement also should consider the inclusions listed under Section 515.6.

Land selected for a tower no longer is suitable for continued entry in the County Forest Program. Also, any accompanying land needed for tower support wires that inhibit the practice of forestry and no longer is suitable for scenic viewing, outdoor recreation, hunting and fishing, water conservation, or multiple-use purposes (s. 28.11 (4) Wis. Stats.) may be withdrawn from County Forest Law. Withdrawal is subject to approval by the County Board of Supervisors and the WDNR.

The company or individual making the request may be required to replace any lands requiring withdrawal from County Forest Law with other lands suitable for County Forest entry. Priority will be given to lands that are within the County Forest blocking boundary.

### **515.9 Other**

Other types of special use of the Douglas County Forest may be considered by the FPRC. Such uses may include but are not limited to research, independent study, and scientific areas. Regulations governing these uses will be developed on case-by-case basis.

## **520 AESTHETIC MANAGEMENT ZONES**

The Douglas County Forest is divided into four aesthetic forest-management zones. The degree of application of special management will vary and require classification of the forest according to the degree and type of public use. The WDNR Silviculture Handbook, and the Natural Resources Board Policy on management of State and County Forests contained in NR 1.24 Wis. Adm. Code (as adopted in June of 1989) will be used for management prescription guidelines. Subsequent versions of NR 1.24 are subject to the approval of the FPRC. The DCFD has long been managing the County Forest to enhance aesthetic quality. Where feasible and practical, the DCFD implements aesthetic practices beyond what is prescribed by the Silviculture Handbook.

### **520.1 Aesthetic Management Zone A**

Zone A includes areas where there is intensive public presence because of scenic attraction, or use of the area that would be enhanced by special timber-management practices.

#### **520.1.1 Examples**

- (1) Park and recreation areas, including access routes.
- (2) Lakes and rivers that support significant water-based recreational activity.
- (3) Federal and State highways where the majority of the traffic is unrelated to the Forest or is for the specific purpose of enjoying scenery.

#### **520.1.2 Boundaries**

- (1) Park or recreation areas. Zone boundaries may include the area within the reasonable visible horizon as determined from any location within the recreation area, or adjacent areas that receive a considerable amount of use as a result of the recreation area.
- (2) Travel corridors. The boundaries will be a reasonable distance from the traveled part of the zone.

#### **520.1.3 Management**

Zone A management is primarily for scenic values. This may require adaptations of normal timber cutting practices and possibly additional expenditures. Salvage operations are allowable in Zone A on a case-by-case basis.

#### **520.1.4 Permitted Uses**

- (1) Timber harvesting and thinning operations may be restricted during periods of peak public use. All slash may have special lopping requirements and/or be removed from view.
- (2) Timber stands in this zone will be managed to afford the greatest scenic potential for public enjoyment.
- (3) Borrow pits may be permitted near a road while it is under construction. When a borrow operation is completed, the site will be restored pursuant to NR 135 Wis. Adm. Code and must conform aesthetically to general use of the area. Permanent pits should be screened from view.
- (4) County directional, informational and recreational signs conforming to approved standards are permitted.
- (5) New access roads will be permitted and may have special construction requirements. When possible, all such access roads will be, curved so that no cleared line of sight will be created from

the main road to the exterior boundary of the zone.

(6) All tree and shrub planting will be spaced at random to avoid an artificial appearance.

### **520.2 Aesthetic Management Zone B**

Zone B includes any area of the Forest where the public use is such that no one value can at any time be considered as the most important, but where, because of the intensity and variety of use, scenic attractiveness is desirable.

#### **520.2.1 Examples**

(1) County highways and Town roads where the majority of the traffic is a result of some other use of the Forest other than for scenic beauty.

(2) Lakes or streams that do not have significant value for water-based recreation.

#### **520.2.2 Boundaries**

Zone boundaries will have a reasonable visual horizon determined at periods of heavy use, from the part of the zone where the use occurs.

#### **520.2.3 Management**

Zone B management is for normal multiple use while optimizing timber production using sound management concepts. Special aesthetic activities (e.g., slash treatment/disposal, may be required for any management operation. Management practices may be interpreted to the public with the use of informational signs. Salvage operations are allowable in Zone B on a case-by-case basis.

#### **520.2.4 Permitted Uses**

All land-management activities are permissible but should be exercised with sensitivity to aesthetics, for examples, timber sales that include lopping and scattering of slash, rehabilitation of roads and landings, erosion control and prevention, residual leave species/areas, and irregular harvest lines that mitigate aesthetic impact.

### **520.3 Aesthetic Management Zone C**

Any significant public presence in this zone likely would occur only as result of a specific use of the Forest.

#### **520.3.1 Examples**

Most of the forest is classified as Zone C.

**520.3.2 Boundaries**

Zone C includes all parts of the forest not contained in Zones A, B, or D.

**520.3.3 Management**

Zone C management optimizes timber production using sound management concepts. Natural opportunities to maintain or enhance diversity or scenic quality should be considered.

**520.3.4 Permitted Uses**

All land-management activities consistent with the goals for the Forest.

**520.4 Aesthetic Management Zone D**

All areas designated as special resources on the County Forest.

**520.4.1 Examples**

- (1) St. Croix National Scenic Waterway.
- (2) State Scientific/Natural Area.
- (3) Douglas County Wildlife Area.
- (4) Headwaters of the St. Croix River (from the outlet of Upper St. Croix Lake to the inlet of the St. Croix Flowage)

**520.4.2 Management**

Zone D management optimizes timber production using sound management concepts. Natural opportunities to maintain or enhance diversity or scenic quality should be considered.

**525 TREATY RIGHTS: GATHERING MISCELLANEOUS FOREST PRODUCTS**

Douglas County Ordinance 7.3, adopted by the County Board of Supervisors on October 19, 1995, authorizes the County to authorize the gathering of miscellaneous forest products from County land by Native American treaty rights participants (see Appendix D-I). Douglas policy adopts the language of and complies with the Federal District Court decision.

- (1) Any treaty rights participant interested in gathering firewood, tree bark, maple sap, lodge poles, boughs, marsh hay, or other miscellaneous forest products (except fruits, seeds, or berries not enumerated in County ordinances) from County land shall obtain a County gathering permit from the DCFD. The County shall respond to the gathering permit request no later than 14 days after receipt of the request. The gathering permit shall indicate the location and volume of the

material to be gathered, and conditions of the gathering of the material necessary for conservation of timber and miscellaneous forest products on County land, or for public health or safety.

(2) Douglas County may not deny a request to gather miscellaneous forest products on County property under this section unless: (a) the gathering is inconsistent with the management plan for the property, (b) the gathering will conflict with the pre-existing rights of a permittee or other person possessing an approval to conduct an activity on the property, including a contractor of the County or, (c) is otherwise inconsistent with conservation principles or public health or safety (see subchapter IV, NR 13 Wis. Adm. Code).

### **530 SPECIAL MANAGEMENT AREAS**

High Conservation Value (HCV) forests are local, regional, or national areas with unique qualities. Douglas County's focus in managing these areas will be to maintain or enhance the qualities that make these areas special. In some instances, this may require altering management practices to mitigate impacts; in others, it may entail no active management. HCV lands on County Forest include many exceptional resources: wild rivers and lakes, significant geological features, natural areas, ruffed grouse management areas, and historical and archeological sites. HCV forests contain communities such as habitat for endangered or threatened species, oak and pine barrens, natural-origin pine stand and rare natural communities such as forested seeps, red clay flats, mesic floodplain forest, bedrock glades, large muskegs, shorelines of wild rivers and lakes, and animal concentration spots. It is the policy of the County to manage these types of resources in ways that protect their exceptional features.

To achieve this, a balance must be struck between the art and science of forest-management and other resource management on the Douglas County Forest. What is good management for one natural resource may have more significant implications for another. Accommodations in active management of forest resources may have short-term benefits but may cause long-term adverse effects. The intent of the DCFD in partnership with the WDNR and other natural resource agencies and groups is to assess all natural resources on a broad scale. The goal is to balance the needs of the Forest and its users while maintaining its statutory obligations and a strong commitment to active, science-based silviculture.

Above all, the Douglas County Forest is a working forest under active management rather than a preservation forest. Other needs, resource disciplines, and users will be accommodated and considered when possible to allow for protection and management of non-timber resource, e.g., forest aesthetics, cultural sites, recreational opportunities, wildlife habitat, and ecological processes. Within the County Forest, including the State Natural Areas and Exceptional Resources Areas sound forest-management practices will be emphasized in maintaining, protecting, and enhancing the health of the many resources that make up the County Forest

### **530.1 Wisconsin State Natural Areas**

Douglas County manages a variety of areas high in significant biological diversity including, Wisconsin State Natural Areas (SNA), which reflect the wealth and variety of the State's native landscape. They contain outstanding examples of native biotic communities and often are the last refuges in the State for rare and endangered plant and animal species. The SNA program works with counties to further recognize outstanding native biotic communities that the counties currently are managing as exceptional areas. SNA are unique in that they can be stand-alone properties or be designated within the boundaries of another property type. Douglas County maintains its land ownership, management, and decision-making authority, but with cooperative recognition of these sites, the County can enhance its ability to provide a broader range of opportunities on the County Forest.

The WDNR's SNA staff will work cooperatively with the DCFD coordinating educational, monitoring, and research activities. Assistance on management projects can provide the County in carrying out necessary management activities that protect the unique character of the area. The importance of SNA program has been recognized on the Douglas County Forest, which contains 10 SNA sites that comprise 9,990 acres.

#### **530.1.1 Black Lake Bog**

This 2,200 acre site is an exceptional resource and has an HCV forest of stunted spruce. Identified natural communities are soft bog lake, northern wet forest, northern sedge meadow, open bog, and shrub-carr. Several species of concern at Black Lake Bog including LeConte's sparrow, northern harrier, timber wolf, lake darner, and green-striped darner. The Minnesota portion of the site is a dedicated Minnesota Natural Area (see map in Appendix E-IV).

#### **530.1.2 Belden Swamp**

This 1,862 acre wetland complex is an exceptional and unique resource. The large size and muskeg-like vegetation of this bog is not duplicated elsewhere in northwestern Wisconsin. Portions are thinly vegetated with stunted black spruce and tamarack over ericaceous shrubs. Other parts are open with wire-leaved sedges and bog birch dominating. The bog is home to healthy populations of jutta arctic butterfly, LeConte's sparrow, yellow-bellied flycatcher, and northern harrier. This site has been selected as a long-term peatlands study site with funding by the – Focus on Energy program of the Wisconsin Department of Administrations. The SNA program will develop baseline data and work with the County and other interested stakeholders to study and promote the site's ecological values (see map in Appendix F-IV).

#### **530.1.3 Ericson Creek Forest and Wetlands**

This 2,089 acre area is an HCV forest that includes a diverse assemblage of community types. The remoteness of the communities along with relative absence of recent disturbance elevates this area to a significant natural feature. The completeness of species assemblages in each community and their juxtaposition makes this area unique in all of Wisconsin. Communities represented are open

bog, northern wet forest, northern wet-mesic forest, northern hardwood swamp, northern sedge meadow, northern dry-mesic forest, boreal forest, and northern mesic forest. With an exceptional assemblage of natural communities within close proximity, diverse assemblages of species including rare species are possible. Populations of several rare species are found at this site. The bog and sedge meadow harbor populations of 15 species of special concern: three-toed woodpecker, great gray owl, boreal chickadee, Connecticut warbler, LeConte's sparrow, bobolink, northern harrier, sedge wren, dragon's mouth orchid, freija fritillary, frigga fritillary, bog fritillary, and the only location in Wisconsin for the titania fritillary. The denser conifers harbor Cape May warbler and Swainson's thrush. The mesic forest has two nesting pairs of the threatened red-shouldered hawk and the most westerly known population of black-throated blue warbler. The site is established to protect habitat for the rare birds and to use experimental and innovative harvest techniques that enhance bird and boreal forest habitat (see map in Appendix G-IV).

#### **530.1.4 Nemadji River Floodplain Forest**

This 341 acre HCV mesic floodplain forest along the banks of the Nemadji River contains diverse flora, including many canopy tree species: large-diameter silver maple, swamp white oak, basswood, northern white-cedar, white spruce, and three species of ash. The spring flora is rich and mesic and includes many species usually found in southern Wisconsin. Four threatened wood turtles were recorded during a survey (see map in Appendix H-IV).

#### **530.1.5 Buckley Creek and Barrens**

This 899 acre site contains a creek, which is a slow, soft, cold water stream flowing from a spring pond 4.5 miles to the St. Croix River. Most of the stream flows through swamp conifers composed of black spruce, tamarack, balsam fir, white-cedar, and alder. The uplands to the east are HCV pine barrens that were burned in 1977. Dominant trees are slow growing jack pine and Hills oak. The barrens are nearly free of invasive exotic species. The composition of plant and animal species indicates a diverse barrens community. Butterflies of special concern, on this site included the dusted skipper, cobweb skipper, Henry's elfin, hoary elfin, coral hairstreak, striped hairstreak, and gorgone checkerspot (see map in Appendix I-IV).

#### **530.1.6 Empire Swamp**

This 1,410 acre area features a HCV peatland that serves as the headwaters for the Tamarack River and is a combination of several natural communities, including northern sedge meadow, northern wet forest, tamarack swamp, black ash swamp, alder thicket, open bog, and muskeg. The swamp harbors 11 rare bird species (osprey, northern harrier, olive-sided flycatcher, yellow-bellied flycatcher, gray jay, merlin, Connecticut warbler, Swainson's thrush, palm warbler, Cape May warbler, and black-backed woodpecker). Bird diversity is exceptional with 19 species of warbler including the highest known density of golden-winged warbler in the State (an estimated 250 males). In June, this site contained three territorial Philadelphia vireo males and was home to five rare butterfly species (four fritillaries and jutta arctic) and nine plants (calypso, dragon's mouth, Canadian black currant, Hooker's orchid, mountain cranberry, sheathed sedge, sparse-flowered

sedge, white bog orchid and small pyrola). Timber harvesting can occur on stands with adequate growths so long as the habitat needs of the rare birds are met. Other forest-management is limited to upland edges and access across the bog. During frozen conditions, physical or mechanical manipulation of the swamp's hydrology is restricted (see map in Appendix J-IV).

#### **530.1.7 Blueberry Swamp**

This 370 acre portion of Blueberry Swamp occupies a drainage divide with the eastern part flowing to the Bois Brule River and the western part flowing to the Poplar River. The core of the swamp holds more mineral-rich waters and harbors a forest of black ash and white-cedar. The swamp provides habitat for numerous rare plant and animal species, including a diverse array of orchids. Birds recorded on the site include yellow-bellied flycatcher, blue-headed vireo, golden-winged warbler, Canada warbler, and evening grosbeak. The relatively undisturbed core is an outstanding ecological reference area. Rated one of the top hardwood swamps in northern Wisconsin, this site is source water for Namekagon River and Blueberry Creek, which provides exceptional water to the Bois Brule River. Timber harvests in white-cedar swamps are deterred until adequate cedar regeneration can be assured (see map in Appendix K-IV).

#### **530.1.8 Pokegama Red Clay Flats**

This 640 acre site is an excessively poorly drained red clay flats area in the headwaters of the Pokegama and Little Pokegama Rivers. This forested area supports a wetland mosaic of shrub swamp, sedge meadow, emergent marsh, small ponds and tiny upland islets of white spruce, white pine, balsam fir, and trembling aspen. Of special significance are the many populations of rare plants occurring in the site's wetlands. It is important to recognize that these plants are not widespread in the Lake Superior region but are concentrated near Superior with the highest concentration at this site. The WDNR has created an acquisition boundary to purchase private rare plant habitat (clustered bur reed, floating marsh marigold, neat spike-rush, seaside crowfoot, small yellow water crowfoot, sweet coltsfoot, and water starwort) to complement the County-owned protection efforts. The County recognizes this site as a rare-plant management area and establishes it as an ecological reference area. There will be some timber management, on this reference area but because of poor drainage, activities would promote white pine and white spruce more than regenerating off-site aspen. The reference area would be used to better manage the surrounding clay plain for rare plants (see map in Appendix L-IV).

#### **530.1.9 Flat Lake**

This 105 acre site has a shallow, soft water, seepage lake with a fluctuating shoreline. The bottom is composed of muck and sand and sedges and rushes dominate the emergent vegetation. The submerged vegetation is lush and diverse. A pair of trumpeter swans nests on Flat Lake. In south-central Douglas County there are many lakes and wetlands with greatly fluctuating water levels. These shallow lakes are excellent sites for the study of diverse aquatic insect and plant populations. Timber management will continue on the uplands using BMP for water quality (see map in Appendix M-IV).

### **530.1.10 Goose Lake**

This 80 acre site has a soft water, seepage lake with a fluctuating shoreline. Sedge and rushes are the most common plants and 20 acres of sedge meadow adjoin the lake. This type of lake and wetland is found in the sandy outwash areas that were dominated by pine barrens in the pre-European period. Shorelines and wetlands were subjected to periodic fires. Species of concern in these shoreline communities include plantain shoreweed, ternate grape fern, common bog arrowgrass, and Blanding's turtle. BMP along the shoreline would include periodic tree removal from the immediate shoreline, and leaving scattered individual trees or small groves. Goose Lake is an excellent site for studying the ecological effects of fluctuating water levels. Timber management will continue on the uplands using BMP for water quality (see map in Appendix N-IV).

## **530.2 Exceptional Resource Areas**

In addition to the regionally important areas listed Douglas County harbors many other areas with great biological diversity. The County will manage these resources to maintain or enhance their ecological values.

### **530.2.1 Moose Lake**

Moose Lake is a small, soft water bog lake that forms the headwaters of Moose River. This lake is fringed with alder and bog birch. Surrounding the fringe is a black spruce and tamarack bog.

### **530.2.2 Amnicon River Pines**

Amnicon River Pines is a small area of older natural origin red pines north of the Amnicon River. The County will manage the area for perpetuation of the pines.

### **530.2.3 Ericson Creek Pine Forest**

Erickson Creek Pine Forest is south of the Amnicon River and west of Erickson Creek. Scattered islands of natural origin pine are present in the large, open bog. Dominant species are red and white pine with characteristic understory plants present. The County will manage the area for perpetuation of the pines.

### **530.2.4 Breitzman Lake Bog**

Breitzman Lake Bog is a 13 acre soft water bog lake that is surrounded by 22 acres of spruce and tamarack forest. The shoreline is a floating bog mat. Boreal birds use the area for breeding. The floating bog mat will not be managed. Part of this area is in private ownership.

### **530.2.5 St. Croix River**

St. Croix River includes a reach several miles up and downstream from the County Highway T bridge. This area has significant populations of rare species, including the endangered pygmy snaketail dragonfly, threatened gilt darter and Blanding's turtle, and the rapids clubtail dragonfly, a species of special concern.

### **530.2.6 Gordon Lake**

Gordon Lake is a shallow, soft water seepage lake southeast of Gordon. It contains a rare species of dragonfly. Timber management will continue on the uplands around the lake.

### **530.2.7 Mud Lake Bog**

Mud Lake Bog encompasses a peatland of open bog, muskeg, and black spruce swamp. Six rarely encountered butterfly species are found in abundance on the site (frejia fritillary, purple lesser fritillary, bog fritillary, red-disked alpine, jutta arctic, and bog copper). Since most of the site has no or stunted trees, timber management will be limited.

## **535 SPECIES OF SPECIAL CONCERN**

The DCFD has a long history of being proactive with respect to species that are of special concern. It works closely with the WDNR's Bureau of Endangered Resources, various Federal agencies, and graduate students. The DCFD manages for these species with an emphasis on enhancing and protecting their habitat (see Sections 830.3 and 840.6 for a discussion of plant and wildlife species of special concern).

### **535.1 Rare, Threatened, and Endangered Species**

As part of and in addition to the unique natural communities listed in Section 530, the County Forest contains numerous rare, threatened, and endangered plant and animal species. The Bureau of Endangered Resources maintains the Wisconsin Natural Heritage Inventory (NHI) which tracks all plant and animal species listed, or proposed to be listed, as rare, threatened, or endangered by the USDI Fish and Wildlife Service and/or the WDNR. DCFD personnel have access to the NHI through a data-sharing program and are required to consult the database where planning a timber sale. Should a listed species be located near a proposed timber sale location, the County will seek direction from the Bureau of Endangered Resources. See Appendix W-I for a complete list of these species of concern and their status in Wisconsin.

## **540 LOCALLY SIGNIFICANT SITES**

It is the policy of the DCFD to manage these unique resources to enhance and protect their exceptional features. A review of the State Historical Society database will be conducted prior to all timber sales and other projects that would result in significant soil disturbance. Currently, the County does not have access to this information since direct access requires an expensive user account. As a result, these reviews will be completed by the WDNR Liaison Forester working with DCFD staff. The County may seek funding sources for gaining access to the database.

If projects are planned close to documented sites, the WDNR Liaison Forester will assist the DCFD in making all necessary contacts, preparing documentation, and reviewing options to complete the projects(s) and still protect the site. When the WDNR or DCFD staff identify new undocumented sites with archeological, cultural, and/or geological significance, the Liaison Forester will be asked to provide direction, while working in conjunction with the WDNR Archaeologist within the Division of Facilities and Lands. The DCFD staff will identify such sites to report the location and description of the site to the Liaison Forester.

### **540.1 Geological Features of Significance**

Currently, there are no known geological significant sites on the County Forest. Upon discovering a site of geological significance, the DCFD will inform and confer with the WDNR Liaison Forester.

### **540.2 Culturally Significant Features**

There are 15 areas on the County Forest that are considered by the Historical Society as sites of interest. They range from areas occupied by early Native Americans and early Europeans to logging camps. Due to the sensitive nature of these sites and to protect them, the public is denied access to data on specific site locations, layout, and content. All necessary information will be included within project documentation to both identify and protect the sites to the greatest extent possible.