

Chapter 2 Aquatic Invasive Species

Sec. 16-2-1 Purpose. The purpose of this chapter is to establish a local program to prevent the spread of aquatic invasive species in Bayfield County.

Sec. 16-2-2 Definition of Aquatic Plants and Animals.

- (a) **Aquatic Plant.** Means any nonwoody submergent, emergent, free-floating, or floating-leaf plant and includes any part thereof. "Aquatic plant" does not mean wild rice.
- (b) **Aquatic Animal.** Means zebra or quagga mussel, or any other aquatic invasive animal restricted or prohibited by the state.
- (c) **Aquatic Invasive Species.** Has the meaning given in S. NR 40.02 (3m), Wis. Admin. Code that aquatic invasive species are any invasive species that dwells in water or wetlands.
- (d) **Decontamination.** Means the process of removing invasive species, including aquatic invasive species or materials that may contain or transmit any type of invasive species, by disinfection or other methods.
- (e) **Decontamination Station.** Means a device provided at a public or private waterway access to remove all potential invasive species. The station may consist of high temperature water (140 degrees Fahrenheit or more) applied with a pressure washer by trained personnel, a recommended chemical solution applied with a low pressure sprayer or other techniques.

Sec. 16-2-3 Prohibited Transport of Aquatic Plants and Animals.

- (a) No person may transport any watercraft and its associated trailer or boating equipment from navigable waters onto a public highway if aquatic plants or animals are attached, or to do so in violation of an order from a law enforcement officer who has reason to believe that aquatic plants or animals are attached, except as provided in Section 16-2-4.
- (b) If a decontamination station is available for use at a public or private access, the boater shall decontaminate per posted directions and/or inspection protocol using the decontamination station provided.
- (c) This section shall not apply to bait used on that particular waterbody in accordance with Wisconsin Department of Natural Resources (DNR) rules and regulations.

Sec. 16-2-4 Exceptions to Transport of Aquatic Plants and Animals. Unless otherwise prohibited by law, a person may transport aquatic plants:

- (a) For disposal as part of a harvest or control activity conducted under an aquatic plant management permit (NR 109).
- (b) When Transporting commercial aquatic plant harvesting equipment to a suitable location, away from any water body, for purposes of cleaning any remaining aquatic plants or animals.
- (c) When harvested for personal or commercial use, as to be used as compost or mulch, and in a sealed container.
- (d) When conducting an aquatic plant study for the purposes of vouchering specimens or conducting an educational workshop.

Sec. 16-2-5 Penalties. Any person who violates a provision of this ordinance shall be subject to a base fine of not less than \$50 for a first offense, not less than \$100 for a second offense, and not less than \$1,000 for a third and each subsequent offense. All surcharges, assessments and costs will be added to base fines as applicable by law.