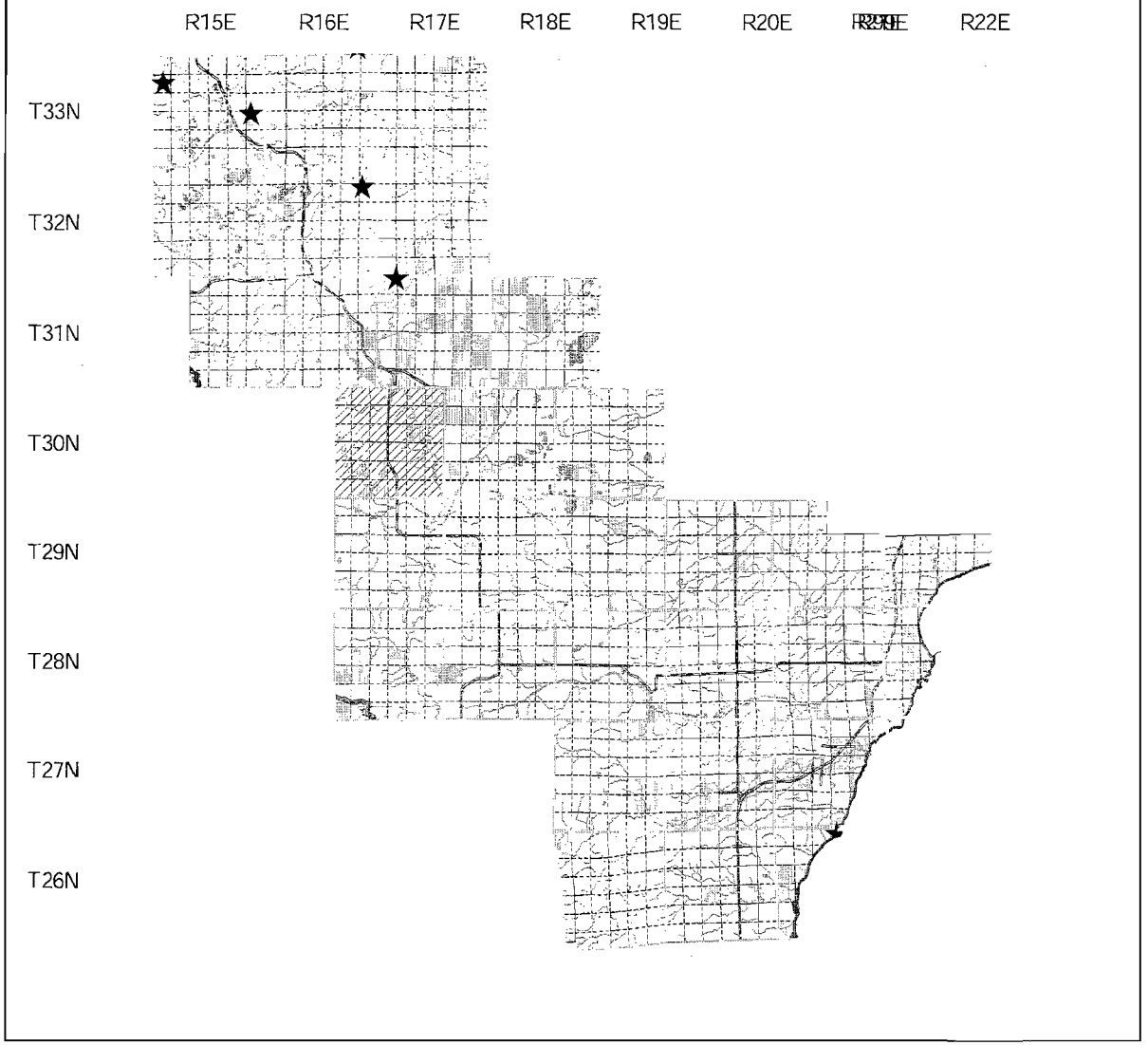
900.7 GENERAL ENDANGERED RESOURCE LISTING AND MAP FOR OCONTO COUNTY



Oconto County

AQUATIC OCCURRENCES

Animal

Osprey Pandion haliaetus 1996
Bullfrog Rana catesbeiana 1996
Bald Eagle Haliaeetus leucocephalus 1992
Black Tern Chlidonias niger 1996
Bog Copper Lycaena epixanthe 1995
Paddlefish Polyodon spathula
Common Loon Gavia immer 1993
Common Tern Sterna hirundo 1997
Lake Darter Aeshna eremita 1985
Pygmy Shrew Sorex hoyi 1994
Wood Turtle Clemmys insculpta 2003
Yellow Rail Coturnicops noveboracensis 1990
Caspian Tern Sterna caspia 1994
Dion Skipper Euphyes dion 1993
Lesser Darter Etheostoma microperca 1970
Lake Sturgeon Acipenser fulvescens 1991
Mulberry Wing Poanes massasoit 1993
Piping Plover Charadrius melodus 1941
Reddish Skimmer Libellula rubrovenalis 1975
Forceps Tern Sterna forsteri 1937
Least Clubtail Stylogomphus albistylus 1991
Zebra Clubtail Stylurus scudderi 1993
Longear Sunfish Lepomis megalotis 1975
Pygmy Snaketail Ophiogomphus howei 1991
Swamp Metalmark Calephelis mutica 1978
Great Blue Heron Ardea herodias 1996
Greater Redhorse Moxostoma valenciennesi 1976
Northern Harrier Circus cyaneus 1989
Red-headed Sheep Pygmy Grasshopper 1993
Skulls Clubtail Gomphurus ventricosus 1989
Swamp Spreadwing Lestes vigilax 1991
Striped Flute Epitheca cynosura 2001
Ox Clubtail Gomphurus ferox 1993
A Petrified Sphinx Lemmoumdrus leonardus 1979
A Petrified Sphinx Hagenius brevistylus 1980
Ammiheal Sphinx Dorydiella ophiodon 1993
Black-faced Dancer Argia translata 1985
Red-headed Bluet Enallagma cyathigerum 1979
Skulls Masked Alsophilia pometaria 1976
Ashy Light White Pieris virginiensis 2002
Four-toed Salamander Hemidactylium scutatum 2001
Green-striped Darter Aeshna verticalis 1985
Western Ribbon Snake Thamnophis proximus 1956
Amber-winged Spreadwing Lestes durus 1991
Spatterdock Yellow Leaf Spot Septoria nymphaeae 1996

Plants

Swamp Oats Avenula hookeri 1994
Grass Sedge Carex crawei 1996
Silky Willow Salix sericea 1997
Fairy Slipper Calypso bulbosa 1992
Adder's-tongue Ophioglossum pusillum 1980
Wood Rush Luzula saltuensis 1996
Shoreline Sedge Carex lacustris 1996
Downy Willow-herb Epilobium strictum 2000
Many-headed Sedge Carex sychnocephala 2000
Water Meadowrue Thalictrum revolutum 1981
Cardinal Spikerush Eleocharis cardinalis 2000
Leafy White Orchis Platanthera dilatata 1999
Northern Bog Sedge Carex cryptolepis 1983
Purple Bladderwort Utricularia purpurea 1981
Robbins Spikerush Eleocharis robbinsii 1981
Red-fruited Orchis Amerorchis rotundifolia 1996
White Adder's-mouth Malaxis monophyllos var. brachypoda 1996
Few-flower Spikerush Eleocharis quinqueflora 1997
Showy Lady's-slipper Cypripedium reginae 1995
Variegated Horsetail Equisetum variegatum 1998
Scarlet Fruited Sedge Carex lenticularis 1999
Common Bog Arrow-grass Triglochin palustris 1993
Narrow Bog Arrow-grass Triglochin maritima 1997
Northern Bladderwort Utricularia resupinata 1996
Ram's-head Lady's-slipper Cypripedium arietinum 1989
Sun-dew Small-sedge Dulichium arundinaceum 1982
Arrow-leaved Sweet-coltsfoot Peltandra sagittaefolia 2001

Natural Communities

Muskeg Muskeg 2001
Open Bog Open bog 1997
Shrub-carr Shrub-carr 1981
Spring Pond Spring pond 1982
Alder Thicket Alder thicket 1976
Emergent Marsh Emergent marsh 2001
Hardwood Swamp Hardwood swamp 2001
Lake–Hard Bog Lake–hard bog 1987
Lake–Soft Bog Lake–soft bog 1981
Sedge Root Fen Sedge root fen 1999
Submerged Marsh Submerged marsh 2003
Floodplain Forest Floodplain forest 1997
Northern Wet Forest Northern wet forest 1982
Northern Sedge Meadow Northern sedge meadow 1989
Stream–Fast, Hard, Cold Stream–fast, hard, cold 1982
Stream–Fast, Soft, Cold Stream–fast, soft, cold 1981
Stream–Slow, Hard, Cold Stream–slow, hard, cold 1982
Lake–Deep, Hard, Seepage Lake–deep, hard, seepage 1981
Lake–Deep, Soft, Seepage Lake–deep, soft, seepage 1981
Northern Wet-mesic Forest Northern wet-mesic forest 1999
Lake–Deep, Hard, Drainage Lake–deep, hard, drainage 1982
Lake–Shallow, Hard, Seepage Lake–shallow, hard, seepage 1981
Lake–Shallow, Soft, Seepage Lake–shallow, soft, seepage 1987
Lake–Shallow, Hard, Drainage Lake–shallow, hard, drainage 1982

TERRESTRIAL OCCURRENCES

Animal

Merlin Falco columbarius 1997
Pine Siskin Carduelis pinus 1999
Bird Rookery Bird rookery 1998
Cattle Egret Bubulcus ibis 1996
Juta Arctic Oeneis jutta 1993
A Tiger Beetle Cicindela longilabris 2002
A Tiger Beetle Cicindela patruela hubeni 1999
A Tiger Beetle Cicindela patruela patruela 2002
Northern Myotis Myotis septentrionalis 1980
Northern Goshawk Accipiter gentilis 1995
Leonard's Skipper Hesperia leonardus leonardus 2000
Loggerhead Shrike Lanius ludovicianus 1999
Smokey Eyed Brown Satyrodes eurydice eurydice 1988
Tawny Crescent Spot Phyciodes batesii 1990
Broad-winged Skipper Poanes viator 1993
Karner Blue Butterfly Lycaeides melissa samuelis 1993
Woodland Jumping Mouse Napaeozapus insignis 1947
Northern Blue Butterfly Lycaeides idas nabokovi 1990
Yellow-bellied Flycatcher Empidonax flaviventris 2001

Plants

Cuckoo Flower Cardamine pratensis 1989
Hooker Orchis Platanthera hookeri 1998
Dwarf Mistletoe Arceuthobium pusillum 1993
Purple Clematis Clematis occidentalis 1996
Downy Rockcress Arabis mucronata var. dawnii 2001
Dwarf Huckleberry Vaccinium caesariense 1987
Pale Green Orchid Platanthera flava var. herbiola 1981
Sprung's Hedge-hyssop Gratiola sprungii 1993
Grinnell Hairgrass Deschampsia flexuosa 2001
American Seakoxeye Caelia edentula 2000
Hairy Gromwell Lithospermum latifolium 2001
Northern Wild-rice Zizania palustris var. interior 1969
Rocky Mountain Sedge Carex saxatilis 1982
Blue-bead Grape-fern Botrychium oneidense 2001
Large Roundleaf Orchid Platanthera orbiculata 1998
Little Green Moonwort Botrychium minganense 1997
Northern Bilberry Dwarf Huckleberry Hidden hudsonianum 1993
Heart-leaved Twayblade Listera cordata 1994

Natural Communities

Inland Beach Inland beach 2000
Oak Woodland Oak woodland 2001
Pine Barrens Pine barrens 1981
Bedrock Glade Bedrock glade 2003
Glacial Talus Felsenmeer 1988
Northern Dry Forest Northern dry forest 1987
Northern Mesic Forest Northern mesic forest 1999
Northern Dry-mesic Forest Northern dry-mesic forest 1999
Southern Dry-mesic Forest Southern dry-mesic forest 1981

SPECIES and/or NATURAL COMMUNITY | Aquatic | Terrestrial | Both | Township Occurrences | Water Management Units | ★ State Natural Area

ENDANGERED RESOURCES

This map represents the known occurrences of rare species and natural communities that have been recorded in the Wisconsin Natural Heritage Inventory (NHI). Colored sections indicate the presence of one or more occurrences within that section. Hatched townships indicate one or more occurrences reported only at the township level. The date following the names above notes the most recent year the occurrence was recorded in the county.

Map generated using NHI data from: 06/14/2004

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WISCONSIN DEPT OF NATURAL RESOURCES

Element Occurrence Numbers within 2-mile Buffer of County Forest Lands

County Forest							
Scientific Name (Common Name)	EO Count	Lastobs Year	State Rank	Global Rank	State Status	Fed. Status	Sensi-tive
[illegible]to							
Special Concern Bird *(Specific species name withheld)*	3	2004	S2B,S2N	G5	SC/M		S
Acipenser fulvescens (Lake Sturgeon)	1	1981	S3	G3G4	SC/H		
Alder thicket (Alder Thicket)	1	1976	S4	G4	NA		
Ammodramus henslowii (Henslow's Sparrow)	1	1985	S2S3B	G4	THR		
Arabis missouriensis var. deamii (Deam's Rockcress)	5	2001	S2	G4G5QT3?Q	SC		
Arethusa bulbosa (Swamp-pink)	3	1982	S3	G4	SC		
Bartonia virginica (Yellow Screwstem)	1	2003	S3	G5	SC		
Bedrock glade (Bedrock Glade)	1	200	S3	G2	NA		
Species Concentration site *(Specific species info. withheld)*	1	1996	SU	GNR	SC		S
Boreal rich fen (Boreal Rich Fen)	1	1999	S2	G4G5	NA		
Botrychium oneidense (Blunt-lobe Grape-fern)	1	2001	S2	G4Q	SC		
Bubulcus ibis (Cattle Egret)	1	1996	S1B	G5	SC/M		
Buteo lineatus (Red-shouldered Hawk)	3	1999	S3S4B	G5	THR		
State Listed Insect *(Specific species info. withheld)*	1	1978	S1	G3G4	END		S
Cardamine pratensis (Cuckooflower)	1	1980	S3	G5	SC		
Carex sychnocephala (Many-headed Sedge)	1	1982	S2	G4	SC		
Carex tenuiflora (Sparse-flowered Sedge)	4	1999	S3	G5	SC		
State Listed Bird *(specific species info. withheld)*	1	1941	S1	G3	END	LE	S
Cicindela patruela huberi (A Tiger Beetle)	1	1999	S3	G3T2	SC/N		
Cicindela patruela patruela (A Tiger Beetle)	6	2002	S2	G3T3	SC/N		
State Listed Reptile *(Specific species name withheld)*	7	2004	S3	G4	THR		S
Cypripedium arietinum (Ram's-head Lady's-slipper)	1	1981	S2	G3	THR		
Cypripedium reginae (Showy Lady's-slipper)	4	1999	S3	G4	SC		
Deschampsia flexuosa (Crinkled Hairgrass)	1	2001	S3	G5	SC		
Eleocharis olivacea (Capitate Spikerush)	5	200	S2	G5	SC		
Eleocharis quinqueflora (Few-flower Spikerush)	1	1997	S2	G5	SC		
Eleocharis wolfii (Wolf Spikerush)	1	2003	S1	G3?	END		
Emergent marsh (Emergent Marsh)	5	200	S4	G4	NA		
Emydoidea blandingii (Blanding's Turtle)	3	2002	S3	G4	THR		
Epilobium strictum (Downy Willow-herb)	2	200	S2S3	G5?	SC		
Equisetum variegatum (Variegated Horsetail)	3	1998	S3	G5	SC		
Etheostoma microperca (Least Darter)	1	1973	S3	G5	SC/N		
Euphyes dion (Dion Skipper)	1	1989	S3	G4	SC/N		
Falco columbarius (Merlin)	1	1897	S3B,S2N	G5	SC/M		
Galium palustre (Marsh Bedstraw)	3	1995	S1	G5	SC		
Haliaeetus leucocephalus (Bald Eagle)	9	2002	S3B	G4	SC/FL	LT, PD	
Hardwood swamp (Hardwood Swamp)	1	2001	S3	G4	NA		
Hemidactylium scutatum (Four-toed Salamander)	1	1949	S3	G5	SC/H		
Hesperia leonardus (Leonard's Skipper)	1	1995	S3	G4	SC/N		
Inland beach (Inland Beach)	1	200	S3	G4G5	NA		
Isoperla bilineata (A Perlodid Stonefly)	1	1980	S2S3	G5	SC/N		
Isoperla marlynia (A Perlodid Stonefly)	1	1979	S3	G5	SC/N		
Lake--deep, hard, drainage (Lake--Deep, Hard, Drainage)	2	1982	S3	GNR	NA		
Lake--deep, hard, seepage (Lake--Deep, Hard, Seepage)	1	1982	S2	GNR	NA		
Lake--deep, soft, seepage (Lake--Deep, Soft, Seepage)	1	1981	S3	GNR	NA		
Lake--hard bog (Lake--Hard Bog)	1	1981	S2	GNR	NA		
Lake--shallow, hard, seepage (Lake--Shallow, Hard, Seepage)	1	1981	SU	GNR	NA		
Lake--shallow, soft, seepage (Lake--Shallow, Soft, Seepage)	2	1981	S4	GNR	NA		
Lake--soft bog (Lake--Soft Bog)	1	1981	S4	GNR	NA		
Lake--unique (Lake--Unique)	1	1982	SU	GNR	NA		
Lanius ludovicianus (Loggerhead Shrike)	1	1973	S1B	G4	END		
Lepomis megalotis (Longear Sunfish)	3	1979	S2	G5	THR		
Lestes eurinus (Amber-winged Spreadwing)	1	1991	S3	G4	SC/N		
Lestes vigilax (Swamp Spreadwing)	1	1991	S3	G5	SC/N		
Malaxis monophyllos var. brachypoda (White Adder's-mouth)	1	1998	S3	G4Q	SC		
Medeola virginiana (Indian Cucumber-root)	9	2001	S3	G5	SC		
Moxostoma valenciennesi (Greater Redhorse)	1	1976	S2S3	G4	THR		
Muskeg (Muskeg)	1	2001	S4	G4G5	NA		

Element Occurrence Numbers within 2-mile Buffer of County Forest Lands

County Forest							
Scientific Name (Common Name)	EO Count	Lastobs Year	State Rank	Global Rank	State Status	Fed. Status	Sensi-tive
nto cont.							
Napaeozapus insignis (Woodland Jumping Mouse)	1	1917	S2S3	G5	SC/N		
Northern dry-mesic forest (Northern Dry-mesic Forest)	3	1982	S3	G4	NA		
Northern mesic forest (Northern Mesic Forest)	5	1998	S4	G4	NA		
Northern sedge meadow (Northern Sedge Meadow)	4	1999	S3	G4	NA		
Northern wet forest (Northern Wet Forest)	6	1982	S4	G4	NA		
Northern wet-mesic forest (Northern Wet-mesic Forest)	5	1999	S3S4	G3?	NA		
Nycticorax nycticorax (Black-crowned Night-heron)	2	1996	S2B	G5	SC/M		
Oak woodland (Oak Woodland)	1	2001	S1?	GNR	NA		
Open bog (Open Bog)	5	1982	S4	G5	NA		
Ophioglossum pusillum (Adder's-tongue)	3	1980	S2	G5	SC		
Pandion haliaetus (Osprey)	1	1995	S3S4B	G5	THR		
Petasites sagittatus (Arrow-leaved Sweet-coltsfoot)	1	2001	S3	G5	THR		
Pine barrens (Pine Barrens)	1	1981	S2	G2	NA		
Platanthera dilatata (Leafy White Orchis)	2	1999	S3	G5	SC		
Platanthera flava var. herbiola (Pale Green Orchid)	2	2003	S2	G4T4Q	THR		
Platanthera hookeri (Hooker Orchis)	1	1981	S2S3	G5	SC		
Poanes massasoit (Mulberry Wing)	2	1993	S3	G4	SC/N		
Poanes viator (Broad-winged Skipper)	2	1993	S3	G5	SC/N		
Podiceps grisegena (Red-necked Grebe)	1	1993	S1B	G5	END		
Rana catesbeiana (Bullfrog)	1	1995	S3	G5	SC/H		
Ribes hudsonianum (Northern Black Currant)	2	1998	S3	G5	SC		
Salix sericea (Silky Willow)	1	1967	SH	G5	SC		
Shrub-carr (Shrub-carr)	1	1981	S4	G5	NA		
Sorex hoyi (Pigmy Shrew)	1	1937	S3	G5	SC/N		
Southern dry-mesic forest (Southern Dry-mesic Forest)	1	1981	S3	G4	NA		
State Listed Bird *(Specific species info. withheld)*	2	1994	S1B	G5	END		S
State Listed Bird *(Specific species info. withheld)*	2	1996	S2B	G5	END		S
State Listed Bird *(Specific species info. withheld)*	2	1997	S1B	G5	END		S
Thamnophis proximus (Western Ribbon Snake)	1	1956	S1?	G5	END		
Triglochin maritima (Common Bog Arrow-grass)	1	1999	S3	G5	SC		
Triglochin palustris (Slender Bog Arrow-grass)	1	1997	S3	G5	SC		
Viburnum nudum var. cassinoides (Northern Wild-raisin)	2	2003	S2	G5	SC		
Williamsonia fletcheri (Ebony Bog Haunter)	1	2003	S3S4	G3G4	SC/N		

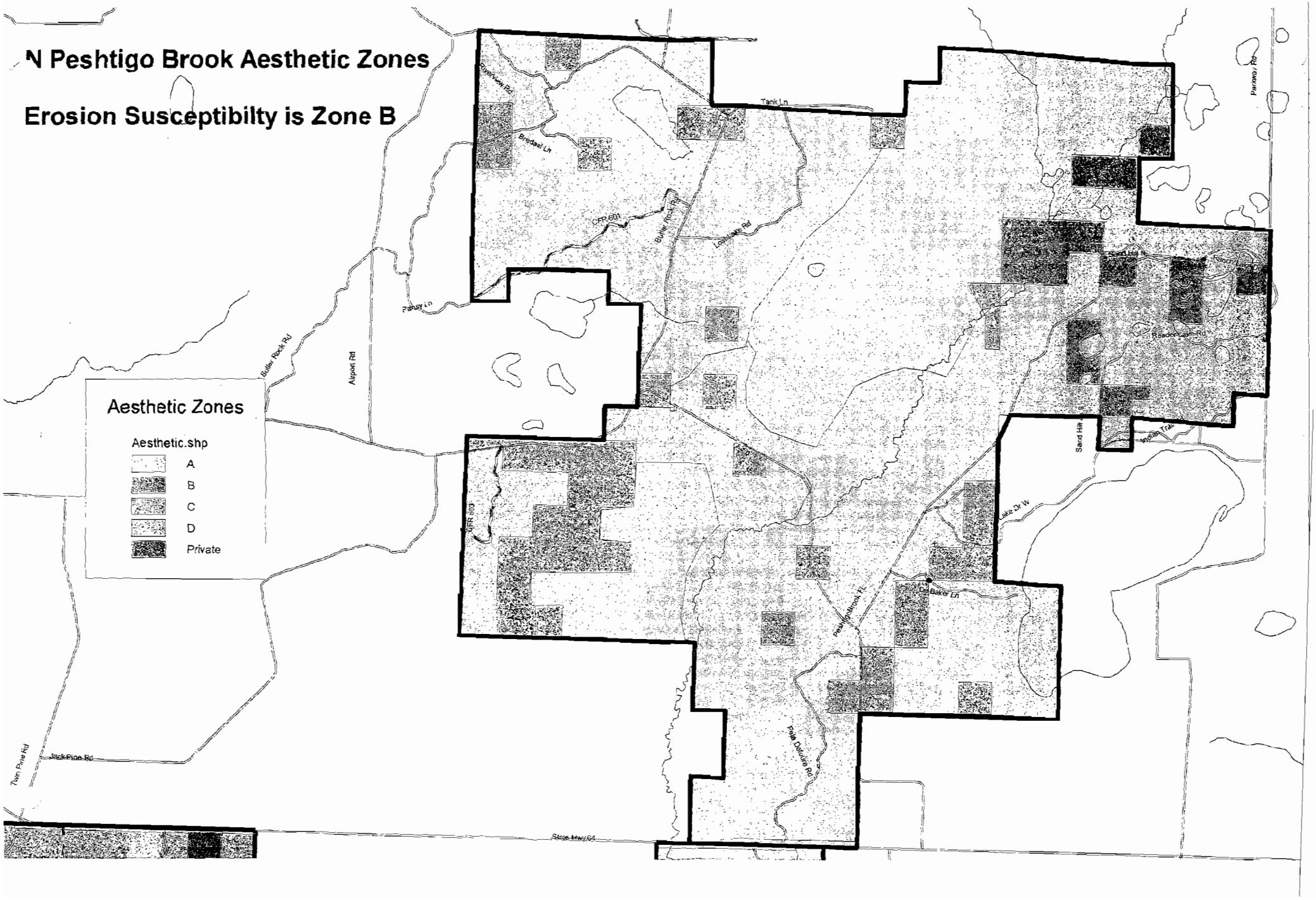
900.8 GYPSY MOTH SUPPRESSION MAP

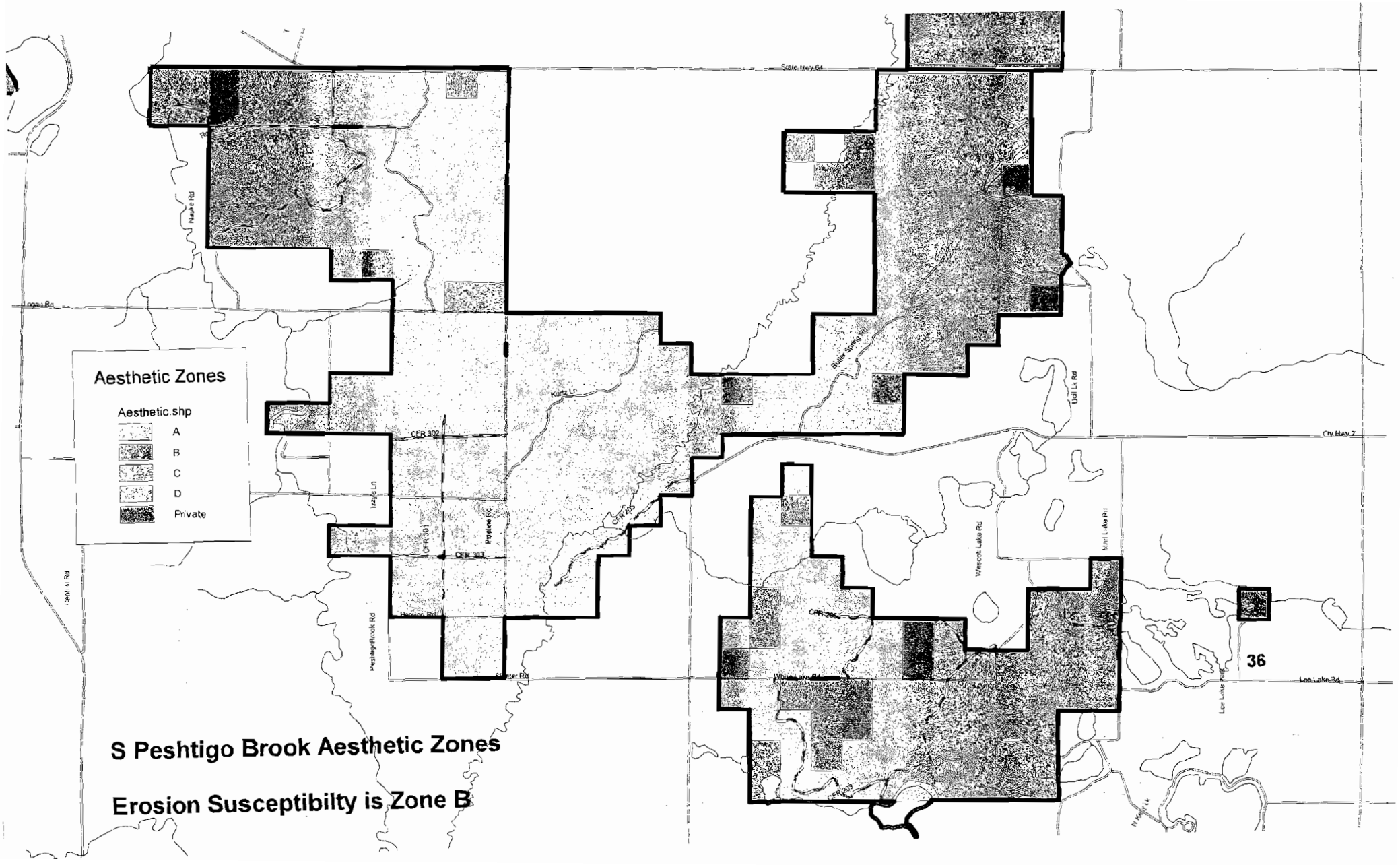
See Map 900.3 for private lands adjacent to County Forest.

900.9 MAP OF AESTHETIC MANAGEMENT ZONES

N Peshtigo Brook Aesthetic Zones

Erosion Susceptibilty is Zone B



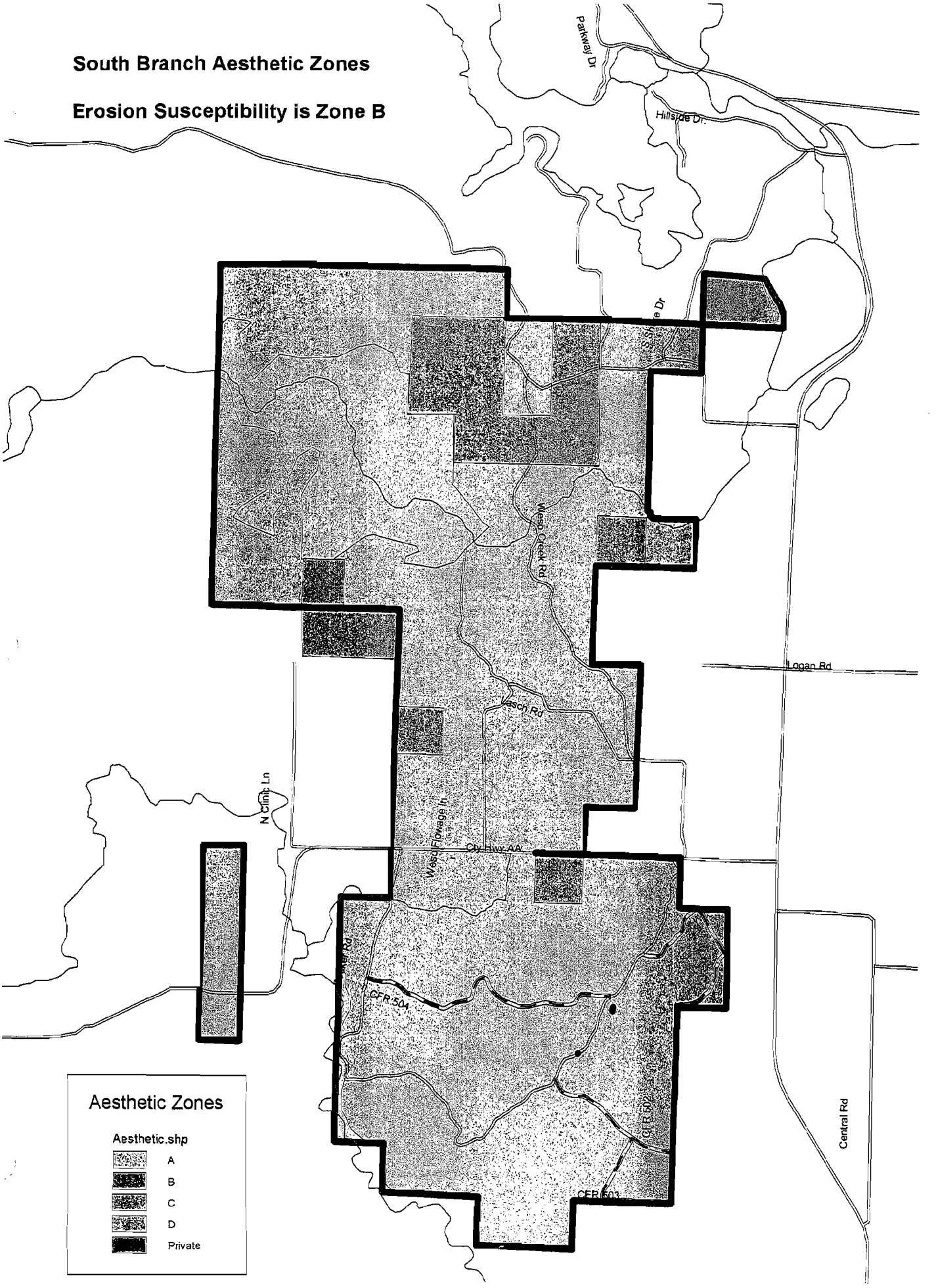


S Peshtigo Brook Aesthetic Zones

Erosion Susceptibilty is Zone B

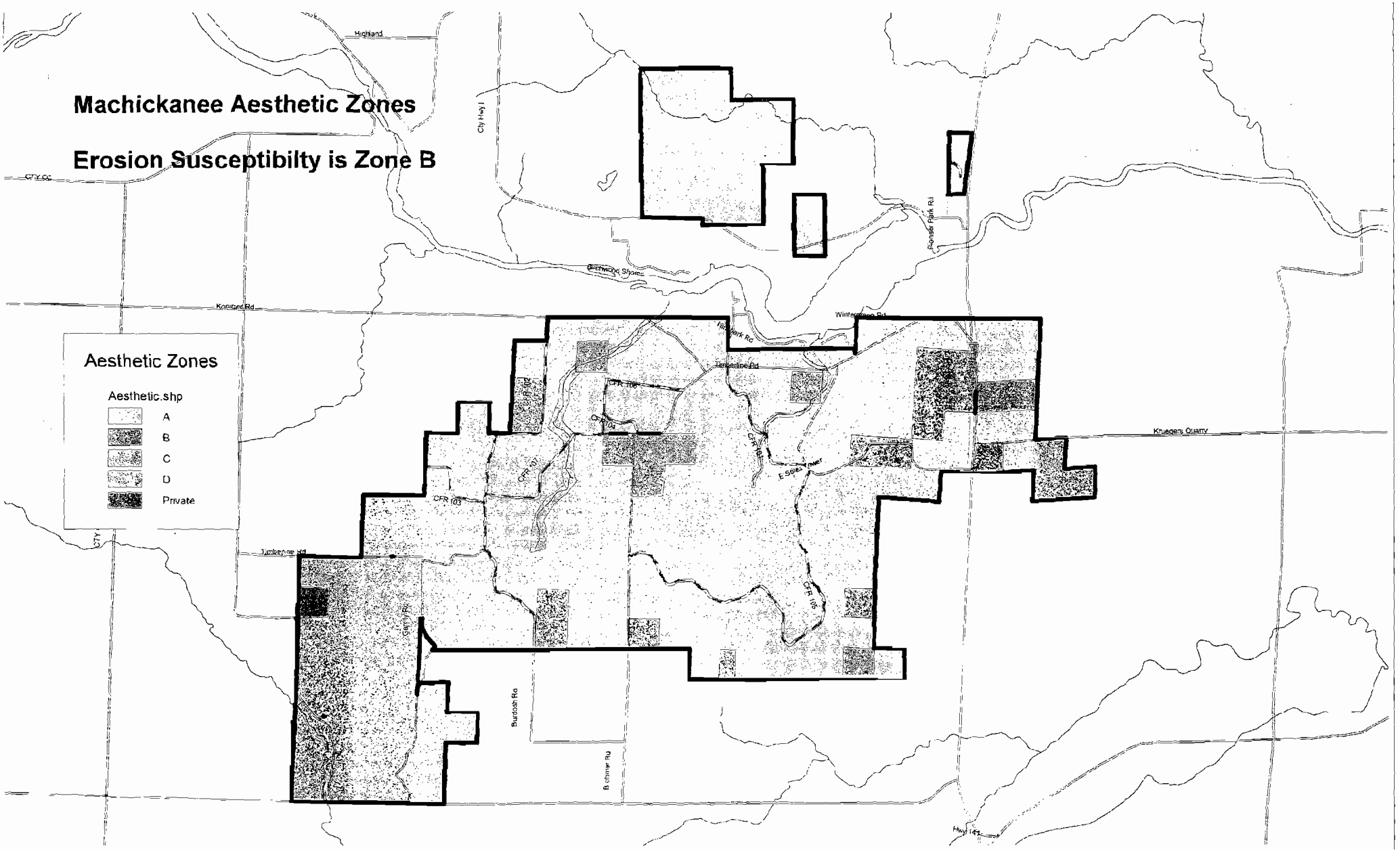
South Branch Aesthetic Zones

Erosion Susceptibility is Zone B



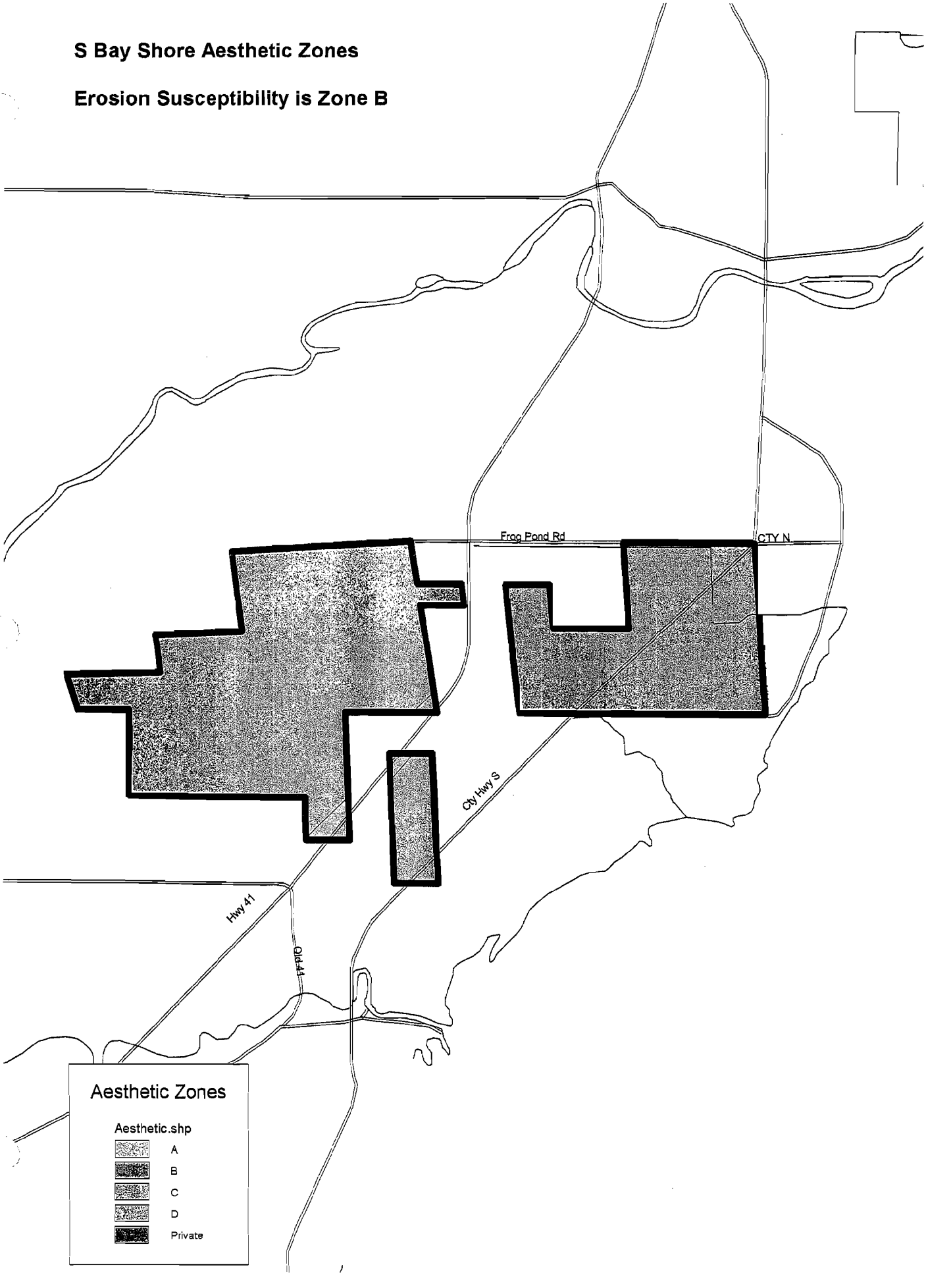
Machickanee Aesthetic Zones

Erosion Susceptibilty is Zone B



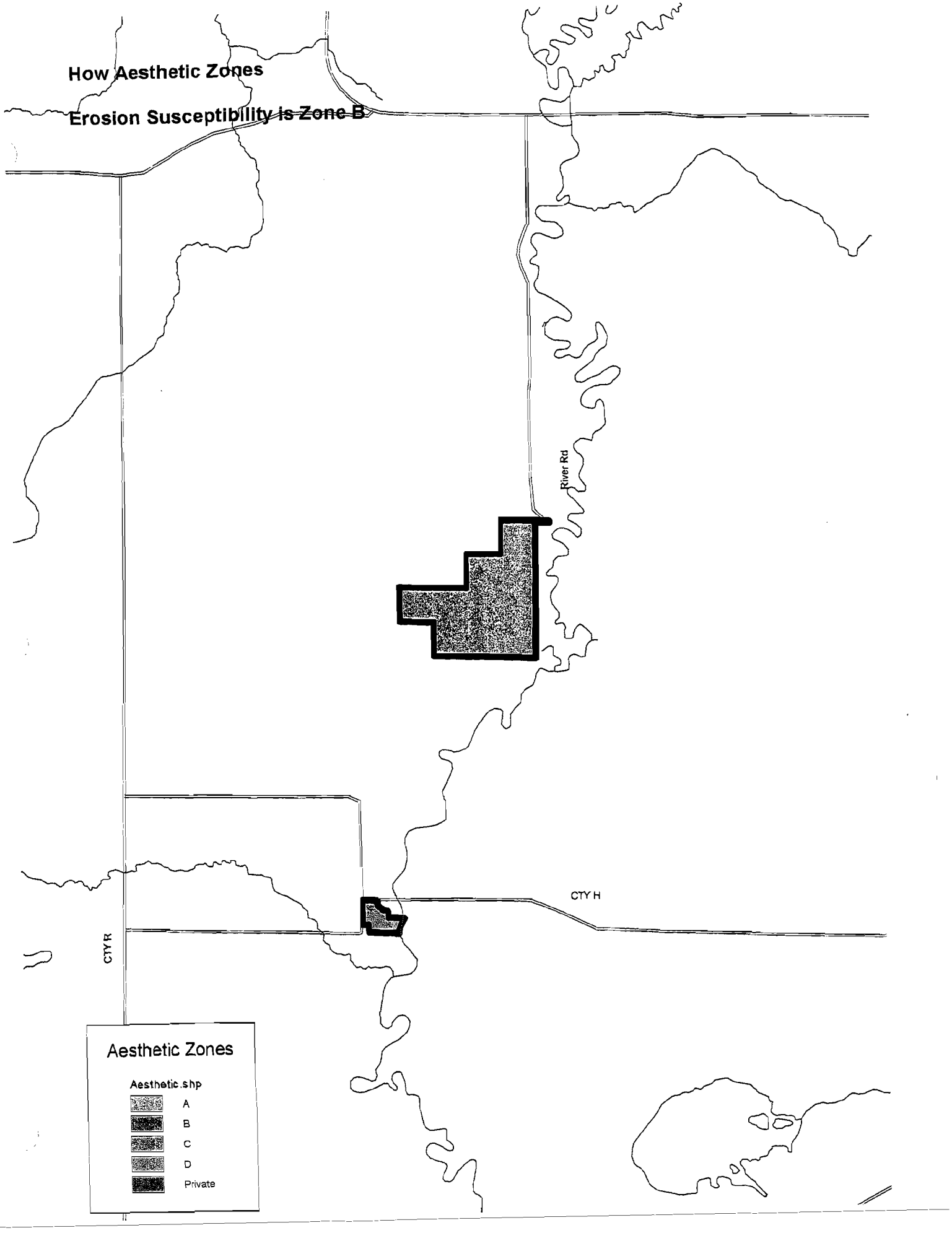
S Bay Shore Aesthetic Zones

Erosion Susceptibility is Zone B



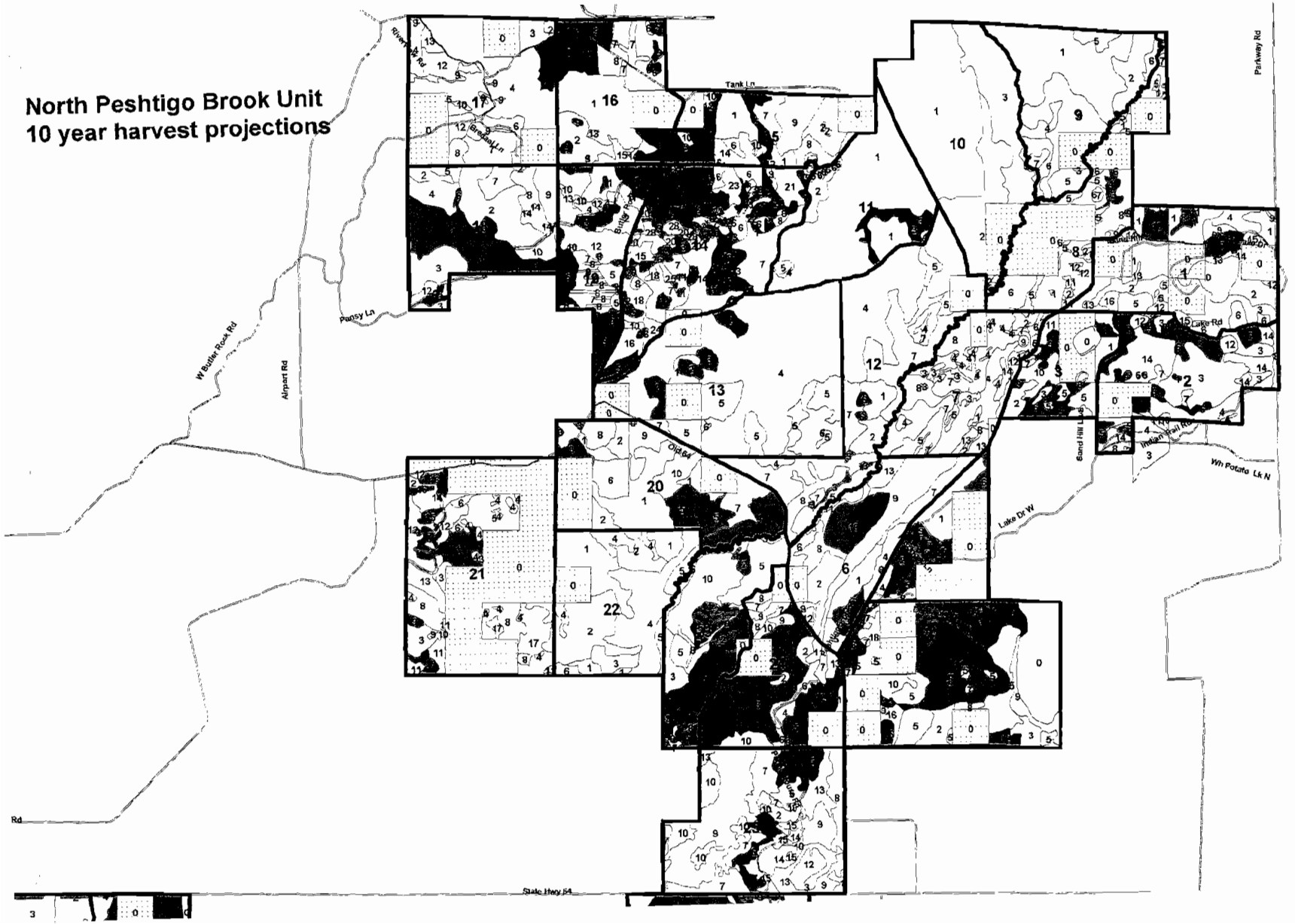
N Bay Shore Aesthetic Zones

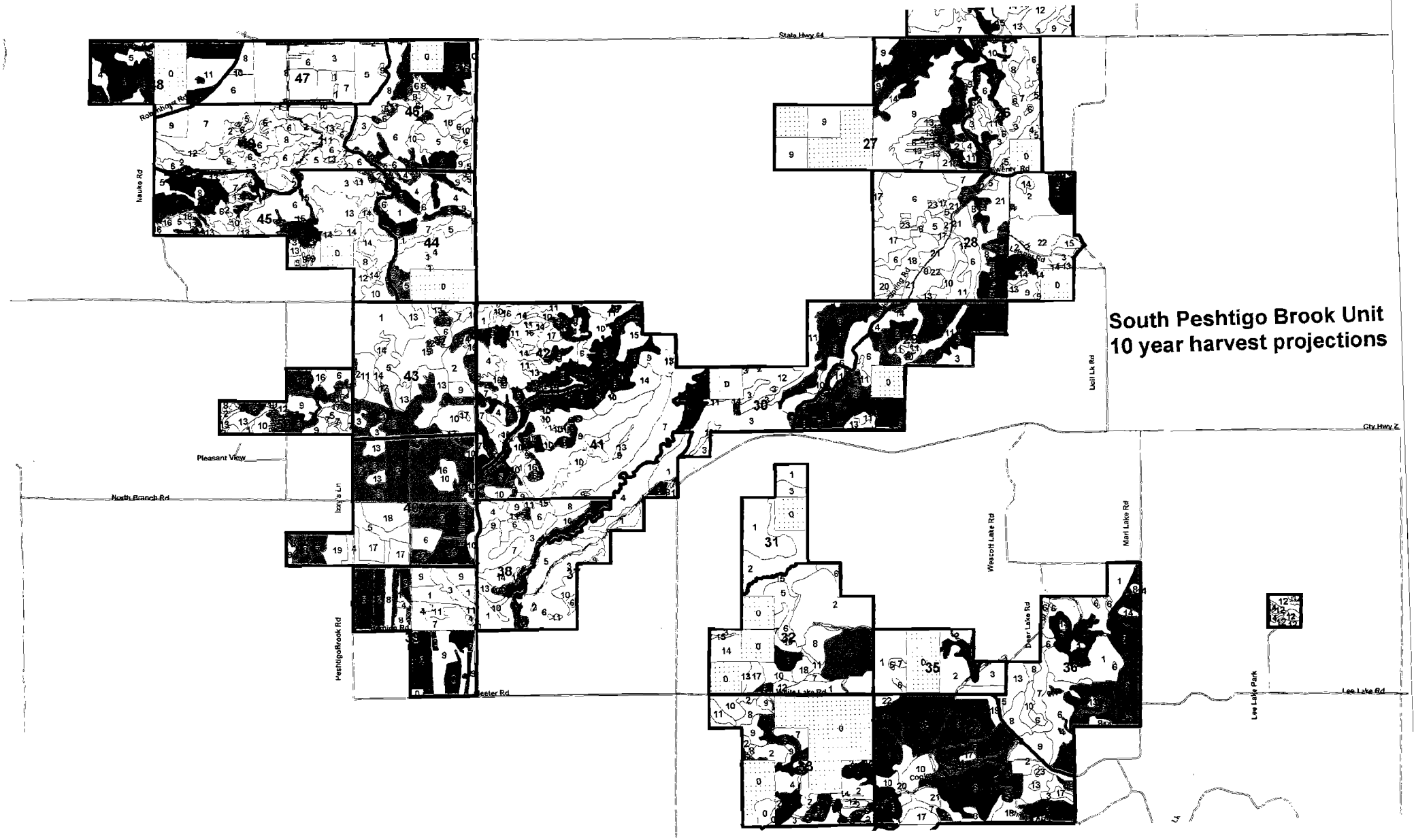
Erosion Susceptibility is Zone B


How Aesthetic Zones
Erosion Susceptibility is Zone B
River Rd
CTY H
CTY R
Aesthetic Zones
Aesthetic.shp
A
B
C
D
Private

900.10 MAPS OF PROPOSED HARVEST AREAS

North Peshtigo Brook Unit
10 year harvest projections




South Peshtigo Brook Unit
10 year harvest projections
State Hwy 64
Row Hwy Rd
Hauke Rd
Pleasant View
North Branch Rd
Izzy's Ln
Peshtigo Brook Rd
Leeter Rd
Wescott Lake Rd
Deer Lake Rd
Mari Lake Rd
Lee Lake Park
Lee Lake Rd
Cty Hwy Z
Ucil Lk Rd
Weeray Rd
Spring Rd
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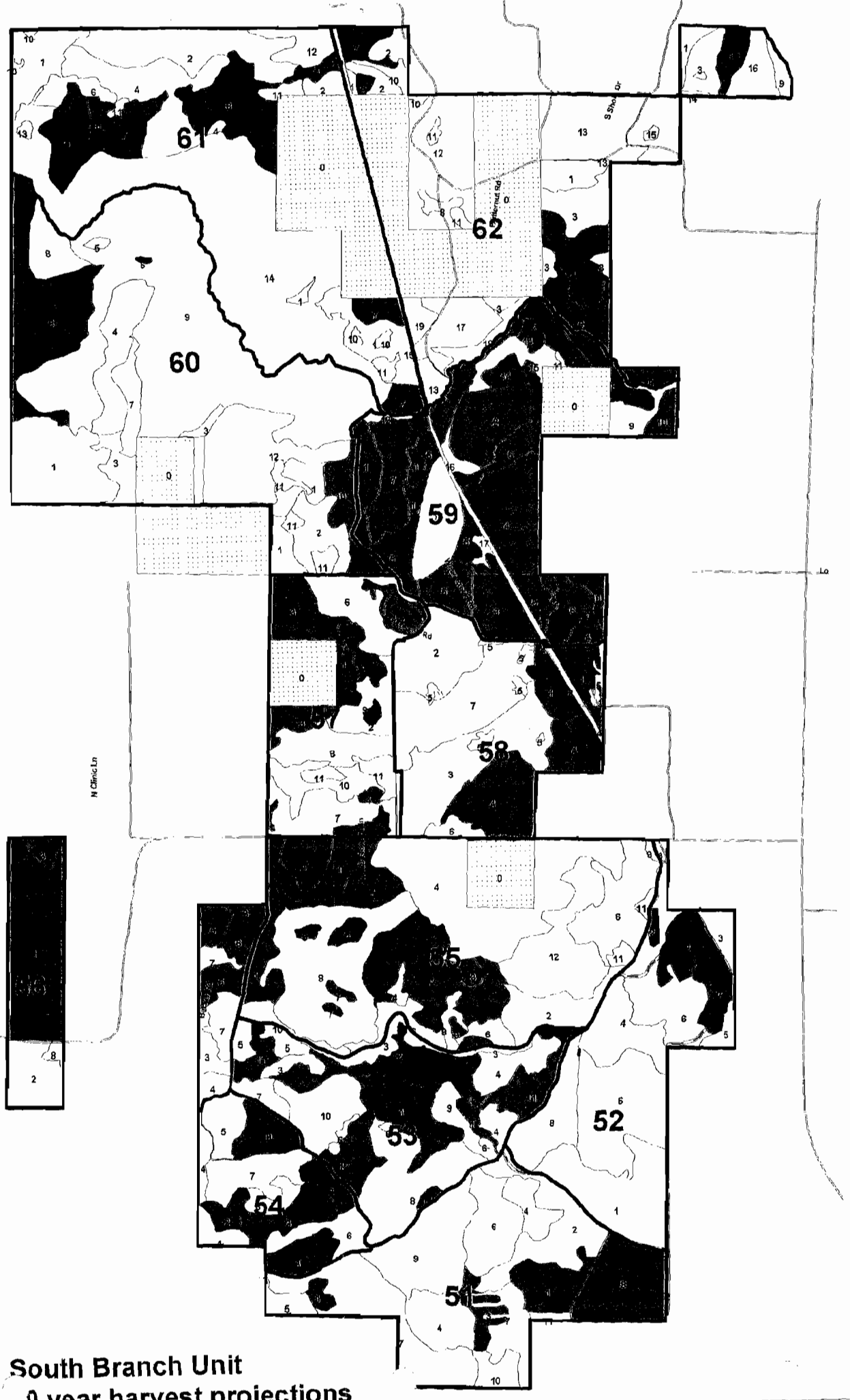
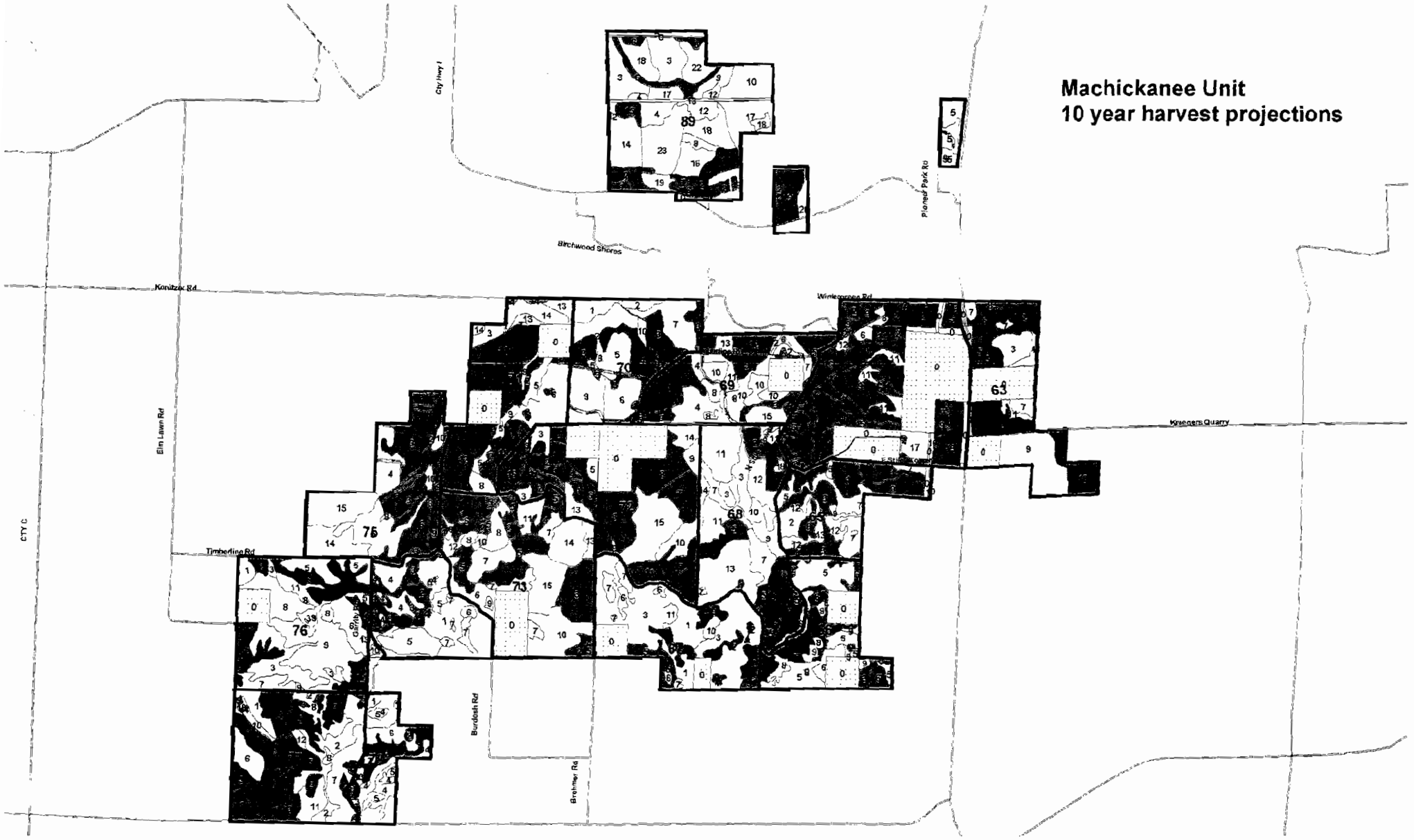
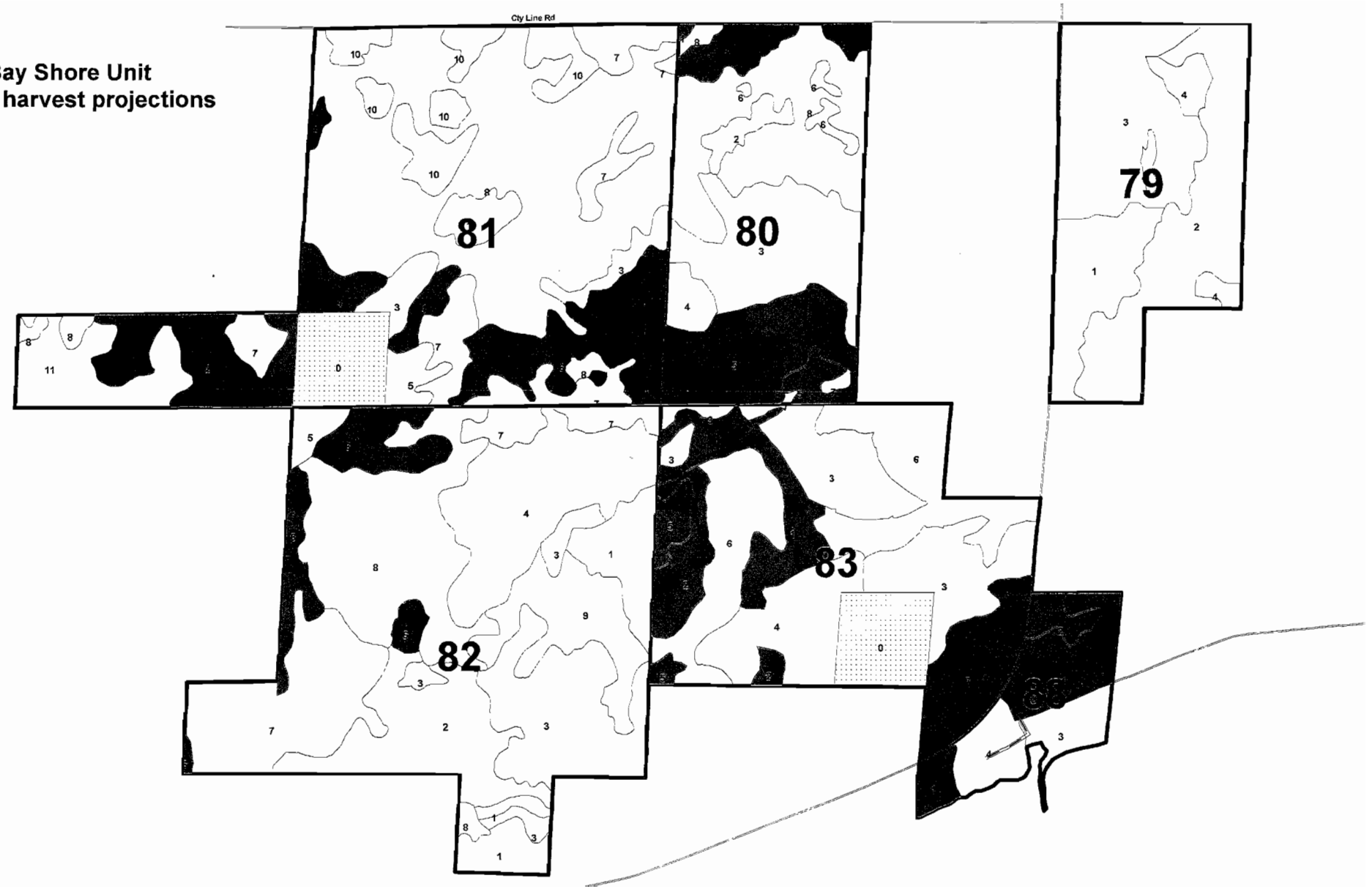


South Branch Unit
0 year harvest projections

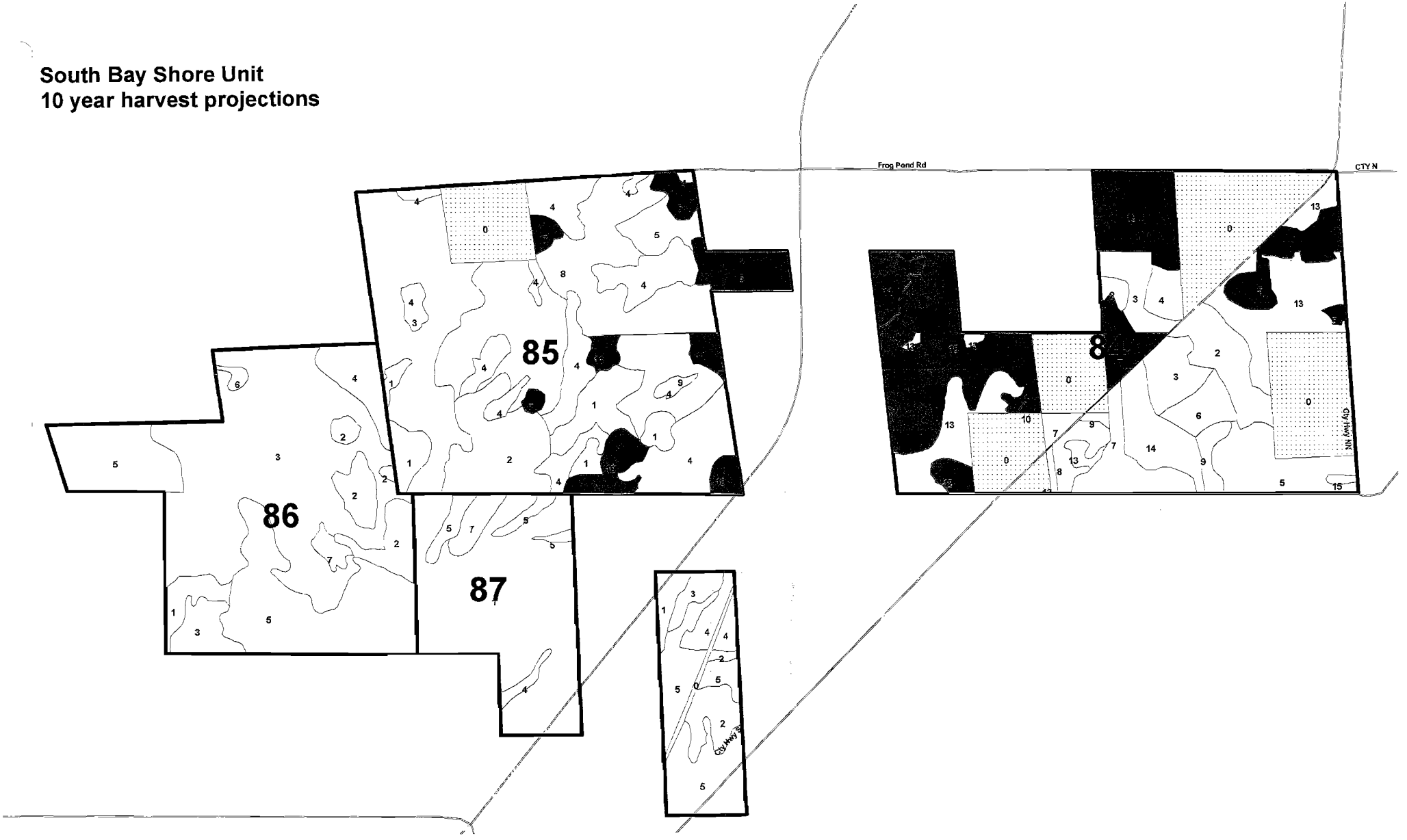
Machickanee Unit
10 year harvest projections



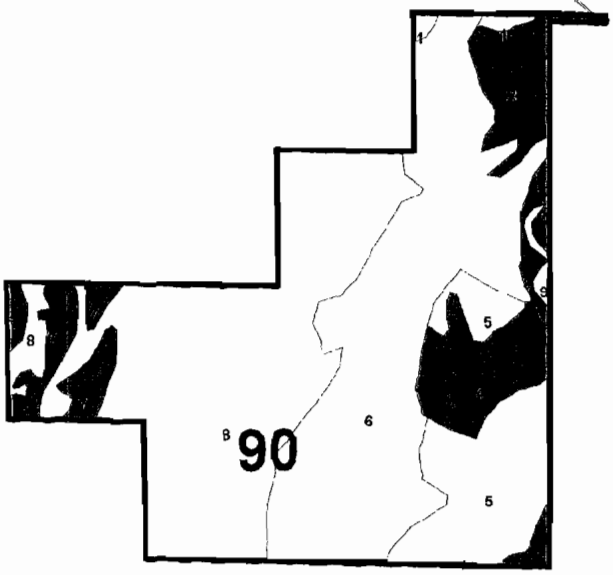
North Bay Shore Unit
10 year harvest projections

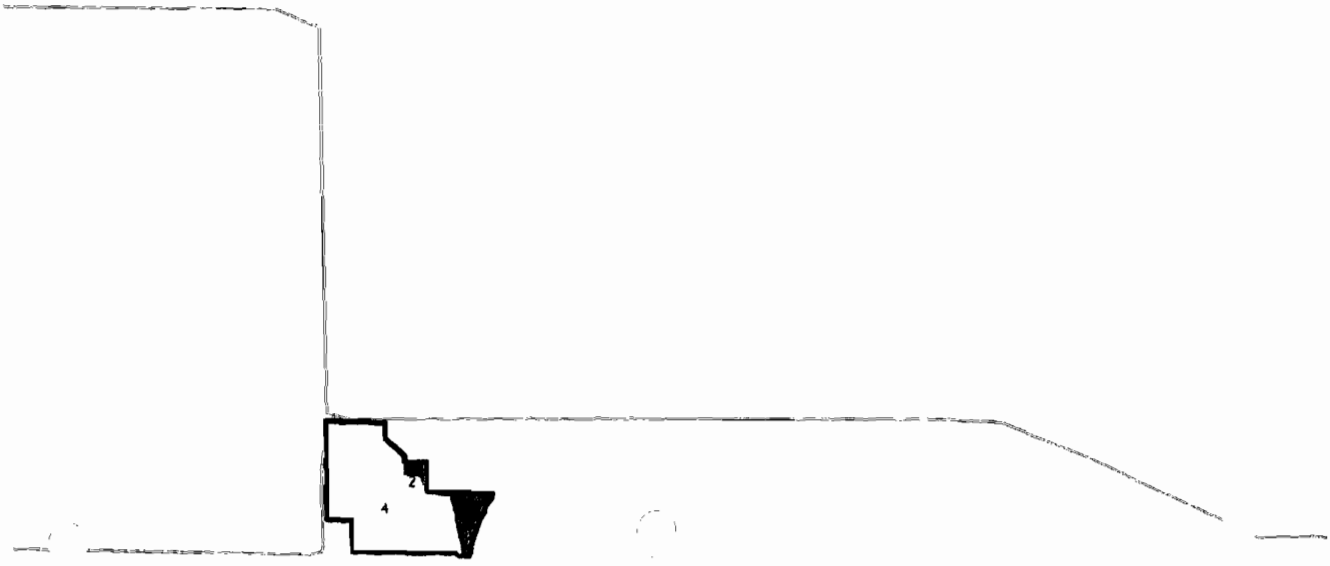


South Bay Shore Unit
10 year harvest projections

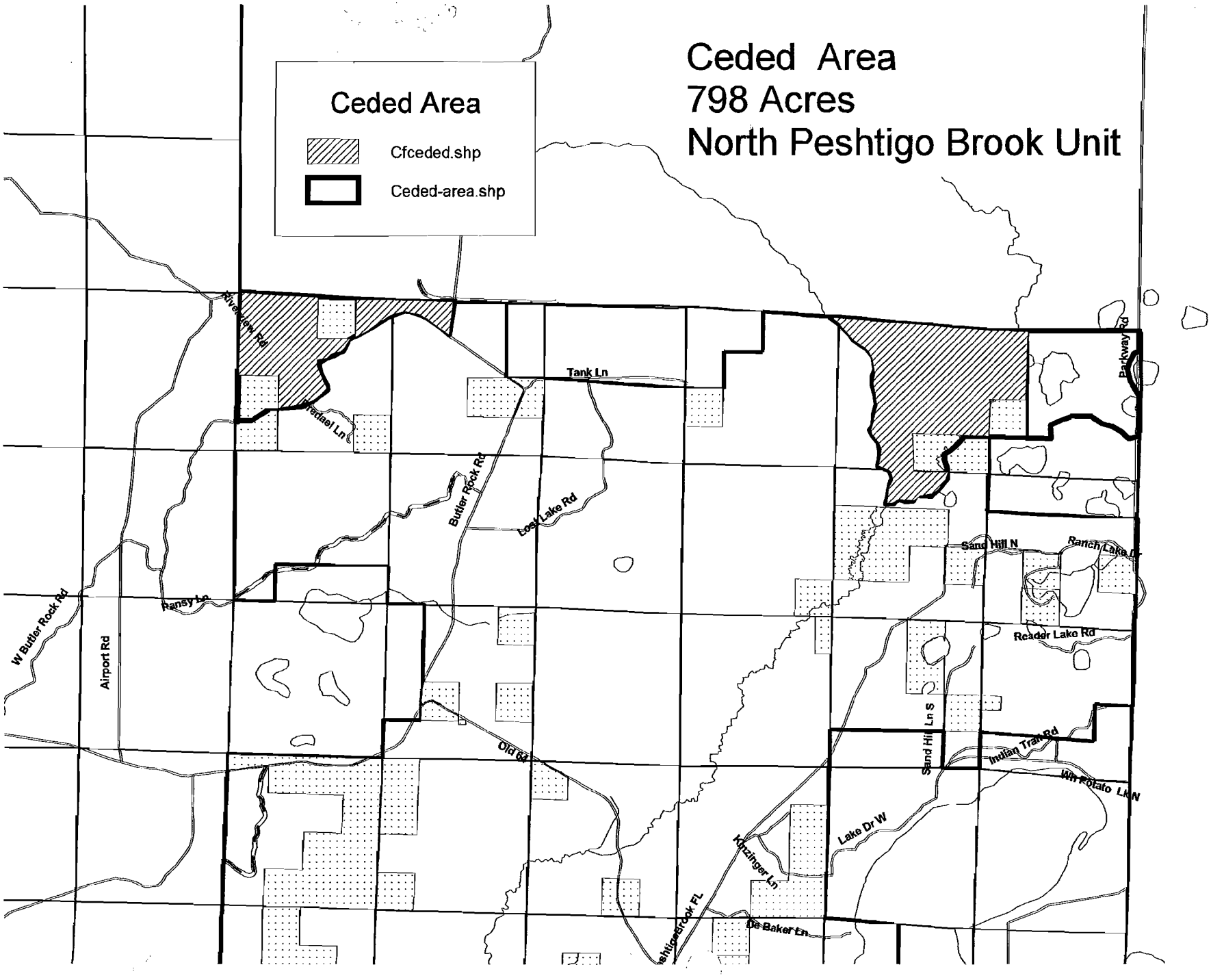


How Unit
10 year harvest projections





900.11 TREATY RIGHTS-CEDED AREA


Ceded Area
Cfceded.shp
Ceded-area.shp
Ceded Area
798 Acres
North Peshtigo Brook Unit
Riverview Rd
Tank Ln
Bradael Ln
Butler Rock Rd
Loost Lake Rd
Parkway Rd
Sand Hill N
Ranch Lake Ln
Reader Lake Rd
W Butler Rock Rd
Airport Rd
Ransy Ln
Sand Hill Ln S
Indian Trail Rd
Old Rd
Wh Potato Lk N
Lake Dr W
Konzinger Ln
De Baker Ln

905 LAWS AND ORDINANCES

905.1 COUNTY FOREST LAW (s. 28.11, Wis. Stats) *

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.

(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 received 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) Grants for county forest administrators.

(a) The department may make grants, from the appropriation unders. 20.370 (5) (bw), to counties having lands entered undersub. (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% of the forester's salary.

2. Up to 50% of the forester's fringe benefits, except that the fringe benefits may not exceed 40% of the forester's salary.

(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 ore 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. No timber sale contract is required for wood removed under sub. (3) (k). 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.

(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% 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% 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) 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% 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).

(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. 655ce 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.*

Cross Reference: *See also ch. NR 48 and ss. NR 1.24, 47.60, and302.03, Wis. adm. code.*

A county forest withdrawal appeal review committee under sub. (11) (a) is not 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.

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.

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