

BAYFIELD COUNTY FOREST COMPREHENSIVE LAND USE PLAN

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**CHAPTER 200**

**GENERAL ADMINISTRATION**

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## **200 GENERAL ADMINISTRATION**

### Objectives

1. To comply with and implement the provisions of the County Forestry Ordinance.
2. To administer and manage the County Forest in accordance with s. 28.11, Wis. Stats and this Plan (more information on s. 28.11, Wis. Stats. can be found in the Appendix).
3. To cooperate with the DNR and other agencies and organizations in the interest of furthering the optimum management of the County Forest on a sustainable basis.
4. To provide adequate financial support for the program by using county designated revenues and appropriations, along with funds available from federal and state sources.
5. To maintain an adequate system of accounts, records and reports for the orderly administration of the County Forest and evaluation of program needs and implementation.
6. To facilitate the administration of the County Forest by authorizing personnel, equipment and facilities necessary to assist the Committee and the Administrator in carrying out their duties.

## **205 ROLES**

The County and the DNR have a mutual interest in administration of the County Forest. It shall be the policy of the Board, through the Committee, to cooperate with Department and DNR personnel in carrying out the management of the County Forest. The County/DNR roles are further defined in the Public Forest Lands Handbook, 2460.5.

### **205.1 COUNTY BOARD OF SUPERVISORS**

Powers of the Board, relative to the management of County Forest lands are defined in s.28.11(3) and additional authority may include, but is not limited to:

- Annual Budget and Workplan development.
- Grants/Loans.
- Land acquisitions.

- Other, as determined pertinent to Bayfield County.

#### 205.1.1 Forestry and Parks Committee

The Board assigns the administration of the County Forest to the Committee. Examples of responsibilities of the Committee include, but are not limited to:

1. Preparation of an annual Workplan and Budget for the ensuing calendar year to be presented to the Board for approval.
2. Establishment and maintenance of the facilities necessary to conduct forest management operations.
3. Negotiations for and acquisition of lands necessary to further the objectives of the Department, as outlined throughout this Plan.
4. Review and approval of all proposed recreation projects on county forest lands or similar projects that would utilize portions of the County Forest.
5. Review and approval of all forest management related activities, including, but not limited to: timber sales, reforestation, forest carbon marketing, invasive species control and road/trail construction, repair and/or maintenance.
6. Cooperation with the DNR on all matters pertaining to natural resource management on the County Forest.
7. Focus on policy approval for the County Forest and participation in all other policy related activities involving forestry operations in the county forest program.
8. Employ personnel to administer and implement the county forest program.
9. Hold committee meetings as necessary to carry out the above duties.

#### 205.1.2 Forestry and Parks Administrator

1. The Administrator will act as the primary agent of the Committee and will carry out its orders, as well as execute assignments outlined in the Plan, as well as the annual Workplan, all within the framework outlined in s. 28.11, Wis. Stats.
2. The Administrator will prepare the Plan, annual Workplan, Budget, annual

accomplishment report and other similar documents, as directed by the Committee, for review and action by the Committee.

3. The Administrator, or a designee, will prepare an agenda and organize all materials for, as well as present at, all Committee meetings.
4. The Administrator, or a designee, will record minutes of each Committee meeting and distribute as appropriate, as well as maintain a permanent record of the minutes.
5. The Administrator will serve as the Director of the Department and be responsible for developing and coordinating all programs of work for all Department staff members, as well as other matters, as directed by the Committee.
6. The Administrator will supervise and oversee all County Forest programs, including, but not limited to: forest management (the timber sale program); reforestation; regeneration monitoring; forest inventory (reconnaissance and CFI); site preparation; timber stand improvement; access management (roads and trails); recreation; land acquisition; entry and withdrawal of county forest lands; forest carbon marketing; trespass investigations; and long and short term planning, all within the parameters of s. 28.11 Wis. Stats.
7. The Administrator will also perform all duties as outlined in the County position description for the position.

## 205.2 DEPARTMENT OF NATURAL RESOURCES

The role of the Department in the County Forest program is to:

1. Encourage technically sound management of the County Forest resources.
2. Protect the public rights, benefits and investments in County Forest lands.
3. Administer state compensation to the county for the public rights, benefits and privileges the county forest lands provide as required by s. 28.11-(8) Wis. Stats.
4. Provide County Forest assistance consistent with those identified per the Public Forest Lands Handbook.

## 205.2.1 Division of Forestry

It is the function of this Division to:

1. Certify and make forest aid payments (variable acreage and project loans) to the county and audit county expenditures of the forestry fund account pursuant to s. 28.11(8)(b), Wis. Stats.
2. Certify and make acreage payments to towns pursuant to s. 28.11(8)(a), Wis. Stats.
3. Maintain and certify County Forest acreage by township, and audit distribution of severance share payments (s. 28.11(9) Wis. Stats.) made annually by the counties.
4. Collect severance share payments of not less than twenty percent of actual stumpage sales value on timber cut from the County Forest pursuant to s. 28.11(9)(a), Wis. Stats.
5. Administer various aids and grants pertaining, but not limited to, the County Forest program.
6. Assist with development and implementation of the Plan.
7. Approve annual Work Plans.
8. Interpret and administer the laws and regulations set forth by the Legislature and the Natural Resources Board.
9. Review and approve or deny applications for withdrawal and entry of lands into the County Forest Law program.
10. 5-year Audit Programmatic and Financials.

## 205.2.2 Local Office

Field representatives of the DNR are available to provide technical advice and assistance to the county in natural resources management. This assistance includes, but is not limited to the following:

### 205.2.2.1 Forest Management

The DNR forester designated by the DNR to serve as liaison to the Committee will

provide technical assistance in managing the resources of the County Forest. The DNR forester's duties include, but are not limited to:

1. Attend all Committee meetings and any Board meetings, as requested by the Committee.
2. Assist in establishing, inspecting, and administering timber sales in cooperation with the Department, or as otherwise directed by the Administrator and/or Committee.
3. Process timber sale approvals, cutting notices and reports.
4. Maintain, for the DNR, a record of forest management accomplishments, forms and maps.
5. Assist, as requested by the Administrator and/or Committee, in preparation of projects, plans and estimates.
6. Provide assistance, if requested by the Administrator and/or Committee, in the preparation of the annual budget, annual Workplan and the Plan.
7. Assist in County Forest timber theft and larceny investigations.
8. Organize and prepare minutes of annual partnership meeting as required in the Public Forest Lands Handbook.

#### 205.2.2.2 Other DNR Program Functions

1. Fire Management - Maintain a system of communications, equipment, and trained personnel to prevent and suppress forest fires, assist with prescribed burns: and enforce forest fire related laws.
2. Forest Pest Control – DNR Forest Health personnel will provide technical services for prevention, detection and suppression of forest pests (insects and diseases) in the district.
3. Wildlife Management - Conduct surveys of wildlife populations, habitat, and public use. DNR Wildlife personnel use this information when providing technical assistance on long term ecosystem planning as well as wildlife habitat management, habitat improvement and wildlife health. Also conduct and administer various wildlife habitat development and maintenance projects

on the County Forest, as authorized by the Committee. Attend Committee meetings as requested.

4. Fisheries Management - Maintain the quality of the fishery resource in the waters of the County Forest to produce a balanced return to the angler, consistent with sound management principles.
5. Law Enforcement - Enforce state natural resource laws and regulations and assist in the enforcement of county and federal natural resource laws and ordinances.
6. Environmental Protection - Enforce and provide technical assistance in matters related to water and shore land management, pollution detection and waste disposal.
8. Endangered Resources - Provide technical expertise on rare, threatened or endangered species and natural community surveys, identification and management. Assist other DNR functions and the county in identifying local and landscape level issues.

## **210 COOPERATION**

To meet the obligation of the County to the public in accordance with s.28.11, it is in the best interest of Bayfield County to cooperate with public agencies, non-profit organizations, Tribal Nations, and others.

### **210.1 TRIBAL NATIONS**

There is approximately 1,050 acres of County Forest land and roughly 150 acres of County owned (but not County Forest) land located within the Red Cliff Band of Lake Superior Chippewa (hereafter, "Red Cliff") reservation boundaries. The County will continue to collaborate with Red Cliff representatives on all County Forest timber sales and other projects located within the Red Cliff reservation. The Administrator of the Treaty Natural Resources Division for Red Cliff will be the primary point of contact for the Department.

The County will also continue to collaborate with Red Cliff to mutually accomplish the



goals and objectives set forth in a Memorandum of Understanding (MOU) that was ratified in 2017. One of the primary objectives identified in the MOU was to facilitate the repatriation of lands to Red Cliff, while also recognizing the value of those public lands to the County and fostering mutual respect and cooperation. As part of the MOU, the County and Red Cliff mutually agreed to explore suitable exchanges, trades or other conveyances of County owned lands, to the benefit of both entities. A copy of the MOU between Bayfield County and Red Cliff can be found in the Appendix.

Native American Tribes, including Red Cliff, are encouraged to provide input or otherwise contribute towards the comprehensive County Forest planning process. Gathering rights for Tribal members on County Forest land is provided and detailed in Chapter 500 of this Plan.

## **215 FINANCIAL SUPPORT**

An annual Budget shall be prepared by the Administrator for approval by the Committee and ultimately the Board. This Budget shall contain county, state, private, non-profit and federal funds, as necessary, needed to carry out the forestry, parks and recreation programs on the County Forest.

### **215.1 REVENUE FROM OPERATIONS**

The following procedure will apply in crediting/accounting for income the County Forest:

#### **215.1.1 Timber Sale Revenue**

All revenue received from the sale of timber and/or harvested forest products, except income specified in Section 12-2-5 (b) (2) and (c) (1) & (2) of the County Forestry Ordinance, shall be deposited in the Bayfield County General Fund.

All severance taxes, if applicable, incurred as a result of such sales shall be segregated into a separate account from timber sales income and paid as required by statute.

### 215.1.2 Parks and Recreation Revenue

All revenue collected from state funded motorized trails (i.e. snowmobile, ATV/UTV, etc.), as well as parks and yurt related activities, will be deposited, in designated accounts, within the Bayfield County General Fund.

Revenues received for the implementation of the state funded motorized trails program, or similar programs and/or projects, where grant funds were received, will be used to offset expenses incurred from the management of those programs, as per the terms and conditions outlined in all awarded grants.

### 215.1.3 Other County Forest Revenue

All revenue collected for purposes other than the sale of timber, harvested forest products, parks, yurts and recreation shall also be deposited in the County General Fund. This includes, but is not limited to: access and utility permits; donations; and other similar sources of revenue.

Revenues from the sale of surplus materials and equipment, and rental fees paid by other governmental agencies for use of Department equipment shall be deposited in the non-lapsing equipment maintenance/repair account.

Other revenue received shall be deposited as directed by the Committee and/or Board, or as otherwise outlined in the Department's annual operating budget (see the Appendix for more information on the annual operating budget).

See the Appendix to review the Department's operating Budget, as well as a listing of all revenue accounts managed by the Department.

## 215.2 OUTSIDE SOURCES OF REVENUE

### 215.2.1 State Funds

In addition to other state funds that may subsequently become available for county use, the following state funding sources will be applied for and used where appropriate in the administration of the Forest:

1. Variable Acreage Share Loan (s. 28.11(8)(b)1., Wis. Stats.). The county may apply for variable acreage share loans in the amount of up to fifty cents per acre of regular entry County Forest land by December 31. Payment is made to the county on or before March 31st of each year and deposited in the State Forest Aid fund. Application is made by County Board Resolution.
2. Project loans (s. 28.11(8)(b)2., Wis. Stats.) are available to undertake acquisition and development projects of an "economically productive nature". Fish and game projects or recreation projects do not qualify. Application is made by County Board Resolution.
3. County Forest Administration Grant Program (s. 28.11-(5m) Wis. Stats.). Annual grants are available to fund up to 50% of the salary and fringe benefits of a professional forester in the position of county forest administrator or assistant county forest administrator. Benefits may not exceed 40% of salary. Application is due by January 31 and is made by the Administrator. A County Board approved Work Plan is required as part of the application. Payments will be distributed by April 15<sup>th</sup> of each year.
4. Sustainable County Forest Grants. Annual grants made for short-term unanticipated projects that promote sustainable forestry. Details are contained in s. NR 47.75, Wisconsin Administrative Code.
5. County Fish and Game Projects s. 23.09(12), Wis. Stats.).
6. Wildlife Habitat Development Grant (s. 23.09(17m), Wis. Stats.).
7. County Forest Road Aids funds are available for each designated mile of County Forest road. The certification is done on a biannual basis.
8. Knowles-Nelson Stewardship Program. Grants are available to assist counties in purchasing lands to add to the County Forest, usually funded at 50% of the appraised value (see the DNR website for more information on the Stewardship program).

### 215.2.2 Federal funds and programs

In addition to others Federal funds that may become available, the following funds and programs will be considered, where practical:

1. Land and Water Conservation Fund Act (LAWCON) This fund provides up to 50% matching grants for the acquisition, development and renovation of local parks.
2. Resource Conservation and Development (Technical Services).
3. Pittman-Robertson fund. This fund provides for wildlife management and habitat improvement.
4. Sport Fish Restoration (Dingell-Johnson) fund. This fund provides financing for fish management projects administered by DNR.
5. Federal Endangered Species fund. This fund provides cost sharing and grants for surveys, monitoring and management programs that conserve a threatened or endangered species. Contact the DNR Natural Heritage Conservation for information.

### 215.2.3 Other Funds

Other potential funding sources are groups such as Ducks Unlimited, Ruffed Grouse Society, Arbor Day Foundation, Trout Unlimited, Whitetails Unlimited, National Wild Turkey Federation, local sportsman's clubs, service organizations, etc.

The Committee will consider donations, endowments and other gifts, whether real estate, equipment or cash. The County corporation counsel may be consulted to ascertain whether such gifts benefit the County.

## 215.3 COUNTY EXPENDITURES

All purchases and expenditures shall comply with County purchasing policy, and state statutes. See the Appendix for more information on the various County policies.

## **220 COUNTY RECORDS**

The Administrator will keep concise and orderly records and accounts of all revenue received, expenditures incurred and accomplishments resulting from the operations of the Department. A job description and training record will be kept, on file, for each employee.

### **220.1 ACCOUNTS**

All account management and bookkeeping procedures will be the responsibility of the Administrator. The Department's Assistant Administrator and Office Manager will also be assigned account and/or bookkeeping responsibilities, as determined by the County, as per each respective position description, or as otherwise directed by the Committee and/or County Administrator.

#### **220.1.1 State Aid Forestry Account**

Variable acreage share loans (s. 28.11(8)(b)1., Wis. Stats.), project loan funds (s. 28.11(8)(b)(2.)Wis. Stats.), and sustainable forestry grants (s. 28.11(5r), Wis. Stats., and s. NR 47.75, Wis. Adm. Code) that are distributed by the DNR are deposited in a State Aid Forestry Account or accounts that are solely dedicated to each source of funds.

Expenditures of variable acreage share funds from this account are restricted to the purchase, development, preservation and maintenance of the County Forest; expenditure of project loan funds are governed by the conditions of project approval; Sustainable Forestry grants from this account must be spent specific to the approved project; revenue received from the sale of equipment purchased with State Aid Account money must be redeposited in the State Aid Account.

#### **220.1.2 Other County Forest Accounts**

See the Appendix for a review of the Department's Budget, which includes a listing of other county forest accounts.

#### **220.1.3 Account Structure**

#### 220.1.3.1 Annual Appropriations

These accounts are budgeted annually. Unused portions revert to the General Fund on January 1<sup>st</sup>, unless authorized, by the Committee, to be carried over to the next calendar year.

#### 220.1.3.2 Non-Lapsing Accounts

The Board may authorize the establishment of non-lapsing accounts to facilitate multi-year projects and long-range planning needs. Examples of existing non-lapsing accounts include, but are not limited to: Reforestation, Wildlife Habitat, Equipment Use/Repair, Land Acquisition, and others as deemed appropriate by the Board.

See the Appendix to review the Department's Budget, as well as a listing of all expense accounts (revenue and expense) managed by the Department.

### 220.2 TIMBER SALES

#### 220.2.1 Active Files

Active timber sale files (hardcopy or e-copy), at a minimum, should contain or reference the following items:

1. Timber sale cutting notice and report (Form 2460-1)
2. Timber sale narrative (Form 2460-1A)
3. Contract and all addendums
4. Timber sale map
5. Ledger account of scale
6. Timber sale inspection journal / notes
7. Pertinent correspondence
8. Liability insurance
9. FISTA training
10. Financial assurance (performance bonds, letters of credit, etc.)

11. Field scale sheets
12. Lock box tickets (if applicable)

#### 220.2.2 Closed Files

Once sales have been completed and audited by DNR only the following items need to be maintained in the file as a permanent record:

1. Timber sale notice and cutting report
2. Contract and addendums
3. Timber sale map
4. Pertinent correspondence
5. Financial ledger/summary

## **225 PERSONNEL**

The Administrator shall have authorization to determine, direct and organize the workload of the Department's employees and contractors, as per the County position description for each employee, as well as general County policies and procedures. Personnel of the Department will be governed by the work policies as set forth and determined by the County.

### 225.1 COUNTY FOREST STAFF

The following positions are currently part of the Department's staff and are considered essential for the operation and management of the County Forest:

1. Forestry and Parks Administrator;
2. Assistant Forestry and Parks Administrator;
3. Inventory and Analysis Forester;
4. Forester (4);
5. Recreation Forester;
6. Forestry and Parks Technician;
7. Office Manager.

## 225.2 HIRING PERSONNEL

See the Appendix for a description of County policy pertaining to the hiring of personnel.

## 225.3 OTHER SOURCES OF LABOR

The Administrator will consider supplemental resources that can be utilized on the County Forest, including internships and limited term employees (LTE's), following County hiring and/or procurement policies.

## 225.5 TRAINING

The Administrator will be responsible for scheduling and providing appropriate training to keep staff current with safety requirements, BMP's, silvicultural practices, pesticides, new technologies, and other training appropriate to manage the County Forest. A training record will be retained for each employee identifying, at minimum, the course name, content and date of attendance.

## 230 EQUIPMENT

All equipment and supplies will be coordinated and managed by the Administrator. The Administrator will be responsible for locating equipment and considering the most economical alternatives of buying, borrowing, renting or constructing.

The Administrator will also be responsible for maintaining an inventory, to be updated annually, of equipment under his/her jurisdiction. Any Department employee may purchase equipment and supplies with prior authorization from the Administrator and/or County Administrator. Equipment shall be purchased as per County policy. See the annual Workplan for a list of equipment and facilities managed by the Department.

### 230.1 FACILITIES

See the annual Workplan for a listing and description of equipment and facilities under the jurisdiction of the Department.