

MAY 10, 1989

PIKE WILD RIVER PROJECT

Master Plan

Concept Element



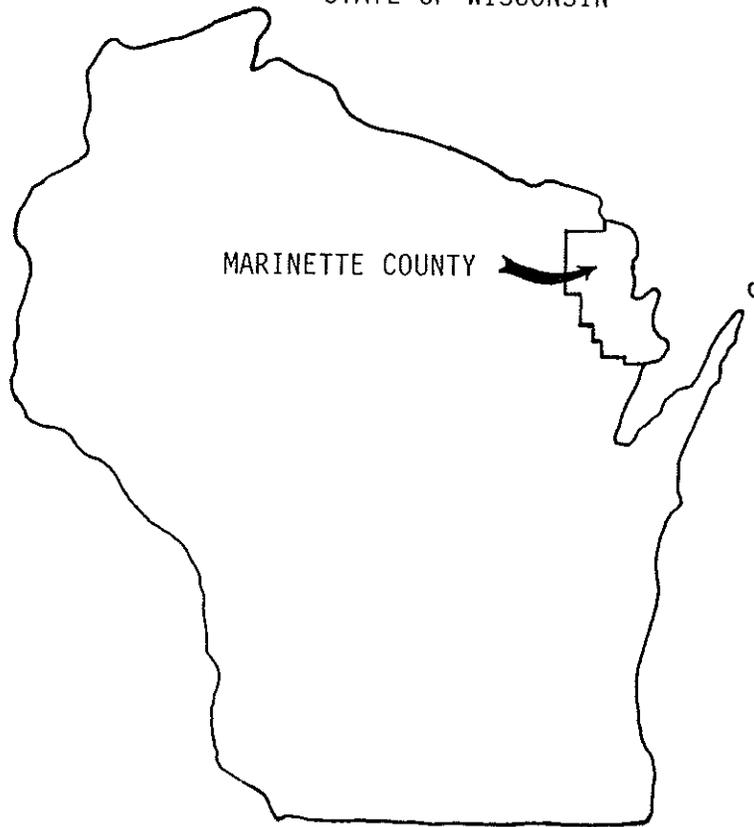
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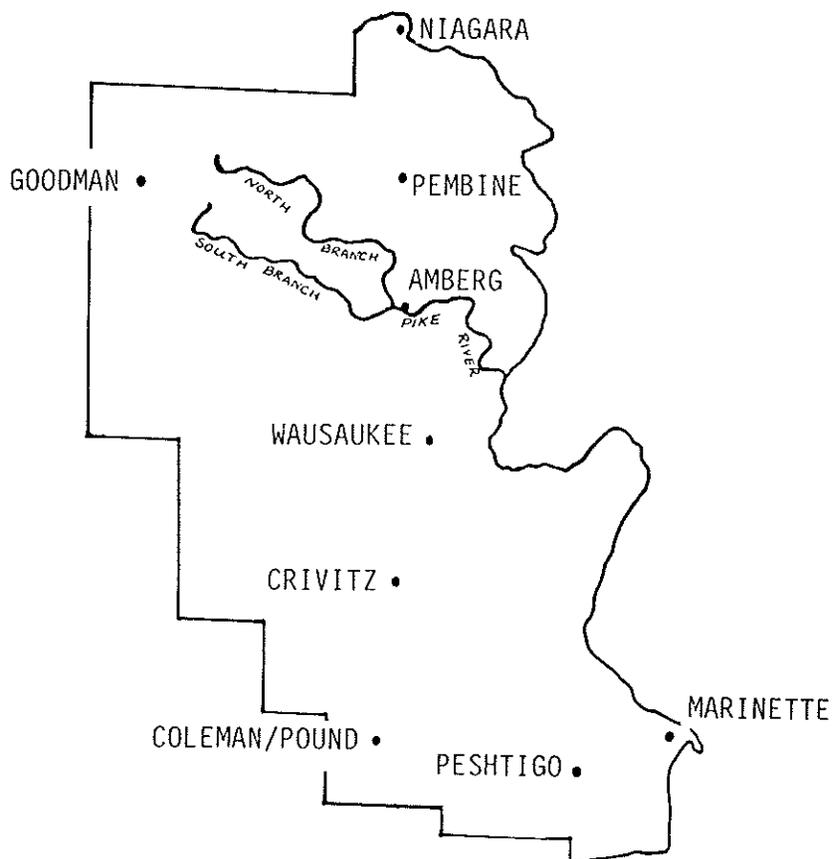
7-26-89

STATE OF WISCONSIN



MARINETTE COUNTY

MARINETTE COUNTY



NIAGARA

GOODMAN

PEMBINE

NORTH BRANCH
SOUTH BRANCH

AMBERG

PIKE RIVER

WAUSAUKEE

CRIVITZ

COLEMAN/POUND

PESHTIGO

MARINETTE

TABLE OF CONTENTS

	Page
Introduction	1
I. Goals and Objectives	2
II. Recommended Management and Development	3
A. Land Control	3
B. Restoration	5
C. Vegetative Management	5
D. Access	7
E. Fish Management	8
F. Wildlife Management	9
G. Primitive Camping	9
H. Pleasure Waling Trails	9
I. Forest Fire Control	10
J. Other Uses	10
K. Law Enforcement	10
L. Coordination and Cooperation	11
III. Support Data	13
A. Background Information	13
B. Resource Capabilities	14
C. Management Problems	21
D. Recreational Needs and Justifications	24
IV. Analysis of Alternatives	28
A. Acquisition	28
B. Restoration	30
C. Vegetative Management	31
D. Access and Use	31
E. Fishing	32
F. Wildlife	32
G. Primitive Camping	32
H. Pleasure Walking Trails	33
I. Forest Fire Control Activities	33
J. Other Uses	34

Appendix

1. Section 30.26, Wisconsin Statutes
2. NR 302, Wisconsin Administrative Code
3. Project Boundary and Property Ownership Map
4. Model Wild River Zoning Ordinance
5. Proposed Portage and Parking Area Map
6. Excerpt From Silvicultural and Forest Aesthetics Handbook
7. Public Review Report

INTRODUCTION

The Pike Wild River Project

In 1965, the Wisconsin Legislature established the State Wild River System, which includes the Pike River in Marinette County (See Appendix 1).

The Pike River flows through the following Townships: T34N, R21E; T35N, R19E; T35N, R20E; T35N, R21E; T36N, R18E; T36N, R19E; T36N, R20E; T37N, R18E.

The project includes the north, south and main branches of the Pike River as it meanders for 61.3 miles through primarily undeveloped areas. The North Branch Project begins at the outlet of North Pond in the Town of Goodman. The South Branch Project begins at the outlet of Coleman Lake also in the Town of Goodman. The North and South Branches combine approximately one-half mile west of the Village of Amberg to form the Main Branch of the Pike. The Main Branch flows easterly and eventually empties into the Menominee River in the Town of Wausaukee.

The Pike River watershed is characterized by rock outcroppings and forested rolling terrain. Numerous rapids and waterfalls are found throughout the length of the river. Rock bluffs provide scenic views of the river in many places.

Following is the master plan for the Pike Wild River Project.

I. GOAL AND OBJECTIVES

- A. GOAL: To preserve and protect the Pike River in a free flowing, natural state by preventing development adjacent to the river and by restoring sections of the river to an undeveloped condition:

To protect and manage the natural resources associated with the Pike River and:

To provide compatible outdoor recreational opportunities.

B. OBJECTIVES:

1. Control all lands within the project boundary of the river, utilizing county and local zoning ordinances, scenic easements, cooperative agreements and fee title purchase.
2. Restore all developed lands along the Pike River as opportunities occur, to a natural condition within the protection zone.
3. Provide public use facilities consistent with NR 302 guidelines as public use pressures demand.
4. Seek the cooperation of Marinette County and local units of government to implement land use practices to accomplish the goal of this plan.
5. Manage the natural resources associated with the Pike River in conformance with NR 302 guidelines.

C. ADDITIONAL BENEFITS:

Opportunities that will result from the project and will not require any specific management activity include: berry picking, bird watching, nature study, wildlife observation and the enjoyment of scenic vistas void of human influence.

II. RECOMMENDED MANAGEMENT AND DEVELOPMENT

The recommended management of the Pike River will focus on creating an undeveloped, wild atmosphere. The emphasis will be on undeveloped areas. Developed areas will be reclaimed to a natural condition consistent with NR 302 (Appendix 2). The recommended courses of action based on the resource capabilities of the Pike River watershed are as follows:

A. Land Control

Table one describes the various property ownerships within the Pike River project boundary.

Table 1. Ownership

	<u>Acres</u>	<u>Percent of Total</u>
Marinette County	5600 Acres	33
Coleman Lake Club	1100 Acres	6
Town of Amber	160 Acres	1
Other Private	7457 Acres	44
State of Wisconsin	2734 Acres	16
Total Project	17,000 Acres	

Prior to passage of the state Wild Rivers law, the Pike was a fisheries management project with an acquisition goal of 2,500 acres. Designation as a State Wild River has changed management objectives and necessitates a larger acreage goal. A new goal of 6,500 acres is proposed. This would permit fee acquisition of 38% of the land within the project boundary. This, combined with 33% owned by Marinette County and 6% owned by the Coleman Lake Club, would leave 23% of the land in small parcels. Total acquisition costs would be approximately \$6.2 million over three or four decades.

Fee acquisition of property by the Department of Natural Resources is done on a willing seller basis. The seller is not obligated to sell to the Department at any time during the negotiations. The offer to purchase is determined by an appraisal based upon the sale of comparable properties in the general vicinity, between unrelated private parties.

Total acreage within the Pike River Project Boundary is 17,000 acres. Those properties offered to the State of Wisconsin for purchase will be acquired on the basis of the following priority system in order of highest to lowest priority.

1. Key Parcels Necessary For safe access and portage.
2. Parcels of exceptional scenic or historic value.
3. Large parcels with no improvements.
4. Parcels where the cost of the improvements does not exceed 50% of the purchase price.
5. Small undeveloped parcels of 2 acres or less.
6. Small parcels of 2 acres or less with improvements.

Those portions of the Pike River which flow through or adjacent to Marinette County Forest lands are presently afforded adequate protection by the management policy of the county forest. Negotiation of a memorandum of understanding with the county will be pursued.

A large tract of land is owned by the Coleman Lake Club. It is basically undeveloped and the River corridor is managed in conformance with the Wild River program. Negotiation of a memorandum of understanding will also be pursued with the Coleman Lake Club.

Purchase of scenic easements occasionally offers an alternative to fee acquisition. Scenic easements provide payments for restrictions placed on private property. Terms of an easement may include public use, restrictions on development and resource protection.

Enactment of zoning ordinances based on NR 302 would also provide limited protection of the Pike River corridor. Enforcement of zoning ordinances would be the responsibility of the government body enacting the ordinance. A model Wild River zoning ordinance is in Appendix 4.

B. Restoration

Improvements purchased within the protection zone will be removed and the site reclaimed to a natural condition. Building sites will be contoured to prevent erosion and seeding will be done with natural grasses and vegetation common to the area. Wells and septic systems will be abandoned in conformance to state statutes.

Other restoration activities such as erosion prevention or reclamation will be done in conformance with NR 302.03 (Appendix 2).

C. Vegetative Management

Those lands purchased by the State of Wisconsin will be managed in accordance with S.S. 30.26 and the Wisconsin Administrative Code, NR Chapter 302. Forest management practices in each of the designated areas of the Pike River corridor will follow the guidelines established in the Department of Natural Resources Silvicultural and Forest Aesthetics Handbook.

Lands within 150 feet of the Pike River will have no vegetative management except where it is necessary to control erosion or to conduct restoration activities.

Lands beyond 150 feet from the river to a distance of 400 feet or the visual horizon, whichever is greater, will be designated as Class D forest management areas. The forest management objective under this designation will be to develop and maintain the forest environment to its greatest scenic potential for public enjoyment. Forest management practices will be applied to favor tree species which can obtain large diameters and old growth status. Examples of such species are white and red pine, northern hardwoods, hemlock and red oak. Rotation ages normally used to achieve maximum timber production will be extended to approach biological maturity.

Where aspen is a major component within this zone, silvicultural techniques will be applied which will discriminate against the propagation of aspen. Aspen will be selectively removed from these areas, leaving a residual of longer lived species to provide shade and retard aspen sprouting. The removal of aspen from these areas will deter beaver activity along the Pike River by eliminating an essential component of the beaver habitat.

Timber sales within the 150 to 400 foot zone will be designed to limit the visual impact of the activity. Sale boundaries will follow natural topographic contours and will be irregular in shape. Skidding trails will be limited to only those necessary for the removal of forest products. No landings or decking of products will be allowed in this zone. All slash resulting from the timber sales will be lopped and scattered.

Following timber sales in this zone, intensive restoration activities will be conducted to obliterate all skidding trails. Trails will be revegetated with native trees and shrubs. Outside the 400 foot zone, skidding trails and landings will be seeded with native grasses and maintained to enhance wildlife habitat.

Lands beyond 400 feet from the River, or the visual horizon, whichever is greater, will be designated as Class B forest management areas. These areas require that no one value can be considered the most important but because of the intensity and variety of use, scenic attractiveness must be maintained. Forest

management practices will be applied to facilitate normal forest production as much as possible while approximating an ideal forest environment to the public.

D. Access

Currently, access to the Pike River is provided by nineteen municipal road crossings. The only developed parking facilities are at Dave's Falls and Twelve Foot Falls County Parks.

Administrative Code NR 302 (Appendix 2), prohibits development on state owned or controlled land within 400 feet of the river. The only exception to this permits limited walk-in access to allow for the launching of water-craft. Four small parking areas, outside of the 400 foot protection zone are proposed (Appendix 4), to accommodate canoeists and anglers. The condition of the river banks at the road crossings will be assessed for degradation caused by human activity. Erosion and other disturbances will be repaired in cooperation with the county and townships as appropriate. The river banks near the proposed parking lots will receive particular attention to prevent future degradation.

If the Administrative Code is changed to allow limited development of canoe landings, an accommodation at these landings would be made to provide access for the physically handicapped. This would also require a couple of handicap parking stalls as close as possible to the landings and a hard surface trail between the landing and parking. There would be a minimum of disturbance to the wild character of the riverway as these facilities would be adjacent to existing road crossings.

The Pike River downstream from U.S. Highway 141 to the mouth, receives the highest degree of canoeing and kayaking pressure. The publication Whitewater-Quiet Water by Bob and Jody Palzer, is a popular guide to canoeing and kayaking on the rivers of the lakes states. This publication indicates that there are seven rapids and falls areas downstream from Highway 141. They are listed as classes II and III rapids areas. Scouting these areas ahead of

time is recommended. Portaging may be necessary. A change in NR 302 would be required to develop portage trails around these rapids areas.

E. Fish Management

The present level of fish management will continue on the Pike Wild River. No special seasons or fishing regulations will be applied to the to the Pike River System as a result of the wild river designation. Changes in season length and fishing regulations may occur as needed on the Pike River and other streams in the area as changes in demand, productivity and the environment occur.

Since the Pike River is not being managed strictly for trout production but for a wide range of activities associated with a wild river, instream habitat improvement devices are not allowed. Although these habitat structures are designed to have a natural appearance, they are manmade structures and not appropriate. NR 302.04(2) clearly states these types of structures are not permitted on wild rivers, and a state hearing examiner ruled accordingly in 1975.

Presently the South Branch and the Main Branch of the Pike River are stocked with 3800 brown trout annually. The Main Branch has been stocked with brown trout since 1937. The South Branch has been stocked with either browns, rainbow or brook trout since the early 1940's.

Studies have indicated a very poor return of planted brook and rainbow trout to the creel on the South Branch. Water temperatures in the South Branch tend to be higher than the North Branch, and as a result planted brook and rainbow trout display poor survival. Brown trout have historically been planted on the Pike River, and from a fish management view should continue as the best management approach to providing adequate fishing opportunities on these waters.

F. Wildlife Management

There will be no special wildlife management techniques required as a result of the Pike Wild River Project. Normal hunting and trapping regulations will maintain wildlife species at an acceptable population level.

Obstructions created by beaver activity can conflict with use of the river by canoers and kyakers. NR 302.04(7) prohibits the removal of natural obstructions from the Pike River. Removal of beaver dams on the Pike River, should they become a problem, will require a change in the Administrative Code.

On lands owned or controlled by the Department, efforts will be made to minimize the impact of beaver on the Pike River by discriminating against aspen on timber sales. Aspen is the primary food source for beaver, and timber sales will be designed to favor longer lived hardwood and conifer species.

Short term subsidy programs which include payments to trappers for beaver removal will help control fluctuating increases in the beaver populations. These programs are not specific to the Pike River, but are applied to the area-wide beaver problem.

G. Primitive Camping

There will be no camping allowed on State property adjacent to the Pike River. Camping is permitted on the Marinette County Forest and is not restricted to specific sites. A limited number of primitive campsites accessible by watercraft only, may be developed outside of the 400 foot zone. Camping on Marinette County forest lands may be restricted to outside the 400 foot zone through the negotiation of a memorandum of understanding.

H. Pleasure Walking Trails

No pleasure walking trails are planned for the Pike River Project. Trails which presently provide vehicle access to the Pike River

will be restricted to foot travel only as opportunities occur. Footpaths resulting from angling along the Pike River presently do not impact the wild character of the river.

I. Forest Fire Control

Forest fires occurring within the Pike River Project will be suppressed quickly and efficiently, using the present level of fire control technology. These suppression activities are man-caused manipulations of the environment. Restoration of sites where forest fires occur within the project boundary will consist of leveling of plow furrows, restoring access roads and reseeded of mineral soil to prevent erosion.

Fire prevention activities will be limited to fire prevention posters on signboards located outside the 150 foot protection zone at key access points.

J. Other Uses

Informal recreational and educational uses of the Pike River corridor such as hiking, picnicking, cross country skiing and berry picking can be tolerated and even encouraged. However, such activities should not be formalized by the installation of trails and signs.

K. Law Enforcement

There will be an increased demand for law enforcement activities as the Pike Wild River Project develops. The project will be an asset to tourism in the area and the resulting increase of human activity will likely result in an increased number of complaints.

Restricted camping, restricted vehicle access and litter problems will require more intensive law enforcement activity to preserve the wild character of the project.

Presently the Pike Wild River Project is included in the geographic areas of the Pembine and Wausaukee conservation wardens. The

projected workload increases at each station as a result of the project is 40 hours annually each. This increased workload may require an increase in Limited Term Employment monies for law enforcement or a reduction in the present workload assignments to facilitate the anticipated demand of the project.

L. Coordination and Cooperation

Section 30.26(3)(e) Wisconsin Statutes, mandates that the Department seek the cooperation of other governmental units and private land-owners in implementing land use practices to accomplish the objectives of management policy. The Department recognizes the need to seek this cooperation not only because of the statutory requirement, but also as a practical matter in the fulfillment of its responsibilities to obtain complete protection of the Pike River.

Cooperation is the result of communication and understanding. To this point, a cooperative attitude has been exhibited by all interested entities and individuals concerned with the Pike River. Our goal will be to broaden this base of support and to be a catalyst for more specific protection and preservation measures. The following actions will be undertaken to this end:

1. Publish a State Wild Rivers brochure to describe the designated rivers and provide information about the program.
2. Organize a support group of interested persons to provide management advice, coordinate volunteer efforts and assist with information and education activities.
3. Provide technical assistance to riparian land-owners who express an interest; regarding management for aesthetics. Encourage land-owners to take an interest in the natural beauty of the river corridor at group meetings and one-on-one contacts.
4. Prepare news releases and articles concerning the Pike River.

5. Encourage the county government to pass a wild river zoning ordinance (Appendix 4).
6. Meet with town boards periodically to discuss management activities and acquisition progress.
7. Develop a memorandum of understanding with the county forestry committee, concerning county forest management within the Wild River corridor.
8. Develop a memorandum of understanding with the Coleman Lake Club concerning management of their lands within the Wild River corridor.
9. Provide presentations to service clubs and other organizations about the Pike River.

III. SUPPORT DATA

A. Background Information

The Wisconsin system of state wild rivers was established by the 1965 Legislature with the enactment of Section 30.26 Wisconsin Statutes. This section directs the Department of Natural Resources to develop a practical management policy; to consult, collaborate, and cooperate with other units of government and private landowners; and to administer the management program.

Traditional authorities of local, state and county governments are not altered by the state wild river legislation. Local zoning, local taxing authority and other local services still reside with the county and local governments. Establishment of a state acquisition boundary is in keeping with this separation of responsibility and authority and is authorized in Sections 23.09, 23.11, 23.30 and 30.26 of the Wisconsin Statutes.

Wisconsin Administrative Code, Chapter NR 302, which details the management policy for Wisconsin's wild river system, was approved by the Natural Resources Board following public hearings in Florence and Madison. The Board approved Chapter 302 on October 26, 1978. Chapter 302 and the Pike Wild River Master Plan, when adopted, shall be the practical management policy for the Pike River.

The Department of Natural Resources currently has an active acquisition project along the Pike River. The Department has purchased approximately 2,734 acres along the Pike River corridor. Site reclamation activities have taken place where those properties purchased included improvements. Buildings have been removed by the public through Department bidding procedures. Building sites have been restored to a natural condition by landscaping and seeding.

B. Resource Capabilities

General Description of the Pike River

The Pike River watershed is made up of approximately 310 square miles, including over 300 miles of streams and numerous lakes. Streams range from small spring seeps to the main branch of the Pike River, which is over 100 feet wide. The largest lake in the watershed is Coleman Lake, 246 acres. Smaller lakes range in size down to spring ponds of one acre or less.

The Pike River with both its north and south branches included is 61.3 miles in length. There are 40 tributary streams that enter the main channel as it proceeds to its junction with the Menominee River.

Average flow of the Pike River at the confluence of the north and south branches is 216 c.f.s. The 10 year low flow for this same station is 74 c.f.s. The Pike River has a fairly high gradient over its entire reach with an average drop of 15 feet in a mile of stream.

Waters of the Pike are relatively fertile and fairly hard. The north branch and main Pike have alkaline waters, whereas the south branch has slightly acidic water. Water clarity of the streams in this watershed range from crystal clear to lightly stained, depending on the amount of bog drainage the stream receives. Waters are relatively free of any nutrient runoff or pollutants. Water temperatures on both the north and south branches are within tolerable levels for trout; however, temperatures in the lower portion of the main Pike often exceed the upper limits for trout.

The Pike River exhibits development and human manipulation to varying degrees throughout its length. The least developed areas are located where the Pike flows through the Marinette County

Forest while the highest degree of development is found along the Pike through the unincorporated Village of Amberg. Numerous small subdivisions are located on the Pike River, with improvements ranging from seasonal cottages to year round homes. Approximately 40 miles of the Pike River flows through privately owned lands ranging in size from one acre or less to tracts of 200 acres or more.

Geology

Surface features of Marinette County are the result of the movement of the continental glacier. Ice that covered the county during the glacial period is thought to have come from the Labrador ice sheet, which was located east of Hudson Bay. The continental glacier, in advancing over Wisconsin, was divided into several lobes, determined in position by the pre-glacial configuration of the land. Marinette County was entirely covered by the Green Bay lobe of the continental glacier. It is thought that there were several withdrawals of the ice sheets from this area, with the most recent being referred to as the Wisconsin Stage of Glaciation.

Glaciers generally moved from the northeast to the southwest as indicated by drumlin like hills and eskers. End moraines, which mark the forward edge of a glacier, are found in the western part of Marinette County. In the vicinity of the Pike River watershed, both end moraines and ground moraines can be found.

Bedrock in the Pike River watershed is made up of three distinct groups. The majority of the watershed is underlain primarily by granite and undifferentiated igneous and metamorphic rocks of Precambrian origin. Areas underlain by Prairie du Chien dolomite and Upper Cambrian Formations can also be found in the watershed. These bedrock formations are exposed at the surface along many areas of the Pike River.

Soils

Specific soil information for northern Marinette County is not readily available. Soil mapping and interpretation data has been completed for only a small portion of the Pike River watershed. Generally, the soils in the vicinity of the Pike River are a result of the weathering of glacial deposits. These soils are classified as nearly level sands, Omega and Rubicon, having a light gray sandy surface soil and a sandy loam subsoil. They are fairly well suited for agriculture. The Pike River watershed also contains numerous areas of organic soil deposits.

Vegetation

Based on preliminary forest reconnaissance data compiled in 1975, a wide variety of vegetative species were found. On poorly drained soils swamp hardwoods, swamp conifers and lowland brush are the predominant cover types. Northern hardwoods, aspen, fir, spruce, pine species and upland brush are the major cover types on moderate to well drained soils.

Major lowland brush species are alder and dogwood. Hazel and Juneberry are the major upland brush species.

The following table estimates the percentage of the total forested acres in the Pike River corridor by species.

Table 2. Timber Types

<u>Timber Type</u>	<u>Percent</u>	<u>Timber Type</u>	<u>Percent</u>
Aspen	37	Black Spruce/Tamarack	0
Swamp Hardwood	17	Cedar	2
Fir-Spruce	1	White Birch	1
Jack Pine	3	Northern Hardwood	2
White Pine	2	Grass & Upland Brush	8
Red Pine	1	Lowland Brush & Keg	18
Scrub Oak	5	Non-Commercial	3

Studies have not been made of other woody and herbaceous vegetation in the Pike River watershed. If endangered species are discovered measures will be taken to protect them. However, the Cuckoo flower (*Cardamine pratensis* var. *palustris*) is of "Special Concern" and has been found on the project. (Sec. 34, T35N, RZIE).

Wildlife Species Present

Major species are ruffed grouse, deer, bear and beaver, the typical game complex of northern lake states forested land. Their numbers vary from year to year, and some populations move locally throughout the year. The ecologic impact of some, bear and ruffed grouse for instance, is slight. That of deer and beaver have a significant impact on the area. Beaver must be regarded as one of the environmental factors in any consideration of the project's future.

All of these respond well to management, and it is technically possible to maintain optimum numbers on the area. Such management includes maintaining primary forest succession outside the 400' protection zone. Through forest succession, habitat within the 400' zone will become less productive as ruffed grouse and deer range.

There is a large population of beaver in the area, and they could present a problem. Unrestricted population growth could have a drastic effect on the project. Trapping can hold their numbers to acceptable levels, and is encouraged. Also, cutting practices will discourage beaver populations.

Bear and otter, as a normal component of lake states forests, inhabit the area. Their densities are low and ecologic impact limited.

Other significant mammals found include:

shrews	fox squirrels	coyotes	weasels
snowshoe hares	red squirrels	red fox	mink
cottontail rabbits	deer mice	gray fox	badgers
woodchucks	meadow mice	raccoons	skunk
gray squirrels	porcupines	fishers	

There have been several surveys of amphibians and reptiles of Florence, Forest and Marinette Counties. Following is a list of those likely to inhabit the Pike watershed, although specimens have not necessarily been found there.

mudpuppies	5 species of turtles	9 species of frogs
common American toad	salamanders	9 species of snakes

Bird species considered to inhabit the area either as residents or on migration include:

common loon	osprey	turkeys	belted kingfisher
herons	sparrow hawk	warblers	woodpeckers
red-tailed hawk	woodcock	hummingbirds	flycatchers
bald eagle	terns	all common duck species	eastern kingbird
marsh hawk	wrens	nighthawk	swallow
rough-legged hawk			

Fish Populations

Fish populations in the Pike River watershed have been surveyed by Thuemler (unpublished files) and Mason and Wegner (1970). A list of 39 species of fish are known to be present in the Pike River system. All of these species are common residents of other waters in northeastern Wisconsin, and none are considered rare or endangered.

The primary gamefish in the Pike are brook and brown trout, although smallmouth and largemouth bass are common in the lower reaches of the main Pike. The north branch is considered Class I trout water in its entirety; the south branch has portions of Class I, II, and III trout water, and the main Pike is considered Class II and non-trout water. The south branch and main Pike are presently being stocked with 3,800 holdover brown trout per year. This is the only stocking that occurs on the streams in the Pike River watershed.

Historical and Archaeological Features.

The area of northeastern Wisconsin in which the Pike River drainage is located is almost completely unknown to the cultural historian. Robert J. Salzer in his paper entitled "An Archaeological Survey of the Pine, Pike and Popple rivers (November 1, 1969) reported great difficulty in locating archaeological sites due to the dense forest vegetation, lack of access to the rivers, and the few numbers of active farms adjacent to the rivers. Salzer reported four sites within the Pike River drainage. The Twin Oaks Site located in the NE $\frac{1}{4}$, SE $\frac{1}{4}$ of Sec. 3, T34N, R21E in the Town of Wausaukee is within the project boundary of the Pike Wild River Project.

As a result of Salzer's survey, he concludes that the Pike River drainage was exploited by aborigines in both recent and prehistoric times. It is a reasonable assumption that then, as now, the area was sparsely settled and did not support a large number of people. Since these areas have not been investigated thoroughly, any statements as to the early cultures is conjectural and extrapolated from studies done to the south and east.

Any future discoveries of historical or archaeological significance within the project boundary will be protected.

Land Use

Current land use along the Pike River corridor includes timber production and forest based recreation. The close proximity to large metropolitan areas and the availability of privately owned property enhances the potential for development along the Pike River corridor. Rate of development is directly related to the prevailing economic conditions.

Current Recreational Use

Accurate use statistics for the Pike River have not been compiled. Two parks operated by Marinette County are the only developed recreational areas on the Pike River. Dave's Falls Park, located near the unincorporated Village of Amberg provides a picnic area with access to Dave's Falls. Twelve Foot Falls Park located 3 miles south of the unincorporated Village of Dunbar provides overnight camping and picnic facilities and access to Twelve Foot Falls. Registration data at Twelve Foot Falls Park indicates 328 campers per season. There is no data on day use at either of the parks.

Camping is permitted on the Marinette County Forest Lands adjacent to the Pike River. There are a number of undeveloped campsites that receive traditional use, primarily during the fishing season. There is no registration data available for these sites. (Camping in the Marinette County Forest receives the greatest pressure during the deer gun season and the opening weekend of the inland trout season.)

Twenty-four municipal roads as well as numerous unimproved roads and forest trails provide access for fishing and canoeing throughout the length of the Pike River.

The following table illustrates the projected recreational use increases for Marinette County based on the 1981 Marinette County Outdoor Recreational Plan. The projections are based on the 10 year period 1980 to 1990. It is assumed that these projections will be similar to use increases on the Pike River.

Table 3. Use Increases

Camping	12%
Canoeing	44%
Fishing	10%
Hiking/Nature Walking	10%
Hunting	16%
Picnicking	12%

Use pressure varies along portions of the Pike River. The main branch of the Pike River east of Highway 141 receives the highest degree of canoeing and kayaking pressure while the north and south branches of the Pike River receive a higher degree of fishing pressure.

Recent observations indicate that canoeing and kayaking pressure is increasing on the Pike River east of Highway 141. It is expected the growth of the other forms of recreational use will also increase.

Land Use Potential

A 150 foot strip on either side of the Pike River will be classified as the "Wild River Zone" where no vegetative management will occur on lands controlled by the Department.

Lands between 150 feet and 400 feet will be classified as a Class D aesthetic zone. Lands beyond the 400 foot zone will be classified as Class B aesthetic zones.

Both the Class D and Class B zones will be defined as scenic areas as defined by the Master Plan Handbook. Timber production shall be of secondary consideration. Removal of mature trees will be essential to the maintenance of a vigorous, healthy and aesthetically pleasing forest in these zones. A variety of cover types and vistas will be encouraged in these areas.

C. Management Problems

Following is a discussion of present and anticipated significant resource protection and development problems.

Developments

The Wild Rivers Law and Administrative Code, Chapter NR 302, emphasize that man-made developments are not compatible on a Wild River. The legislation also indicates the Department is to work

with all interests concerned in "...implementing land use practices to accomplish the objectives..." The Department was not authorized to dictate development restrictions on private lands. There is clearly potential for developments to occur along the Pike River that would be adverse to the purpose of the law.

There will be a monetary cost in restricting development rights. Purchase of scenic easements, development rights, or fee title is expensive.

Vegetative Management

On lands owned or controlled by the Department, there can be no vegetative control within 150 feet from the river bank except for erosion control and restoration activities, according to Section 302.03, Wisconsin Administrative Code (Appendix 2). "Outside timber cutting in accord with the guidelines established in the Department's Silvicultural and Forest Aesthetics Handbook shall be practiced."

Logging has been, and will continue to be, very important in the local economy for the landowner, woods and mill workers, and for wildlife habitat. Forestry techniques exist (Silvicultural and Forest Aesthetics Handbook 2431.5) which allow for timber harvest while protecting and enhancing the aesthetics of the area (Appendix 6).

Normal Forest management practices will continue on properties outside of the protection zone.

Public Use and Access

The most popular outdoor recreational activities in order of preference are fishing, canoeing, hiking, camping, picnicking, hunting and snowmobiling. Present levels of use are causing no significant resource degradation, and moderate increases in use can be tolerated.

As public ownership increases over the years, pressures may build to increase or improve access and other user facilities. Needs should be carefully analyzed before taking any action that could lead to deterioration of the resource. Growth in use levels should be carefully monitored, and appropriate actions taken to protect the resource.

Private Inholdings

Approximately 50% of the land within the state project boundary is in private ownership. A coordinated program is needed to control future developments along the Pike River, as well as remove, minimize or restore past development sites.

This proposed action is a clear legislative mandate. In the absence of specific authority to accomplish the mandate, however, the Department must use all available means for its accomplishment. Education, zoning, monetary inducements such as the purchase of scenic easements, cooperative agreements and fee acquisition will all play a part.

Major landowners appear willing to agree to modify their management practices. They are not willing to agree to adopt a no cut policy because of the negative effect on employment, productivity and the concept of a well managed forest.

Fish Management

Fishing accounts for about 65% of the activity on the Pike River. It is the single most popular activity.

If fishing in these waters is to be continued as it is today, the trout stocking program will have to be maintained. While habitat improvement would be the best management approach for the trout fishery, it is not permitted management of a wild river.

Wildlife Management

Beaver are a part of the ecology of the Pike River and have a potential to cause a great deal of habitat alteration. Beaver dams and cuttings can restrict the flow of the river causing the degradation of fish habitat. Obstructions created by beaver activity can conflict with use of the river by canoers and kayakers. NR 302.04(7) restricts the removal of natural obstructions from the Pike River. For this reason, it would seem best to minimize the impact of beaver along the river through regulated trapping seasons and timber harvest practices.

Mining

Discovery of a valuable mineral deposit along the wild rivers would be the most serious threat to the wild river concept. Strict enforcement of all environmental protection laws is absolutely necessary.

Law Enforcement

Because of long distances, poor access, and few enforcement personnel, protection of the wild rivers will be difficult. Cooperative sharing of information and assistance between management agencies and landowners will be essential. Education and voluntary compliance with the law will also be required.

D. Recreational Needs and Justification

Fishing

Fishing activity is projected to increase 10% during the 10 year period between 1980 and 1990. The Pike River is a noteworthy trout stream providing a fishing resource within easy travel distance of the metropolitan areas of Green Bay and the Fox Valley. Further publicity of the Pike River as a wild river should increase the fishing pressures.

Some form of management program such as further regulation or stocking may be necessary to maintain a viable fishery on the Pike River.

Hunting

Deer, bear and grouse hunters and fur trappers are all active along the Pike River. Their activity apparently is no more or less intensive than anywhere else in the vicinity. These lands will be open to public hunting; however, the need for public hunting grounds is not a major concern because of the nearby county forest lands which offer public hunting.

Existing regulations are adequate to both control populations, and assure that an over harvest does not occur. Wildlife species are typical of that of northern forests. Hunting pressure is relatively low except during the first few days of the deer season.

Canoeing and Kayaking

The State Comprehensive Outdoor Recreation Plan (1981) indicates that Planning Region 3, which includes Marinette County, ranks third in respect to the ten planning regions statewide, for use of inland waters by canoers. The Pike River offers both the expert and the novice numerous canoeing opportunities.

Canoeing and kayaking in Wisconsin has continued to show a marked increase in popularity, particularly among Wisconsin residents. The continued increase in canoeing and kayaking emphasizes the need to protect the quality of existing wild rivers so that similar opportunities will exist for future generations.

Developed Camping

Recent estimates indicate that the demand for developed camping facilities is approximately 30% greater than the available supply. It is expected that the major part of the deficiency will be made up by increases in the development of private campgrounds. Presently there is one developed campsite on the Pike River operated by Marinette County.

Primitive Camping

Planning Region 3 ranks fourth statewide in need for primitive campsites. Much of the primitive camping along the Pike River takes place on Marinette County Forest lands adjacent to the river. Camping on county forest lands is not restricted to specific sites. Presently there is no camping allowed on state property adjacent to the Pike River.

A limited number of primitive campsites accessible by watercraft only, may be constructed outside the 150 foot zone to accommodate demand generated by watercraft users on the lower Pike River. Formulation of a more restrictive camping policy may need to be negotiated with Marinette County on lands adjacent to the Pike River.

Picnicking

No picnic areas are being planned along the Pike River. Some demand will exist for shore lunches by anglers and watercraft travelers on the river. Most of the opportunities for picnicking will be at designated access points and parks. River users will be encouraged to use these designated points.

Trail Needs

The 1981 State Comprehensive Outdoor Recreation Plan projects an increase in need for hiking and cross-country skiing trail development in planning region 3 and a decline in the need for snowmobile trail development. The long linear shape of the Pike River Project does not lend itself to the development of cross-country ski trails. The ideal cross-country ski trail is a loop trail with one way traffic and varied topography.

No pleasure walking trails are planned for the Pike River Project. Trails which presently provide vehicle access to the Pike River will be restricted to foot travel only as opportunities occur. The development of hiking trails parallel to the Pike River conflicts with the wild river legislature intent. Footpaths resulting from angling along the Pike River presently do not impact the wild character of the river.

No snowmobile trail development will be done on the Pike River Project. Snowmobile trail crossing will be limited to existing roadway bridges. Development of snowmobile trails is not in keeping with the intent of Wisconsin Administration Code NR 302.03(2).

Sightseeing and Nature Observation Needs

These non-consumptive activities can be accommodated along the rivers with no development required. Opportunities for sightseeing are available with the existing public road system. Nature observation can be conducted on foot or from the rivers as an additional benefit of canoeing.

IV. ANALYSIS OF ALTERNATIVES

The legislative intent of ss. 30.26 creating the State Wild River Program, clearly indicates the need to preserve some rivers in a natural state. In an effort to minimize the influences of man along the Pike River a limited number of alternatives are available for most management practices. Following is a discussion of alternative management practices which can be applied to the Pike River.

A. Acquisition

A number of alternatives are available to protect the Pike River and the adjacent property within the Pike River Project boundary to meet the intent of S.S. 30.26. The implementation of any one alternative is affected by key factors such as the development of a cooperative effort between the State, County and municipal governments and private landowners to accomplish the goals of this plan, the opportunities for the purchase of scenic easements and the development and enforcement of adequate zoning regulations.

Alternative 1

Acquire all acreage within the Pike River Project Boundary. This alternative would require the purchase of Marinette County lands as well as all private ownerships. A total acquisition goal of 17,000 acres would be required.

Alternative 2

Negotiate a memorandum of understanding with Marinette County for their lands within 400 feet of the Pike River to insure the long term protection of the Pike River consistent with S.S. 30.26 and NR 302. Acquire all other private lands within the project boundary. A total acquisition goal of 11,394 acres would be required.

Alternative 3

Negotiate a memorandum of understanding with Marinette County and the Coleman Lake Club for their lands within 400 feet of the Pike River to insure the long term protection of the Pike River consistent with S.S. 30.26 and NR 302. Acquire all other private land. A total acquisition goal of 10,273 acres would be required.

Alternative 4

Negotiate memorandums of understanding with Marinette County and Coleman Lake Club as in Alternative 3. Insure protection of the remaining private acres through fee acquisition, purchase of easements, and development and implementation of adequate zoning regulations. It is important to note that it is not necessary to control all 8100 acres of private property within the Pike River Project Boundary. Instances occur where control of a 400 foot strip adjacent to the river will be adequate, however it appears at this time that it may be necessary to purchase a total of 6500 acres within the Pike River Project Boundary to provide adequate protection for the Pike Wild River.

Alternative 5

Negotiate memorandums of understanding with Marinette County and Coleman Lake Club as in Alternative 3. Acquire no additional property in fee within the project boundary. Purchase scenic easements only on the remaining private property. Encourage the development and implementation of adequate zoning regulations consistent with S.S. 30.26 and NR 302.

Analysis of Alternatives

Implementation of Alternative 1 would provide the highest degree of protection of the Pike Wild River. The cost to acquire all lands within the project boundary would however be prohibitive to total

acquisition and would exceed the necessary level of protection needed to protect and preserve the Pike. Negotiation of a memorandum of understanding with Marinette County consistent with S.S. 30.26 and NR 302 will insure continued long term protection as in Alternative 2. Lands owned by the Coleman Lake Club are currently managed to afford adequate protection of the Pike River through their properties. Negotiation of a memorandum of understanding similar to Marinette County lands will insure long term protection and make acquisition unnecessary. Total acquisition of all other private land as in Alternative 3 is unrealistic. Presently, there is approximately 1200 acres of highly subdivided and developed property adjacent to the Pike River. Costs to acquire small parcels with expensive improvements are in excess of the amount of protection gained. Implementation of Alternative 4 based on the acquisition priority system would allow the purchase of key parcels for public benefit and enjoyment. The development and implementation of adequate zoning regulations will also affect the total acquisition goal making it unnecessary to purchase undeveloped properties that are adequately protected by local regulations. Alternative 5 may not provide an acceptable level of protection of the Pike River. No additional fee acquisition will prevent control of key parcels necessary to preserve unique scenic areas, critical habitat areas and provide safe access and portage sites. Easements may not provide an adequate amount of protection and access for full enjoyment of the Pike River and its associated resources. Implementation of Alternative 4 is the recommended action.

B. Restoration

Long range efforts of removing existing developments and the restoration of the sites to a more natural condition should continue. Zoning restrictions which limit remodeling and rebuilding would aid in this effort. The practice of removing purchased improvements and site restoration should be continued. In most cases the value of the improvement will allow immediate removal.

C. Vegetative Management

Maximum timber production practices are not compatible within the 400 foot wild river protection zone. Wisconsin Administrative Code Chapter NR 302 clearly states there is to be no vegetative control within 150 feet from the bank on either side of the Pike River on lands owned or controlled by the Department. Lands outside the 150 foot zone are to be managed in accord with the guidelines established in the Department's Silvicultural and Forest Aesthetics Handbook.

Private lands along the river in Marinette County are subject to the Marinette County Shoreland Zoning Ordinance No. 24.

Those lands entered under the Forest Crop or Woodland Tax laws must be managed according to the provisions of those laws.

County forest land must be managed according to the regulations in Section 28.11, Wisconsin Statutes, the County Forest Law.

D. Access and Use

There are presently in excess of 30 well defined access points to the Pike River. These access points vary from unimproved woods trails to direct vehicle access sites such as 12 Foot Falls and Dave's Falls county parks. The majority of the access points are town road river crossings.

To meet the objective of walk-in access only, some changes from the existing situation would be required. Removal of the direct access points would be disruptive and expensive. The present level of access has existed for a number of years, while use has remained fairly constant.

Removal of some access points can be accomplished as properties pass into public ownership. Roads can then be closed and restored at less cost over a greater time period.

Safe access should be provided at launching and take out points along the Pike River to insure adequate space away from traffic for loading and unloading watercraft and gear. All parking facilities should be located outside of the 400 foot protection zone (Appendix 5).

A program to increase access points along the Pike River could lead to overuse and degradation of the river's wild character.

E. Fishing

All stocking could be discontinued and no habitat work done. Fishing success would be greatly decreased with a corresponding drop in fishing pressure. There are numerous trout streams in Marinette County which could withstand additional fishing pressure. NR 302 prohibits structures or deposits in wild rivers except under specific circumstances.

F. Wildlife

Any special regulations to exclude hunting or trapping along the Pike River would be almost impossible to enforce. Because of the long narrow shape of the project, such regulations would have little influence on the wildlife populations, as the species could easily move in or out of the corridor.

Intensive wildlife habitat improvement activities are not planned for the Wild River lands. There is currently a good interspersion of habitats along this linear project. Habitat manipulations would not improve game populations significantly and would be in conflict with the basic goals of this project. The limited timber management activities will incorporate wildlife management inputs to enhance bird and mammal populations.

G. Primitive Camping

Camping should only be allowed along the Pike River with permission of the landowner and at designated sites. Use of designated sites

allows some control on the number of users, impact on the site, littering and waste disposal.

A program of strict enforcement of camping only at designated sites would help protect the resource from over use and abuse.

H. Pleasure Walking Trails

Presently there are no established pleasure walking trails along the Pike River. The Wild River can be enjoyed without formal signs and developed trails. Trails would have to meet the requirements of the Wild Rivers Law and Administrative Code NR 302.

I. Forest Fire Control

The Pike River Project is located in an intensive fire control management area. Because of the long narrow shape of the project a "let burn" policy on Department lands within the protection zone would increase the probability of forest fires spreading to adjacent private land, causing destruction of private property.

Forest fires occurring within the Pike River Project will be suppressed quickly and efficiently, using the present level of fire control technology. These suppression activities are man-caused manipulations of the environment. Restoration of sites where forest fires occur within the project boundary will consist of leveling of plow furrows, restoring access roads and reseeded of mineral soil to prevent erosion.

Fire control prevention activities will be limited to fire prevention posters on signboards located outside the 150 foot protection zone at key access points.

J. Other Uses

Information recreational and educational uses of the Pike River corridor such as hiking, picnicking, cross country skiing and berry picking can be tolerated and even encouraged. However, such activities should not be formalized by the installation of trails and signs. The Pike River should be enjoyed as it is.

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Appendix 1

30.26 Wild rivers. (1) LEGISLATIVE INTENT. In order to afford the people of this state an opportunity to enjoy natural streams, to attract out-of-state visitors and assure the well-being of our tourist industry, it is in the interest of this state to preserve some rivers in a free flowing condition and to protect them from development; and for this purpose a system of wild rivers is established, but no river shall be designated as wild without legislative act.

(2) DESIGNATION. The Pike river in Marinette county, and the Pine river and its tributary Popple river in Florence and Forest counties are designated as wild rivers and shall receive special management to assure their preservation, protection and enhancement of their natural beauty, unique recreational and other inherent values in accordance with guidelines outlined in this section.

(3) DUTIES OF DEPARTMENT. The department in connection with wild rivers shall:

(a) Provide active leadership in the development of a practical management policy.

(b) Consult other state agencies and planning committees.

(c) Collaborate with county and town boards and local development committees or boards in producing a mutually acceptable program for the preservation, protection and enhancement of the rivers.

(d) Administer the management program.

(e) Seek the co-operation of the U.S. forest service, timber companies, county foresters and private landowners in implementing land use practices to accomplish the objectives of the management policy.

(f) Act as co-ordinator under this subsection.

Chapter NR 302

MANAGEMENT OF WISCONSIN'S
WILD RIVERS

NR 302.01	Purpose	NR 302.06	Utility corridors
NR 302.02	Definitions	NR 302.07	Municipal and department of transportation public highway bridges
NR 302.03	Management of lands adjacent to wild rivers	NR 302.08	Severability
NR 302.04	Wild rivers alteration		
NR 302.05	Department cooperation		

(Sections 23.09, 23.11, 30.26 and 144.025, and chapters 30 and 31, Stats.)

NR 302.01 Purpose. The purpose of this chapter is to establish a management program designed to protect legislatively designated wild rivers from development so as to afford the people of this state an opportunity to enjoy those rivers in their natural and free-flowing condition and to assure the well-being of Wisconsin's tourist industry by attracting out-of-state visitors, which the legislature has deemed to be in the public interest.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79.

NR 302.02 Definitions. (30.26, 227.014) (1) "Wild rivers" for the purpose of this chapter are those rivers designated by the legislature in s. 30.26, Stats., namely:

(a) The Pike river in Marinette county from its mouth in section 3, township 34 north, range 21 east, upstream to the headwater branches; one branch beginning at the outlet of Coleman lake in section 17, township 36 north, range 18 east, and the other branch beginning at the outlet of North pond in section 20, township 37 north, range 18 east.

(b) The Pine river in Florence and Forest counties from its mouth in section 28, township 39 north, range 19 east, upstream to the headwater branches; one branch beginning at the outlet of Butternut lake in section 27, township 40 north, range 12 east, and the other branch beginning in section 11, township 38 north, range 12 east.

(c) The Popple river in Florence and Forest counties from its mouth in section 23, township 39 north, range 17 east, upstream to the headwater branches; one branch beginning in section 10, township 38 north, range 13 east, one branch beginning in section 23, township 38 north, range 13 east, and one branch beginning in section 24, township 38 north, range 14 east.

(2) "Free flowing condition" means waters which do not contain dams or other artificial development or structures which serve to materially impede the flows of the stream.

(3) "Natural condition" means free from development or alteration, except as specifically authorized by this chapter.

Register, October, 1983, No. 334
Environmental Protection

(4) "Protection zone" is that area of land within 400 feet of the waters or to the visual horizon from the water whichever is greater on either side of the wild river.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79.

NR 302.03 Management of lands adjacent to wild rivers. (23.09, 23.11, 26.11, 26.30, 27.01, 28.01, 28.04, 28.07, 28.11, 29.09, 30.26, 77.01 through 77.16, 144.025, 144.39, 227.014) (1) On lands owned or under control of the department by lease, easement or agreement, the department may:

(a) Carry out erosion control measures necessary to protect the lands within the protection zone from erosion caused by human disturbance using natural materials not foreign to the immediate surroundings.

(b) Carry out restoration activities necessary to restore the natural appearance of river areas previously modified by man, without introduction of materials foreign to the immediate surroundings, implementing a natural evolutionary process.

(c) Carry out forest fire suppression activities.

(d) Develop limited walk-in access areas to allow or accommodate the launching of water craft.

(e) Except as provided in pars. (a) and (b) provide no vegetative control within 150 feet from the bank on either side of a wild river. Outside timber cutting in accord with the guidelines established in the department's silvicultural and forest aesthetics handbook shall be practiced.

(f) Erect signs or markers on the perimeter of the protection zone necessary for guidance and regulation of recreational use or users.

(g) Control insect outbreaks that endanger land or vegetation outside of the protection zone.

(h) Locate primitive campsites well screened by vegetation or topography from the wild rivers. Such campsites shall not provide public vehicular access.

(i) Except as otherwise provided in this section, conduct no grading on the banks of the wild rivers.

(2) On those lands owned or under control of the department by lease, easement or agreement there shall be no development, including campgrounds adjacent to shorelines in any protection zones; and there shall be no development, other than that necessary to accommodate the users of the wild river areas, beyond the protection zone and up to at least 1/4 of a mile from either side of the wild rivers.

(3) Pursuant to and to the extent possible under s. 28.11, Stats., the comprehensive county forest land use plan shall designate management practices to assure the preservation, protection and enhancement of the natural beauty, unique recreational and other inherent values in and along wild rivers.

(4) (a) *Forest croplands*. Pursuant to and to the extent possible under ch. 77, Stats., department supervision or management advice shall recognize the presence of wild rivers running through such entered lands and protect wild rivers values.

(b) *Woodland tax law lands.* Pursuant to and to the extent possible under s. 77.16, Stats., the management plan shall recognize the presence of wild rivers running through such entered lands and protect wild river values.

(5) The department shall prepare a memorandum of understanding in cooperation with the United States forest service regarding its management of lands and waters in the wild rivers area. This memorandum of understanding shall take into consideration the guidance by s. 30.26, Stats., public law 88-577, and public law 90-542 and the guidelines established by this chapter.

(6) The department shall provide information and land use recommendations regarding development on, or adjacent to wild rivers whenever requested by private citizens or groups, as well as industry, and shall seek to provide such information, without request, when such proposed development in those areas come to the department's attention.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79.

NR 302.04 Wild rivers alteration. (30.26, ch.31, 227.014) (1) DAMS. To preserve the free flowing state of wild rivers, no man-made dams or other man-made structures which impound water shall be permitted on such rivers with the exception of those projects, licensed by the federal energy regulatory commission, in existence prior to November 18, 1965.

(2) BULKHEAD LINES, STRUCTURES OR DEPOSITS. (30.11, 30.12, 30.26, 227.014) Except as otherwise provided in s. NR 302.03, to protect and preserve the public rights including maintenance of natural condition, beauty, and rights incident to navigation no permits or approvals for bulkhead lines or other structures or deposits as defined in ss. 30.11 and 30.12, Stats., shall be permitted.

(3) CHANNEL CHANGES, ENLARGEMENTS, DREDGING AND GRADING. (30.19, 30.195, 30.20, 30.26, 227.014) Except as otherwise provided in s. NR 302.03 or the removal of man-made or constructed objects and structures, no dredging of materials from the bed of any wild river shall be permitted, nor shall channels be connected to a wild river, nor shall any pond or enlargement be permitted within 400 feet of the ordinary high watermark of any wild river. Further, no channel changes pursuant to s. 30.195, Stats., shall be permitted, nor any grading or other removal of topsoil on the bank of a wild river.

(4) SHORE PROTECTION. (30.12, 30.26, 144.025, 144.39, 227.014) Shoreline protection measures defined in s. 30.12(2)(d), Stats., may be permitted if:

(a) Natural materials not foreign to the immediate surroundings are used; and

(b) Are necessary only to restore man-induced erosion areas to a more natural state.

(5) BRIDGES. (30.12, 30.26, 31.23, 227.014) To preserve the natural condition and beauty and other incidents of navigation in the wild rivers, no bridges, except as provided in s. NR 302.07, shall be permitted unless they comply with the following requirements:

Register, October, 1983, No. 334
Environmental Protection

(a) Reasonable access to a residential dwelling is not available without use of a bridge crossing and the applicant proves a need as defined in par. (b).

(b) Bridges shall be designed to accommodate foot traffic only unless an applicant proves a need, other than convenience, for vehicle passage over the bridge. Provided, the obtaining of property rights or ownership, or development of property to which access is sought, subsequent to the effective date of these rules does not prove need for vehicle passage over a bridge.

(c) Bridges shall be clear span and provide a minimum clearance of 5 feet between the ordinary high watermark and the stringer or lowest portion of the bridge, unless the department determines a lesser clearance is appropriate due to aesthetic conditions will not infringe on public rights in navigation on the wild river in the area of the proposed bridge placement.

(d) Bridges shall be constructed in a manner that results in the least impact on the natural condition and beauty of the river, taking into consideration materials necessary for the traffic and weight the bridge is to support.

(6) PIERS. (30.13, 30.26, 227.014) To protect and preserve public rights in the maintenance of the natural condition and beauty, no piers shall be constructed in the wild rivers.

(7) NATURAL OBSTRUCTIONS. (23.09, 23.11, 30.03, 30.16, 30.26, 227.014) In order to maintain the wild character of a river, natural obstructions shall not be removed by the department.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79.

NR 302.05 Department cooperation. (23.09, 28.07, 30.26, 227.014) The department shall consult with state, federal and local governmental bodies and their planning agencies in the development of a program for the preservation, protection and enhancement of the wild rivers.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79.

NR 302.06 Utility corridors. (23.09, 23.11, 27.01, 28.04, 28.07, 30.26, 227.014) (1) On other than department owned or controlled land, the department shall, to the best of its ability coordinate with all interested governmental units and other interested persons in the location of proposed utility corridors crossing or affecting wild rivers so as to avoid crossing those rivers and reduce or minimize the impact of such utility corridors on them.

(2) On department owned or controlled land, the department shall exercise its authority in a manner consistent with s. 30.26, Stats.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79.

NR 302.07 Municipal and department of transportation public highway bridges. (23.16, 39.26, 227.014) (1) The provisions of this chapter do not apply to the replacement, reconstruction, maintenance or repair of department of transportation public highway bridges falling within the provisions of s. 30.12 (4), Stats., and the replacement and reconstruction of municipal public highway bridges falling within the provisions of s. 30.122, Stats.

Register, October, 1983, No. 334
Environmental Protection

(2) Consistent with the legislative direction in ss. 30.12(4), 30.122 and 84.01 (23), Stats., the department shall actively consult with the department of transportation in the development of standards for the design and replacement of state, county, town, village and city bridges, arches or culverts to prevent undue impairment of public rights in the wild rivers. It shall further act under cooperative agreements with the department of transportation so that adverse affects of bridge replacement, reconstruction, maintenance and repair on the wild rivers and lands adjacent thereto are minimized to the fullest extent practicable under legislative mandates. In the development and implementation of such standards for wild rivers, necessary new structures should cross the stream in the same location as the old crossing or adjacent to it when practical, consonant to highway safety and a practical alternative site with lesser impacts on the wild river is not available.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79.

NR 302.08 Severability. Should any section or portion of this chapter be declared invalid or unconstitutional for any reason, the remainder of the chapter shall not be affected thereby.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79.

WISCONSIN DEPARTMENT OF NATURAL RESOURCES

MODEL*

OVERLAY SHORELINE ZONING ORDINANCE
FOR PROTECTION OF THE WILD RIVERS

*This model ordinance is designed solely as a guide for local zoning authorities in the creation of ordinances pertaining to designated Wild Rivers and lands adjacent thereto. This guide is not guaranteed to effectuate all purposes intended to be achieved by a county, nor is it intended to be necessarily legally sufficient to do so.

Section 1.0 STATUTORY AUTHORIZATION, FINDINGS OF FACT, STATEMENT OF
PURPOSE AND TITLE

1.1 Statutory Authorization: This ordinance is for the protection of legislatively designated rivers and land areas adjacent thereto and is adopted pursuant to the authorization contained in Sections 59.97 and 59.971 and with the guidance of Section 30.26 of the Wisconsin Statutes.

1.2 Findings of Fact: The uncontrolled use and development of those rivers designated as Wild Rivers by the Wisconsin legislature and the land areas immediately adjacent thereto in _____ County adversely affects the general welfare and convenience. Without proper control of development and use of the Wild Rivers and lands immediately adjacent thereto, protection, preservation and enhancement of these natural resources, including the shore cover, of the tourist industry and the natural beauty and amenities of these areas cannot be achieved. In addition, uncontrolled development of these areas may require public expenditures in the future to control or correct water quality of these Wild Rivers, restore shore banks and landscape, or manage the lands adjacent to such streams.

1.3 Statement of Purpose: It is the purpose of this ordinance to promote the general welfare and to assure protection of designated areas, being the _____ River(s) in _____ County, and adjacent land areas by provisions designed to:

1.31 Preserve the _____ River(s) in a free flowing, relatively unpolluted, primarily primitive, generally inaccessible

Section 8 DEFINITIONS

8.1 Aesthetic Protection Zone: That area embracing lands _____ feet from and running parallel to the river(s) designed in Section 2.1 herein in which development or alteration is severely limited to protect the natural beauty of the river(s).

8.2 Zone of Influence: That area embracing lands _____ feet from and running parallel to the river(s) designated in Section 2.1 herein in which development and use must be controlled for the enhancement and protection of the wild river area.

8.3 Development: Site preparation, construction or any alteration of the land or water area referred to in this ordinance, not including authorized forest or vegetative management.

8.4 Setback: That measured line running perpendicularly from the boundary separating the Aesthetic Protection Zone and the Zone of Influence into the Zone of Influence to a structure constructed in conformance with this ordinance.

8.5 Side yard. That measured line or distance running more or less parallel with the Aesthetic Protection Zone boundary line to a conforming structure from property lines which run more or less perpendicular to the boundary.

8.6 Back yard. That measured line or distance running perpendicular of the Aesthetic Protection Zone boundary line from that property line running more or less parallel to the boundary and being the furthest property boundary from the river.

6.23 Overnight camping facilities necessary to maintain sanitary and safe conditions along the river(s).

Section 7 NONCONFORMING USES

7.1 A structure or the use of a structure or premises which was lawful before the passage of this ordinance or any amendment thereto but which is not in conformity with its provisions may be continued subject to the following conditions:

7.11 No such use shall be expanded, changed, enlarged, or altered in a way which increases its nonconformity.

7.12 No structural alteration, addition, or repair to any nonconforming structure over the life of the structure shall exceed ____ percent of its fair market value at the time of its becoming a nonconforming use, unless the structure is permanently changed to a conforming use.

7.13 If such use is discontinued for ____ consecutive months, any future use of the building premises shall conform to this ordinance. The assessor shall notify the Zoning Administrator in writing of nonconforming uses which have been discontinued for a period of ____ months.

7.14 If any nonconforming use or structure is destroyed by any means, including floods, to an extent of ____ percent or more of its assessed value, it shall not be reconstructed except in conformity with the provisions of this ordinance.

unobtrusive in body and trim coloration, electrified with the use of underground wiring to the structure only, and at least ____ % screened by ^{or} vegetation as seen from the water during the months of J~~U~~ne, July and August.

5.22 Forestry practices that retain, preserve and continue a vegetative growing stock, recognizing allowed structures and yards conforming with the intent and purposes of this ordinance.

5.23 Wildlife habitat improvement practices approved in advance by authorized Department of Natural Resources personnel.

5.24 Regulated hunting and fishing grounds and wildlife preserves.

Section 6 CONDITIONAL USES

6.1 Aesthetic Protection Zone:

6.11 Shoreland and Bank Protection projects or work designed to protect against erosion or damage to the bank and shoreline, which has been approved by authorized Department of Natural Resources personnel. This provision does not authorize the constructor ^{of} or piers.

6.2 Zone of Influence:

6.21 Bridges and Roads necessary for public highway purposes.

6.22 Access Roads necessary during the conduct of any permitted use.

4.1 Other Permits: There shall be no development, construction or use on the bed of, over or in those waters described in Section 2.1 of this ordinance without permits or approvals required by statute or administrative rule (i.e. those permits required by Chapters 30 and 31 of the Wisconsin Statutes).

4.2 Other Consideration: All development, construction or use of the waters described in Section 2.1 of this ordinance shall be in conformance with the purposes listed in Sections 1.3 through 1.35 of this ordinance.

Section 5 PERMITTED USES

5.1 Aesthetic Protection Zone: Within this zone there shall be only those uses as follows:

5.11 Forestry Practices that retain, preserve and continue a minimum of _____ square feet basal area vegetative growing stock per acre must be maintained.

5.12 Wildlife Habitat improvement practices approved in advance by authorized Department of Natural Resources personnel.

5.13 Regulated hunting and fishing grounds and wildlife preserves.

5.2 Zone of Influence: Within this zone, the following shall be permitted uses:

5.21 Seasonal or permanent residences if rustic in design,

shall not be affected thereby.

Section 3 GENERAL PROVISIONS APPLYING TO LANDS DESCRIBED IN SECTION 2.2
OF THIS ORDINANCE

3.1 Aesthetic Protection Zone. Within this zone there shall be no use or development other than permitted herein.

3.2 Zone of Influence: There shall be no development or construction on those lands within the Zone of Influence ordinance except uses authorized by this ordinance and residential construction which complies with the following:

3.11 Setback: There shall be a minimum setback from the Aesthetic Protection Zone of _____ feet.

3.12 Side Yard: There shall be a minimum side yard from a property line of _____ feet.

3.13 ³Rear Yard: There shall be a minimum rear yard from a property line of _____ feet.

3.14 Height: No structure shall exceed _____ feet in height.

3.15 Lot Size: There shall be no residential or commercial construction or development on lots less than _____ acres in size and _____ feet in width.

Section 4 GENERAL PROVISIONS APPLYING TO WATERS DESCRIBED IN SECTION 2.1
OF THIS ORDINANCE

(b) Zone of Influence. That area located within _____ feet from and running parallel to the Aesthetic Protection Zone. This zone requires strict management and control to assure the achievement of the purposes of this ordinance.

2.3 Official Zoning Map: Any Official Zoning Map prepared which indicates those areas described in Sections 2.1 and 2.2 of this ordinance and all explanatory material thereon and attached thereto is hereby adopted by reference and declared to be part of this ordinance.

2.4 Compliance: No structure or land shall hereafter be used and no structure shall be located, extended, converted or structurally altered without full compliance with the terms of this ordinance and other applicable regulations and statutes including floodplain and shoreland regulations and statutory required permits to be issued by state, federal or local agencies before construction or development.

2.5 Abrogation and Greater Restrictions: It is not intended by this ordinance to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

2.6 Severability: If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance

and esthetically attractive state.

1.33 Protect from development, and assure the natural beauty, of _____ River(s) and that land area adjacent to it as described in Section _____ of this ordinance.

1.34 Restore and reestablish those _____ river(s) and adjacent lands as described in Section 2.2(1) and (2) to a condition of natural beauty and free flowing status and assure good water quality.

1.35 Control and manage development of the _____ River(s) and adjacent lands as described in Sections 2.2(1) and (2) to assure the well being of the tourist industry.

Section 2 GENERAL PROVISIONS

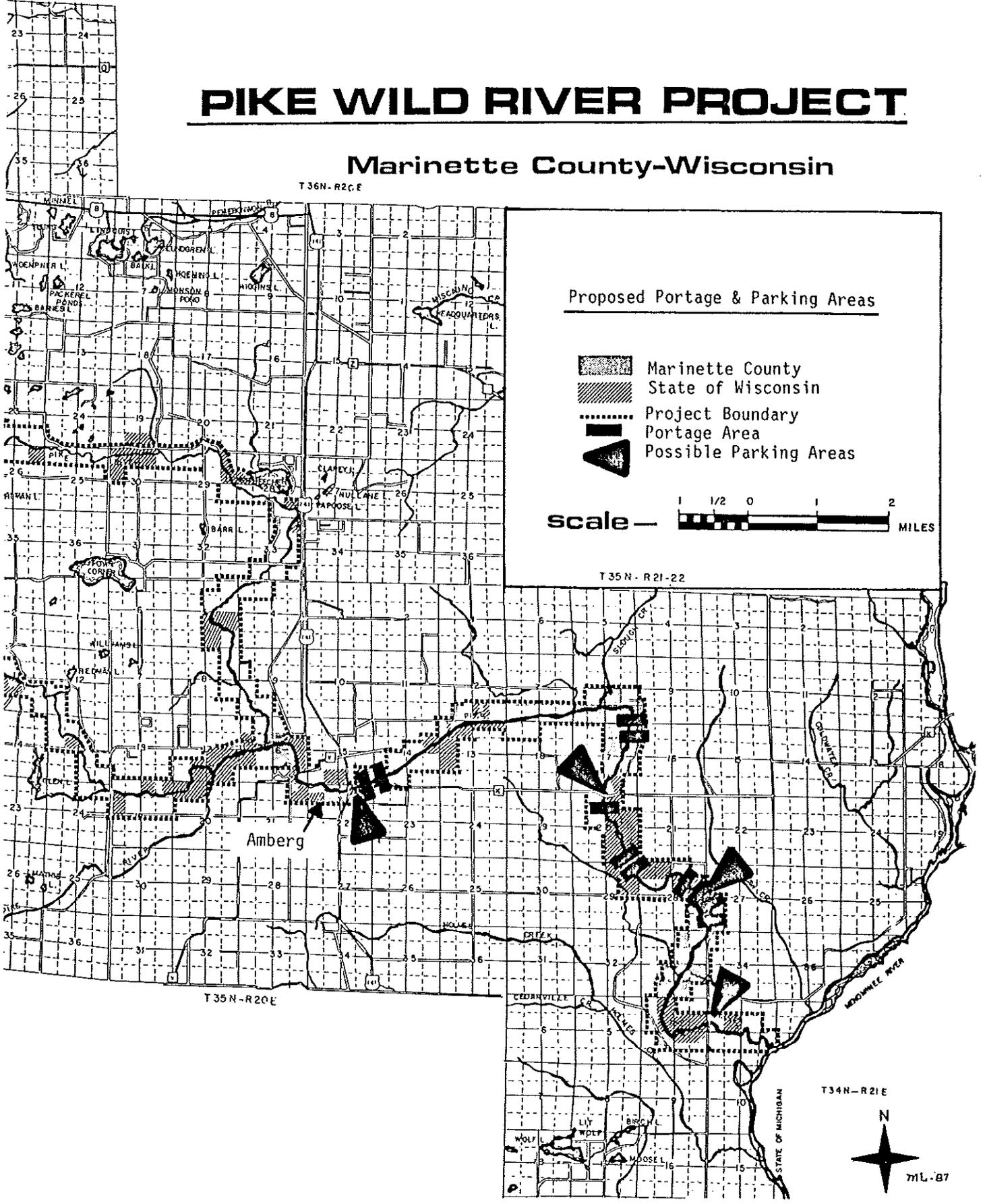
2.1 Streams to Which Ordinance Applies: This ordinance shall apply to the _____ River(s) in _____ County being (a) Wild River(s) as designated to Section 30.26 of the Wisconsin Statutes.

2.2 Lands to Which Ordinance Applies:

(a) Aesthetic Protection Zone. That area located within the zone of influence embracing that area _____ feet from and running parallel to the rivers referred to in Section 3.1. Development in and alteration of this zone must be strictly limited to only those uses specifically indicated herein.

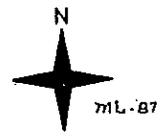
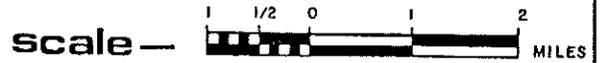
PIKE WILD RIVER PROJECT

Marinette County-Wisconsin



Proposed Portage & Parking Areas

-  Marinette County
-  State of Wisconsin
-  Project Boundary
-  Portage Area
-  Possible Parking Areas



SILVICULTURAL AND FOREST AESTHETICS HANDBOOK

4. Class D-Special Forest Use Zone

- A. Criteria - designated special use areas.
- B. Objective - manage these areas as outlined in property management plan.
- C. Examples - Natural, Scientific, Wild River, and Wilderness areas.

Stand Treatment Methods in Aesthetic Zones

Wherever possible aesthetic management should be integrated into commercial logging operations. However, it is anticipated that due to the variety of conditions and the special attention demanded in the treatments that separate small sale contracts or permits will be needed to accomplish the management objective. The development of small-scale jobbers who are interested in and properly equipped to handle aesthetic zone cuttings would be the ideal. Whichever method is used, certain principles of stand treatment should be followed.

The following stand treatment methods are intended to:

- (1) Maintain aesthetic zones in a healthy, forested, and aesthetically pleasing condition.
- (2) Reduce damage to residual trees.
- (3) Reduce visible evidence of logging.
- (4) Reduce soil erosion.

1. Logging Control

- A. All logging with the exception of pure conifer stands should be done when residual hardwoods are leafless to reduce felling damage and to eliminate persistent foliage in tops.

SILVICULTURAL AND FOREST AESTHETICS HANDBOOK

- B. All tops should be treated so that all slash is within 18 inches of the ground. This may require disposal effort by the sale contractor or by force account.
- C. No tops will be left in ditches, on shoulders or in streams or lakes.
- D. Landings for forest products should not be permitted in the aesthetic zone. No debarking equipment should be allowed to operate within sight of the travelled thoroughfare.
- E. Logging road entrances to public roads should be constructed in a manner that will not detract from scenic values. Entrances should be at an angle instead of perpendicular and curve so as to screen the road. Excessive bulldozing effort should not be permitted.
- F. All skid trails should be well-spaced and on the contour and lead back away from the aesthetic zone. Skidding to public roadsides should be discouraged.
- G. Skidding equipment must be of a type approved for use in aesthetic zones. Excessively large equipment which will cause damage should not be allowed. Skidding must be done in a careful manner to protect residual trees.

2. Sale Design

- A. Personnel establishing timber sales in or adjacent to aesthetic zones must have a sensitivity for scenic values. Orientation and training must be given in techniques to be used to preserve and enhance these values.
- B. Distances specified in the prescriptions are intended to be guidelines. Zone boundaries should be established so as to blend with the environment, i.e., topography, stand conditions, sight distances, etc. Management should blend. *Fully utilize available topographic maps, aerial photographs and soil surveys and combining these with local knowledge or field reconnaissance to ascertain on-the-ground conditions.*
- C. *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.*
- 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. *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.*
- F. *Plan cutting layouts to avoid leaving narrow unmanageable strips of timber susceptible to storm damage and windthrow. Strip clear cuttings should be curved to avoid "tunnel-like" appearances.*
- G. Paint marks should face away from the road.

SILVICULTURAL AND FOREST AESTHETICS HANDBOOK

- H. Plastic ribbons and painted boundaries should be used discreetly. Excessive painting of survey corner witness trees is unnecessary.
- I. Patches of overstocked timber should be retained for variety and cultural interest where possible.
- J. Uniform spacing in plantations and thinnings should be modified to develop a natural stand appearance.
- K. Document outstanding attractions with routed wooden signs to identify what has or is happening.
- L. Vistas should be created to provide views of water or areas of high scenic interest.
- M. *When clearcutting can be used to develop specialized habitat conditions within the forest, i.e., savanna type openings are for sharp tail grouse management or clearcutting is the appropriate silvicultural system, due consideration shall be given to the attainment of biological diversity of the future forest, the development of edge for wildlife, a variety of age classes in future growth and aesthetic quality of the area. Clearcutting is a silvicultural system usually applicable to intolerant species and is defined by Natural Resources Board policy as a timber removal practice that results in a residual stand of less than 30 feet of basal area per acre upon completion of a timber sale.*

3. Noncommercial Cuttings

Treatments of a noncommercial nature should be made in a manner which will enhance aesthetic values. This means that slash, cut trees, brush, etc., should be within 18 inches of the ground. Stump heights should be low. Saplings should not be severed high above the ground. Salvage for firewood is encouraged where such removal will not have detrimental impact on scenic values.

Herbicide treatment should be avoided in aesthetic zones. Stump treatment to prevent sprouting may be desirable at times. However, mechanical treatment methods are recommended.

4. Pruning

All pruning should be done according to standard acceptable practices. However, pruning to variable heights should be considered to prevent an artificial appearance to the stand.

5. Plantings

Tree and shrub plantings can be used to screen unsightly dumps, borrow pits, gravel pits, power and gas line R.O.W.s, etc. Underplantings and interplantings can often be used to develop long range solutions to aesthetic problems. Plantings should be adapted to the site and performed according to good forestry practices.

Large block type plantings of a single species that create a monotype culture within an area shall be discouraged. Plantations shall be established to achieve a more aesthetically pleasing appearance and to provide for added diversity of type. Planting will be accomplished by varying the direction of the rows or contouring to create a more natural appearance, planting on the contour, using shallow furrows or eliminating furrows where practical. In planting adjacent to a major roadway, the first rows should be parallel to the roadway to meet aesthetic concern and provide game cover.

4. Individual Trees or Clumps

Individual trees or clumps of red or white pine and hemlock should be treated similarly to forest types. When stands other than those designated for big tree silvi^{cul} are marked or designated for cutting, consider the risk and vigor of the individual big tree species within the stand in relation to the cutting cycle. For example, individual pine scattered through an aspen stand designated for harvest should be viewed in relation to its ability to remain for the next aspen rotation without undue loss or degeneration. If individual tree risk and vigor is projected to be poor over the next aspen rotation period, the pine should be marked or designated and included in the aspen contract.

Appendix 7

Plan Review

A public review period for the proposed plan and environmental assessment was conducted from October 17 through December 9, 1988. In addition, a public input meeting was held at Wausaukee on December 7, 1988. Twenty-four people attended the public meeting, in addition to the DNR personnel.

There were fourteen written comments from within the agency, from organizations and from individuals. As many of the comments were similar in nature and quite lengthy, they will be summarized and para-phrased, rather than quoted verbatim.

The comments received, both written and oral, concerned specific points of the plan or to clarify plan contents. None were opposed to the Wild Rivers concept or to the plan in general.

Written Comments

1. The plan should include statements that reflect the DNR's commitment to providing access for the mobility impaired.

Response: Totally agree with this comment. A paragraph has been added to the section on access to address this issue.

2. There is no reference to law enforcement interests or activities. There will be an increased need for law enforcement activities as the project develops further.

Response: A section on law enforcement has now been added to the proposed management portion of the plan.

3. The beaver problem is of major concern to several groups and individuals. Trapping alone will not control their numbers. Also, since the state cannot remove beaver dams from the River, they could become a very real problem by obstructing canoeists and ruining the trout fishery. The plan should address this issue in a positive manner.

Response: The vegetative management and wildlife management portions of the plan have been revised to more specifically address the beaver problem.

4. You are urged to limit the number of canoe campsites. These sites might encourage excessive canoe usage and result in conflicts between anglers and canoeists, as has happened on other waters.

Response: The number of canoe campsites will be limited to a very few. The Department desires to maintain the wild character of the river, so over-use would not be encouraged.

5. Some type of trout habitat improvement should be planned. Wording should be included that would give DNR fisheries personnel the

opportunity to undertake stream improvement projects as determined to be beneficial to the fishery resource.

Response: Stream bed alterations are precluded by administrative code.

6. We question the value in allowing all forest stands 150-400 feet from the river to convert to climax species. The interests of Wisconsin's outdoor enthusiasts are far too varied to assume that a 61.3 mile corridor of old growth timber will supply the greatest good for the greatest number of people.

Response: The purpose of wild river designation is to maintain and enhance the wild character of the river. We feel that this can be achieved in the long run, by encouraging long-lived tree species within the 400 foot corridor.

7. A significant portion of a quality outdoor experience is the observation and enjoyment of wildlife. Therefore, any attempts of maintaining the "greatest scenic potential" must take into consideration the scenic value of the fauna associated with a variety of habitat types, including early successional types.

Response: The area outside the 400 foot corridor will continue to have acreages of early successional forest cover, particularly Aspen regeneration, through the timber harvests.

8. Some education and assistance to private landowners along the river, in conjunction with zoning controls would be more effective than relying on zoning alone. Education is also an essential tool to get voluntary compliance of river users. This plan needs to follow through with specific education proposals. Thirdly, a Friends Group or other citizen group could play an important role in activities such as education of users and landowners, litter removal and watching for management problems or violations.

Response: These suggestions are very constructive and well taken. A new section on coordination and cooperation has been added, which outlines specific actions that will be taken concerning these activities.

9. The cuckoo flower, of Special Concern, is recorded on the project.

Response: It has been added to the plan.

10. Twelve Foot Falls and Pines - This Natural Area should not receive any cutting.

Response: This is county land, but the NWNW of Section 21 has been added to the project boundary.

11. Our bureau recommends increasing the project boundary by 120 acres to include all of the natural area at McDonald Lake. It is a candidate State Natural Area.

Response: The 120 acres have been added.

Public Review Meeting
December 7, 1988

Questions and Comments

1. Is the DNR proposing to close town roads?

Answer: No

2. Why can't the DNR remove beaver dams?

Answer: Because NR 302 prohibits the state from removing natural obstructions.

3. Are you asking Marinette County to manage their properties as the DNR proposes to do?

Answer: The county will be asked to enter an acceptable agreement for modified management within 400 feet of the river.

4. The state offers fair market value for land acquisition. What if someone else offers more?

Answer: The owner has the right to sell to whomever he chooses, or not sell at all.

5. How will DNR enforce camping prohibition? How will you enforce litter laws? The project has been here for 20 years and you still have no maintenance plan. What are you going to do?

Answer: For the time being, the conservation wardens are the only people to enforce these laws. This project will need a bigger budget and a park ranger for enforcement and maintenance. The questions are very legitimate. We have now added sections on law enforcement and public cooperation to the plan.

6. Interpretation of codes varies from one to the other. Can DNR attorneys redefine the prohibition to remove beaver dams? Do beaver dams really constitute a natural obstruction?

Answer: DNR attorneys are not likely to change their opinion. An obstruction has to be either man-made or natural. Since a beaver dam is not man-made, it must be natural.

