

Chapter NR 1

NATURAL RESOURCES BOARD POLICIES

NR 1.01	The management of fisheries and aquatic resources (p. 1)	NR 1.415	Policy on designation of department land uses (p. 19)
NR 1.015	The management of wildlife, preamble (p. 2)	NR 1.42	Acquisition of state forest land (p. 19)
NR 1.02	Inland fisheries management (p. 3)	NR 1.43	Acquisition of fish and game lands adjacent to water (p. 19)
NR 1.03	Mississippi river fisheries management (p. 6)	NR 1.44	Cooperation with county, town and municipal boards on land acquisition (p. 20)
NR 1.04	Great Lakes fishery management (p. 6)	NR 1.45	Disposition of state forest lands (p. 20)
NR 1.11	General (p. 6-1)	NR 1.46	Disposition of state fish and game lands (p. 20)
NR 1.12	Migratory game birds (p. 6-2)	NR 1.47	Disposition of state park lands (p. 20)
NR 1.13	Small game mammals (p. 8)	NR 1.48	Leasing department lands (p. 21)
NR 1.14	Upland game birds (p. 8)	NR 1.483	Leasing department tower sites for telecommunications systems (p. 21)
NR 1.15	Big game mammals (p. 10)	NR 1.485	Granting easements (p. 22)
NR 1.16	Furbearers (p. 12)	NR 1.49	Trespass (p. 22-1)
NR 1.17	Nongame wildlife (p. 13)	NR 1.50	Policy on issuance of environmental pollution orders (p. 22-1)
NR 1.18	Captive birds and mammals (p. 14)	NR 1.51	Management of state wildlife areas (p. 23)
NR 1.20	Growing trees and shrubs (p. 14-2)	NR 1.70	Policy on education (p. 24)
NR 1.21	Private forestry (p. 15)	NR 1.90	Adequacy of access (p. 24-2)
NR 1.22	Establishment of coniferous plantations (p. 15)	NR 1.91	Access abandonment (p. 26)
NR 1.23	Fire control cooperation (p. 16)	NR 1.92	Providing vehicular access to lakes and streams (p. 27)
NR 1.24	Management of state and county forests (p. 16)	NR 1.93	Fees for vehicular access (p. 28)
NR 1.30	State park system (p. 17)	NR 1.95	Wetland preservation, protection and management (p. 29)
NR 1.31	State-owned islands (p. 18)		
NR 1.32	Natural and scientific areas (p. 18)		
NR 1.40	Acquisition of recreational land (p. 18-1)		
NR 1.41	Land acquisition authorization (p. 18-1)		

NR 1.01 The management of fisheries and aquatic resources. Preamble.
 (1) To meet its responsibilities established by statute, department programs shall be based on scientific management principles which emphasize the protection, perpetuation, development, and use of all desirable aquatic species.

(2) The goal of fish management is to provide opportunities for the optimum use and enjoyment of Wisconsin's aquatic resources, both sport and commercial. A healthy and diverse environment is essential to meet this goal and shall be promoted through management programs.

(3) Aquatic resources include both nongame and game species of fish, other aquatic animals and their habitats. Endangered and threatened species form a special group that will be managed according to ch. NR 27 and s. 29.415, Stats.

(4) To assure its effectiveness, the management program shall be based upon a close working relationship among all functions of the department, other governmental agencies, federally recognized Indian tribes, and the public. The department will keep interested parties informed of policies, plans and management. To anticipate change and meet future demand,

the department shall engage in long-range planning of management programs.

(5) Financing the department's fish and aquatic resource management program through, in large part, user fees, particularly license fees and excise taxes on selected equipment purchased by sport and commercial fishers, is an established principle. Although user fees collected for a specific purpose are targeted at that purpose, they provide significant indirect benefits for a wide range of wildlife and users. When beneficiaries are a broader or different segment of the public, other funding sources will be sought.

(6) Wisconsin law enunciates a trust doctrine which secures the right of all Wisconsin citizens to quality, non-polluted waters and holds that waters are the common property of all citizens. Fish management programs will vigorously uphold the doctrine that citizens have a right to use in common the waters of the state and these waters shall be maintained free of pollution.

(7) With access to Wisconsin's lakes and streams a prerequisite for their use by the public, the acquisition and development of public access to waters should be accelerated, particularly in the more populous areas of the state.

(8) Wild and wilderness lakes and streams are a special and limited resource providing unique settings for enjoyment of fishing and other outdoor activities. Additional efforts are required to designate lakes and streams for this status. Special management methods that increase fishing quality shall be encouraged on these waters. Such methods may include trophy fishing, regulated harvest, special seasons, and controlled entry.

(9) Sport fishing should remain a true amateur sport which combines the pleasures and skills of angling with wildlife and scenic enjoyment, contemplation, and other subtle pleasures, not competition. Recent trends toward commercialization of sport fishing through contests and tournaments will be closely monitored. Appropriate action within the existing authority will be taken to control excesses.

History: Cr. Register, March, 1976, No. 243, eff. 4-1-76; r. and rec. Register, February, 1980, No. 290, eff. 3-1-80.

NR 1.015 The management of wildlife, preamble. (1) The conservation act (s. 23.09(1), Stats.) requires the department of natural resources to provide an adequate and flexible system for the protection, development and use of forests, fish and game, lakes, streams, plant life, flowers and other outdoor resources in this state. Specific authorities and missions of the department for wildlife protection and use besides the general authority are:

- (a) Protect and manage nongame species, particularly endangered, threatened and uncommon species;
- (b) Acquire and lease lands;
- (c) Conduct research and surveys;
- (d) Establish long-range resource management plans and priorities;
- (e) Manage wildlife habitat on public land;

Register, October, 1983, No. 334

(f) Provide regulations to govern the harvest of game species and fur-bearing mammals;

1. The first part of the document is a list of names and addresses of the members of the committee. The names are listed in alphabetical order, and the addresses are listed below each name. The list includes names such as Mr. J. H. Smith, Mr. W. B. Jones, and Mr. C. D. Brown.

2. The second part of the document is a list of names and addresses of the members of the committee. The names are listed in alphabetical order, and the addresses are listed below each name. The list includes names such as Mr. J. H. Smith, Mr. W. B. Jones, and Mr. C. D. Brown.

3. The third part of the document is a list of names and addresses of the members of the committee. The names are listed in alphabetical order, and the addresses are listed below each name. The list includes names such as Mr. J. H. Smith, Mr. W. B. Jones, and Mr. C. D. Brown.

4. The fourth part of the document is a list of names and addresses of the members of the committee. The names are listed in alphabetical order, and the addresses are listed below each name. The list includes names such as Mr. J. H. Smith, Mr. W. B. Jones, and Mr. C. D. Brown.

5. The fifth part of the document is a list of names and addresses of the members of the committee. The names are listed in alphabetical order, and the addresses are listed below each name. The list includes names such as Mr. J. H. Smith, Mr. W. B. Jones, and Mr. C. D. Brown.

6. The sixth part of the document is a list of names and addresses of the members of the committee. The names are listed in alphabetical order, and the addresses are listed below each name. The list includes names such as Mr. J. H. Smith, Mr. W. B. Jones, and Mr. C. D. Brown.

7. The seventh part of the document is a list of names and addresses of the members of the committee. The names are listed in alphabetical order, and the addresses are listed below each name. The list includes names such as Mr. J. H. Smith, Mr. W. B. Jones, and Mr. C. D. Brown.

8. The eighth part of the document is a list of names and addresses of the members of the committee. The names are listed in alphabetical order, and the addresses are listed below each name. The list includes names such as Mr. J. H. Smith, Mr. W. B. Jones, and Mr. C. D. Brown.

9. The ninth part of the document is a list of names and addresses of the members of the committee. The names are listed in alphabetical order, and the addresses are listed below each name. The list includes names such as Mr. J. H. Smith, Mr. W. B. Jones, and Mr. C. D. Brown.

10. The tenth part of the document is a list of names and addresses of the members of the committee. The names are listed in alphabetical order, and the addresses are listed below each name. The list includes names such as Mr. J. H. Smith, Mr. W. B. Jones, and Mr. C. D. Brown.

2. The department may serve on alleged violators a notice of alleged violation specifying the statute or rule allegedly violated and findings of fact on which the violation is based. An order shall accompany said notice. The order shall become effective unless the person named in the order requests in writing a hearing within 10 days of the service of the order. If a hearing is requested, the order shall be suspended. After the hearing is closed, the department shall affirm, amend or rescind the order.

(4) **EMERGENCY ORDERS.** Emergency orders may be issued by the department without a hearing whenever the department determines that a condition of imminent or actual water or air pollution exists which requires immediate action. The emergency orders shall specify the time and place of hearing thereon, not more than 24 hours after service of the order on the persons affected thereby in the case of air pollution, and as soon as practicable but not more than 20 days after service of the order on the persons affected thereby in cases of water pollution. Before the close of the hearing, and not more than 24 hours after the commencement thereof, the board, in air pollution cases, shall affirm, modify or set aside the emergency order or issue a special order. In the case of water pollution the department shall modify or rescind the temporary emergency order or issue a special order after the close of the hearing.

(5) **NOTICES.** All notices given by the department hereunder shall be served personally or by mail, and shall be deemed to have been served upon deposit in the United States mails addressed to the last known address of the person to whom addressed, with postage prepaid thereon. All petitions and notices to the department shall be served by delivery thereof to the Department of Natural Resources, Pyare Square Building, 4610 University Avenue, Madison, Wisconsin 53701.

Note: The Department of Natural Resources is located at 101 S. Webster St., Madison, Wis. 53702.

History: Cr. Register, February, 1971, No. 194, eff. 3-1-72.

NR 1.51 Management of state wildlife areas. Section 23.09 (2) (d) 3., Stats., provides legislative authority and direction for the acquisition and management of wildlife areas. The primary purpose as stated in this statute is to provide "areas in which any citizen may hunt, trap or fish". Section 23.11 (1), Stats., provides for the general care, protection and supervision of state lands. Section 23.30, Stats., deals with the provisions of the outdoor recreation program.

(1) In order to fulfill the statutory charge of providing public hunting and trapping on wildlife areas, the quality of their wildlife habitat must be maintained or developed. However, this is not to be construed as authority for exclusive single-purpose management of entire properties. Wildlife habitat needs and public hunting objectives shall receive major consideration in management planning for wildlife areas; however, fishery, forestry, wild resource and outdoor recreational objectives will be accommodated when they are compatible and do not detract significantly from the primary objective.

(2) The concept of a general user fee to fund operational activities on wildlife areas which require maintenance to keep them safe, functional and attractive is endorsed.

(3) The following uses will be accommodated on wildlife areas in accord with the priorities and constraints of practical and scientific wildlife management principles and obligations:

(a) *Public hunting and trapping.* The primary use on all designated wildlife areas shall be hunting and trapping. Legislation and regulations are encouraged to limit numbers of participants utilizing state land where necessary to insure opportunities for a quality recreational experience. The use of closed areas and/or refuges is endorsed to provide wildlife with required sanctuary from hunting and to protect property.

(b) *Scientific study.* Relatively undisturbed biological systems on wildlife areas provide a unique opportunity for scientific research on natural or near-natural systems. Since a thorough knowledge of wildlife ecology is the basis of a sound wildlife management program, the designation of suitable tracts as scientific areas is encouraged.

(c) *Compatible open-space uses.* Open-space pedestrian uses, including hiking, nature study, wildlife viewing and cross-country skiing are generally compatible with the primary purpose of wildlife areas. These activities will be accommodated but may have to be limited in time and location to avoid interference with wildlife production or survival and public hunting or trapping.

(d) *Camping.* Limited primitive camping may be permitted on wildlife areas. Camping should not be encouraged nor will developments be undertaken to service campers except at locations designated in the property master plan.

(e) *Off-road vehicles.* Unrestricted use of off-road vehicles, including snowmobiles, will not be permitted on wildlife areas. Agreements may be made with counties, other municipalities, or private clubs for the use and maintenance of designated trails or areas where such use will not be detrimental to wildlife or conflict with public hunting.

(f) *Horses.* Indiscriminate horseback riding will not be permitted on wildlife areas. Use of horses may be permitted on designated trail systems, specific dog trial and training areas and in other areas where such use will not unduly damage wildlife habitat or conflict with wildlife production and public hunting.

(g) *Special use permits.* Special use permits may be authorized for outdoor recreational activities such as organized youth group camping, dog trials, etc., but only where such activities do not conflict with each other and where they are compatible with the primary purpose of the property. Sites where such activities are to be permitted and the facilities required shall be designated in the property master plan.

History: Cr. Register, July, 1977, No. 259, eff. 8-1-77.

NR 1.70 Policy on education. (1) Wisconsin has a unique abundance of varied and high quality natural resources. The successful stewardship of those resources is largely dependent upon enlightened and responsible decision-making by Wisconsin citizens, government and private interests. The department recognizes the need to develop a coordinated environmental education program. Education is the foundation of effective resource management and environmental protection activities. Natural resources protection and management goals can be more readily achieved and sustained by incorporating education elements in depart-

ment functions and philosophies. An active educational program is necessary to encourage incorporation of education into department programs, to inform citizens on natural resources issues and to develop alternative solutions to natural resources problems.

(2) Effective environmental education will result in better understanding of the operations and programs of the department and will help meet management goals. The goal of the department's environmental education program is to assist in developing a citizenry that:

- (a) Is aware of Wisconsin's natural resources;
- (b) Understands resource use issues, limits, capabilities and problems;
- (c) Analyzes and evaluates personal and public values that affect resource management; and
- (d) Acquires the individual and collective skills and purpose to act responsibly in using natural resources in work and leisure.

(3) The department shall assist Wisconsin educational institutions at all grade and age levels by:

- (a) Making available supplemental services, education materials, expertise of department employes and volunteers, and facilities and properties;
- (b) Cooperating and coordinating with the department of public instruction, university of Wisconsin-system, Wisconsin board of vocational, technical and adult education in assisting teachers, administrators and others interested in education in understanding the importance of their role in environmental education and in obtaining knowledge, skills and materials in this instructional area.

(4) Department education programs shall follow agency policies, management directives and guidelines. Educational programs should be a means of achieving management goals and objectives; should complement and be consistent with agency priorities; and should focus on the areas of natural resource management and environmental protection. To implement its educational policy, the department shall:

- (a) Designate the bureau of information and education as agencywide coordinator of environmental education activities.
- (b) Create a department education committee, appointed by the secretary, to advise the secretary on environmental education matters.
- (c) Actively cooperate with private, state and federal agencies and organizations with existing or potential interest in environmental and conservation education.
- (d) Consider and incorporate education elements into annual and long-range program plans and budgets.
- (e) Consider environmental education skills and interest in the recruitment, training, promotion and assignment of department employes.
- (f) Delineate environmental education responsibilities in position descriptions.

(g) Incorporate additional and broadened environmental education elements in department subprograms.

(h) Incorporate environmental education elements in property and facility acquisition, development and programming.

(i) Utilize the MacKenzie environmental education center and youth camps and facilities for environmental education programming.

(j) Identify teachers and selected adult groups as primary audiences to maximize program impact.

(k) Encourage involvement with volunteer, school, youth, special interest and adult groups.

(l) Develop written and audio-visual materials, supplies and aids necessary to accomplish program goals.

History: Cr. Register, October, 1983, No. 334, eff. 11-1-83.

NR 1.90 Adequacy of access. (1) It is the purpose of this section and ss. NR 1.91 and 1.92 to provide guidelines for access adequacy or abandonment decisions by the department. The public interest in the waters of this state and access to them shall be protected to the fullest extent authorized by the law. Abandonment of public access to a body of water shall not be approved if such abandonment would result in injury to the public rights as determined by the use of standards provided herein and in ss. NR 1.91 and 1.92. The burden of demonstrating that abandonment will not injure the rights and interests of the pub-

Next page is numbered 25