

DEPARTMENT OF NATURAL RESOURCES

1

NR 1

Chapter NR 1

NATURAL RESOURCES BOARD POLICIES

NR 1.01	Management of fisheries and aquatic resources (p. 1)	NR 1.415	Policy on designation of department land uses (p. 23)
NR 1.015	Management of wildlife, preamble (p. 2)	NR 1.42	Acquisition of state forest land (p. 24)
NR 1.02	Inland fisheries management (p. 3)	NR 1.43	Acquisition of fish and game lands adjacent to water (p. 24)
NR 1.03	Mississippi river fisheries management (p. 6)	NR 1.44	Cooperation with county, town and municipal boards on land acquisition (p. 24)
NR 1.04	Great Lakes fishery management (p. 6)	NR 1.45	Disposition of state forest lands (p. 24)
NR 1.11	Wildlife management (p. 6)	NR 1.46	Disposition of state fish and game lands (p. 25)
NR 1.12	Migratory game birds (p. 8)	NR 1.47	Disposition of state park lands (p. 25)
NR 1.13	Small game mammals (p. 9)	NR 1.48	Leasing department lands (p. 26)
NR 1.14	Upland game birds (p. 10)	NR 1.483	Leasing department tower sites for telecommunications systems (p. 26)
NR 1.15	Big game mammals (p. 12)	NR 1.485	Granting easements (p. 27)
NR 1.16	Furbearers (p. 14)	NR 1.49	Trespass (p. 27)
NR 1.17	Nongame wildlife (p. 15)	NR 1.50	Policy on issuance of environmental pollution orders (p. 28)
NR 1.18	Captive birds and mammals (p. 16)	NR 1.51	Management of state wildlife areas (p. 29)
NR 1.20	Growing trees and shrubs (p. 18)	NR 1.70	Policy on education (p. 30)
NR 1.21	Private forestry (p. 19)	NR 1.90	Adequacy of access (p. 32)
NR 1.22	Establishment of coniferous plantations (p. 19)	NR 1.91	Access abandonment (p. 33)
NR 1.23	Fire control cooperation (p. 20)	NR 1.92	Providing vehicular access to lakes and streams (p. 34)
NR 1.24	Management of state and county forests (p. 20)	NR 1.93	Fees for vehicular access (p. 35)
NR 1.30	State park system (p. 21)	NR 1.95	Wetland preservation, protection and management (p. 37)
NR 1.31	State-owned islands (p. 22)		
NR 1.32	Natural areas and scientific areas (p. 22)		
NR 1.40	Acquisition of recreational land (p. 23)		
NR 1.41	Land acquisition authorization (p. 23)		

NR 1.01 Management of fisheries and aquatic resources (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 recr. Register, February, 1980, No. 290, eff. 3-1-80.

NR 1.015 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;

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

(g) Establish resource management information and education programs; and

Register, January, 1989, No. 397

(a) No trees or shrubs over 5 years of age or more than once transplanted shall be produced for general distribution by state-operated nurseries.

(b) Species grown shall be limited to trees and shrubs normally used for forestry and wildlife plantings.

(c) No shipment of less than 500 trees will be made to an applicant. However, "wildlife packets", including trees and shrubs and tree packets for windbreaks, shelterbelts and erosion control in quantities of not less than 250 trees or shrubs shall be made available where practicable.

(d) No trees or shrubs shall be made available to commercial or municipal nurseries for lining out stock or other nursery purposes.

(e) Trees may be cut for Christmas tree purposes only where they are a product of plantation thinning. Christmas tree cutting shall not reduce the number of trees below 500 per acre.

(f) Trees and shrubs may be made available free of charge except for the cost of transportation to educational institutions, youth groups (such as 4-H, future farmers, boy scouts and similar vocational or character building organizations), lessors of public hunting and fishing grounds, and state and county agencies and semi-public or nonprofit organizations for planting on public lands or lands open to the public or for research purposes, provided the department is assured the project will have adequate supervision.

(g) All trees and shrubs distributed for planting on privately owned land (except as provided in par. (f)) shall be paid for at prices approved by the department.

(h) Free trees and shrubs will be limited to a maximum of 1,000 per year to lessors of public hunting and fishing grounds.

(i) Species inventories exceeding sales and allotments may be sold or traded with other states or the U.S.F.S.

History: Cr. Register, April, 1975, No. 232, eff. 5-1-75.

NR 1.21 Private forestry. (1) The department shall provide technical forestry assistance on privately owned forest lands in Wisconsin.

(2) The department may enter into agreements, executed by the secretary, with any governmental agency, public or private corporation or private owner to achieve improved forest land management.

(3) The concept of multiple-use of forest lands will be utilized to assure maximum public benefits of wood production, wildlife management, improved watershed protection and recreational use.

History: Cr. Register, April, 1975, No. 232, eff. 5-1-75.

NR 1.22 Establishment of coniferous plantations. The department shall encourage the establishment and intensive management of coniferous plantations planted with suitable species and spacing. The landowner shall be encouraged to maintain access ways which will aid in the management, diversified use, prevention, detection and suppression of destructive forces which might endanger such plantations

History: Cr. Register, April, 1975, No. 232, eff. 5-1-75.

Register, January, 1989, No. 397

NR 1.23 Fire control cooperation. The department shall assist local governments in fire emergencies whenever possible, utilizing personnel and equipment from the department.

History: Cr. Register, April, 1975, No. 232, eff. 5-1-75.

NR 1.24 Management of state and county forests. (1) The natural resources board's objective for the management of state forests and other department properties where timber cutting is carried out and county forests is to grow forest crops by using silvicultural methods that will perpetuate the forest and maintain diversified plant and animal communities, protect soil, watersheds, streams, lakes, shorelines and wetlands, in a true multiple-use concept. In the management of the forests, it shall be the goal of the board to insure stability in incomes and jobs for wood producers in the communities in which the state and county forest lands are located, and to increase employment opportunities for wood producers in future years. Whenever possible, large sale contracts shall be for 4 years which will assist wood producers in dealing with uneven demand and prices for their products.

(2) To achieve this objective, sale areas or cutting blocks and timber harvest operations will be planned through an intra-departmental interdisciplinary review process when 10-year plans are developed in cooperation with the affected county to optimize management practices; to recognize the long-term values of preserving the integrity of the soil; to assure the maintenance of water quality; and to achieve multiple objectives of forest land management. Although multiple use shall be the guiding principle on state and county forests, the board recognizes that optimization of each use will not be possible on every acre. Desirable practices include:

(a) Fully utilizing available topographic maps, aerial photographs and soil surveys and combining these with local knowledge or field reconnaissance to ascertain on-the-ground conditions.

(b) Wherever practical, use perennial streams as harvest-cutting boundaries with provision for a streamside management zone to protect stream bank integrity and water quality, and with skidding planned away from these streams and the adjacent streamside management zones.

(c) An appropriate silvicultural system and cutting design should be planned to optimize economic skidding distances, to minimize road densities and unnecessary road construction and for efficient establishment and management of subsequent forest crops.

(d) Cutting boundaries should utilize topographic terrain, ridges, roads and forest type changes where ownership patterns permit and should provide a harvest area size consistent with economical skidding, available logging equipment, silvicultural requirements and other management objectives.

(e) Plan cutting layouts to avoid leaving narrow unmanageable strips of timber susceptible to storm damage and windthrow.

(3) Department properties and county forests shall be zoned and managed primarily for esthetic values in selected areas as identified in the master plan to recognize the importance of scenic values to the economy of the state. When clearcutting can be used to develop specialized

Register, January, 1989, No. 397

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 public in a body of water shall be on the party requesting the approval of the abandonment. The availability of a body of water for public use may be used by the department as a factor in the development of priorities for the following so that the public is afforded the opportunity to utilize or receive benefit from:

- (a) The awarding of development grants;
- (b) The development of facilities adjacent to a body of water; or
- (c) The delivery of management services designed to provide quality uses of a body of water.

(2) (a) "Adequate access" exists when the general public has been provided with entry to a body of water to enjoy quality uses at a reasonable fee, if one is charged, considering the character and uses of the water. The following criteria must also be met:

1. The public should be able to park within a reasonable walking distance of the body of water, given the character and use of the access, but in no case more than $\frac{1}{4}$ of a mile from the water. This paragraph is not applicable if the body of water or land surrounding it either has been designated as wild or wilderness by the department or is being managed as wild or wilderness in a manner and for a purpose acceptable to the department.

2. For a body of water having uses involving boating, adequate car-trailer unit parking must be provided to ensure that the existing or potential users are given an opportunity to park their vehicles within $\frac{1}{4}$ of a mile from the water.

3. The state of Wisconsin or one town, county, village, city or public inland lake protection and rehabilitation district in which the body of