

# DOUGLAS COUNTY FOREST ACCESS MANAGEMENT PLAN

## CHAPTER 3 Access History on the Douglas County Forest

<b>Section</b>	<b>Page</b>
3.0 Access History on the Douglas County Forest .....	3 - 1
3.1 Timber Harvests .....	3 - 1
3.2 Other Motorized Off -Highway Vehicles .....	3 - 1
3.3 Non-Motorized Use .....	3 - 3
3.4 Horseback Riding .....	3 - 3
3.5 Fishing and Access to Water .....	3 - 3
3.6 Hunting Access .....	3 - 4
3.7 Trapping Access .....	3 - 5
3.8 Adjacent Landowner Easements and Access Permits .....	3 - 5
3.9 Need for an Ordinance .....	3 - 6
3.10 County Forest Road Development.....	3 - 7
3.11 County and Township Access.....	3 - 8
3.12 Summary .....	3 - 9

## **CHAPTER 3**

### **ACCESS HISTORY ON THE DOUGLAS COUNTY FOREST**

#### **3.0 ACCESS HISTORY ON THE DOUGLAS COUNTY FOREST**

##### **3.1 Timber Harvests**

The first entry of Douglas County forest lands (9,002 acres) occurred in 1931 under the County Forest Crop Law. Later, large acreages were entered and the forest grew substantially in size. Today, the Douglas County Forest comprises 272,795 acres, or about 32 percent of the County's land surface.

From the mid to late 1800's to the early 1900's, much of the timber in the County was harvested, providing raw materials for a thriving timber industry and a growing nation. In the process of harvesting and transporting these forest products to the mills during this period, timber producers built many miles of forest roads across County forest land. Rarely did staff from the County Forest or the WDNR design, locate, or set standards for these roads.

During the past several decades, demand for and harvest of timber in this region has increased substantially, as has the need to ensure the long-term health of the County Forest, enhance wildlife habitat and protect water quality. In response, the DCFD has reduced the average size of harvest areas and spread them across the landscape to improve age-class diversity and the management of different timber types. These changes have resulted in more complex location and construction standards and increased the need for roads to access the timber resource. Today, the DCFD highly regulates the design, location, and construction of all new timber-sale access roads through contractual agreements. When establishing timber sales, DCFD foresters must consider the recreational access of the area before and after harvest, and balance these considerations with factors such as environmental and wildlife habitat protection, and aesthetics.

It is understood that motorized vehicles and equipment that are used in managing the County Forest by staff, timber-sale contractors, or other users with written permission are exempt from regulations as specified in contractual agreements with the County.

##### **3.2 Other Motorized Off-Highway Vehicles**

During the past decade there has been a significant increase in the use of motorized OHV's, including snowmobiles and ATV's, on the Douglas County Forest. ATV riding currently is among the fastest growing outdoor sports in Wisconsin. The Forest also has seen an increase in the use of LUV's (light utility vehicles), e.g., Argos, Mules, Rangers, buggies, golf carts, and go karts. Both legitimate and illegitimate motorized access have been noted on all areas of the Forest. Most of this use has been through the use of ATV's, from casual riders on secondary roads to off-road uses in remote areas of the Forest.

Since the late 1960's, people have been using snowmobiles on the County Forest as a way to travel across snow covered terrain. Early models consisted of a rough chassis with an engine that drove a

## ACCESS MANAGEMENT PLAN

rubber track which pushed the machine across the snow on skis. As technology progressed, advanced machines were produced and the popularity of this sport increased dramatically. Today's machines are larger, much faster, handle better, have larger motors, and are more diverse for a variety of riding conditions and user preferences. The most popular snowmobile use in Douglas County is for recreational trail riding on the maintained trail system. Other uses include ice fishing, hunting, trapping, and exploring.

The current winter recreational trail system on the Forest includes about 310 miles of snowmobile trails. Over the last decade, maintenance of these trails has shifted from the County to the Northwest Trails Association by contractual agreement.

Two principal types of off-road motorcycle that have been used on the Forest since 1950 evolved from street motorcycles following World War II. The moto-cross or dirt bike is designed for use entirely off paved roads and generally lacks the appropriate equipment to be licensed by the Wisconsin Department of Transportation as "street legal." The dual sport or enduro bike has appropriate equipment to be licensed as street legal. Off-road motorcycle use has been minimal on the Forest but these cycles have become more popular in recent years.

Licensed motorcycle use on the Forest currently is limited to roads that are open for motorized use. Exceptions are snowmobile, and winter and summer ATV trails. Moto-cross or dirt bike use currently is prohibited on the road/trail network and throughout the Forest.

The ATV emerged on the County Forest during the late 1970's and now represents the most common OHV use. These machines have balloon-style tires and initially had a tread width of slightly less than 48 inches. Originally, ATV models had three wheels. These models have since been replaced by four-wheeled vehicles due to safety concerns. Today's models are much larger and more powerful, have high ground clearance, and can carry significant loads. They travel at fast speeds and many have 4-wheel drive. There are utility varieties and those more suited to trail riding, including youth-size models. The utility varieties can include numerous after-market attachments available, can carry everything a variety of equipment and supplies, and can tow a trailer or other device. They are used in connection with activities such as hunting, trapping, ice fishing, exploring, and trail riding.

Currently, OHV use is permitted on any nonrestricted/open road or trail in the Forest that can accommodate a licensed, 4-wheeled HV, all County Forest Roads except for those within the Douglas County Wildlife Area, and the winter and summer recreational ATV trail systems. The current winter and summer ATV systems include about 295 and 80 miles of trails, respectively. These trail systems also are maintained by the Northwest Trails Association.

More recently, larger vehicles that have been marketed as having crossover applications in agriculture, land management, and construction are becoming more prevalent. Some are as large as small automobiles, have six or more tires, side-by-side seating, and are said to be effective on land, water, or ice.

Currently, Wisconsin does not license most LUV's and moto-cross or dirt bikes and unlicensed OHV

## CHAPTER 3: ACCESS HISTORY ON THE DOUGLAS COUNTY FOREST

use is prohibited on the road/trail network and throughout the County Forest.

Other OHV's include full-size, 4-wheel-drive trucks, sport utility vehicles, and large specialty vehicles. Initially, enthusiasts converted military Jeeps and other large vehicles for off-road use on lightly maintained backwoods roads. Today, full size, 4-wheel-drive vehicles are a major part of the U.S. automobile/truck market and are popular in Douglas County. Typically, these vehicles are used only occasionally in off-road situations, primarily for day-to-day transportation. As with ATV's, they have high ground clearance, and can carry multiple passengers and large loads.

Currently, HV use is permitted on all non-restricted/open road's in the County Forest.

### **3.3 Non-Motorized Use**

Non-motorized use of the existing road network also have increased dramatically during the last decade. Cross-country skiing, snowshoeing, dog sledding, horseback riding, hunting, winter camping, mountain biking, and hiking show the most noteworthy increases. Many non-motorized or silent-sport recreationists are opposed to motorized recreation, particularly that which conflicts with their activities. Steadily increasing motorized recreation, particularly ATV use, has sparked user conflicts and also has become a safety issue. The DCFD currently maintains 10.3 miles of cross-country ski trails (see Appendix - R for a map) and the premier footpath of The North County National Scenic Trail intersects the Forest (see Appendix - M for a map). For additional information and maps, contact the North County Trail Association, 229 East Main Street, Lowell, MI 49331 or the National Park Service, 700 Rayovac Drive, Suite 100, Madison, WI 53711.

### **3.4 Horseback Riding**

During the past several decades, horseback riding was an occasional use on most of the Douglas County Forest. However, in recent years there has been a marked increase in the popularity of this activity as well as in the use of trails for this purpose. Currently, the Douglas County Wildlife Area contains about 14 miles of designated horseback riding trails (see Appendix - N for a map) and stable facilities. All forest roads and trails that are open for motorized use also are open for horseback riding.

### **3.5 Fishing and Access to Water**

Fishing has been a traditional use on the Douglas County Forest. Boat launches have been developed to accommodate anglers and other recreational water users within the Forest and on other county-owned lands. These sites include; the Mooney Dam launch accessing Lower Eau Clair Lake, Gordon Dam Launch accessing the Gordon Flowage, North Flowage Launch accessing the Gordon Flowage, Minnesuing Launch accessing Lake Minnesuing, Anna-Gene Launch accessing Lyman Lake, and County Highway "L" Launch accessing the Amnicon River. There also are many undeveloped water access points for canoes and boats on the Forest. These points are used to launch boats or canoes by hand versus launching water craft from vehicle trailers. These sites, including the roads and trails accessing them, are not maintained routinely by the DCFD.

## ACCESS MANAGEMENT PLAN

Many of the small lakes and waterways in the Forest contain fragile aquatic ecosystems. Overuse of these areas, all of which are accessible by foot, a primary concern of the DCFD. As a result, the construction of access roads or trails on these sites is regulated carefully.

### **3.6 Hunting Access**

Hunters represent another major category of forest users. Each fall, the Douglas County Forest offers abundant, quality opportunities for local hunters and those from across the State and beyond. Hunting is particularly popular during the black bear, ruffed grouse, and gun deer seasons. Hunters of small game and waterfowl and deer bowhunters also frequent the County Forest each year. With the exiting network of forest roads and trails, hunter access is readily available on much of the Forest.

Wild turkey have been introduced on County forest land, so the number of turkey hunters is expected to increase over the next several years. A primary objective of the DCFD is extensive habitat management for all of these game species through timber-sale design and road density and design.

There is little data on the relative level of hunting pressure or number of hunters using the County Forest. However, general observations suggest that hunting pressure per acre on the Forest is greater than on many other County lands due to the Forest's high visibility, familiarity, and good reputations, acreage, abundant quality habitat.

The primary issues affecting hunters are motorized/non-motorized user conflicts, crowding, and opportunities for solitude. While OHV's have made access to remote areas of the Forest and retrieval of big game much easier for many hunters, increased use has also created these problems, particularly among motorized and non-motorized users who are participating in the same activity.

Hunter Conflict - Conflict between motorized and non-motorized hunters occur where motorized use has increased in areas that were lightly used in the past. A common belief among hunters, particularly those who seek big game, is that avoiding other hunters and their activities will result in a more enjoyable outdoor experience. This requires traveling into more remote areas of the Forest where few hunters are willing to travel without the aid of a motorized vehicle.

Noise - The repeated sound of a vehicle can alter game patterns and/or chase game from hunting areas. This creates hard feelings among the hunters who have invested considerable time and energy in learning game patterns and/or by those who use stealth and stalking skills only to see their efforts spoiled by a vehicle. An important component of hunting for many hunters is the wild or wilderness recreation aspect that emphasizes a quiet, solitary experience.

Ethics - With the more extensive network of roads and trails on the Forest, an increasing number of hunters are using vehicles rather than traveling on foot. This behavior raises ethical concerns that can reflect poorly on the sport of hunting and hunters as a group. Studies have shown that areas with high road densities can have significantly higher harvest rates, directly affecting game population dynamics.

Off-Trail Use - Cross-country travel on motorized vehicles to access hunting areas or retrieve game

## CHAPTER 3: ACCESS HISTORY ON THE DOUGLAS COUNTY FOREST

can create a network of new travelways that cause soil erosion, destroy natural vegetation, damage fish and wildlife habitats, and adversely affect forest aesthetics. Recent studies also suggest that off-trail OHV use has resulted in an increase in some nonnative weed species as well as a loss of native species.

Closed Areas - Operating a motorized vehicle in areas where they are prohibited irritates hunters who have carefully selected their hunting area to avoid these vehicles and their effects. This leads to conflicts between motorized hunters and those who walk into closed areas.

### **3.7 Trapping Access**

Although the number of hunters far exceeds the number of trappers on the County Forest, trapping remains a popular activity and has played a significant role in the founding of many of the rural communities in the region. The Forest provides excellent opportunities to trap fisher, beaver, otter, fox, coyote, bobcat, and other fur bearers.

Trapping for beaver has been the most common trapping activity on the Forest. Ponds and drainages that support beaver populations are scattered across the Forest. They are found relatively close to open roads but also in remote areas. Most of the trapping for beaver occurs during the winter months when ice covers ponds and the ground is frozen and snow covered. ATV's are used by some trappers but snowmobiles seem to be the OHV of choice for this activity.

Conflicts between trappers and other users have been minimal due to the small number of trappers and because trapping occurs primarily in remote areas during months when other users are not in the field. Likewise, soil damage and damage to upland and riparian vegetation due to trapping is minimal because this activity usually occurs in the winter months. Trapping of specific beaver populations has the added benefit of reducing road maintenance costs by removing beavers that are responsible for flooding roads and/or plugging culverts. Access on restricted roads and trails for the purpose of trapping requires a permit. Requests for permits are considered on a case-by-case basis and only specific areas where beaver activity has threatened the infrastructure of the Forest will be considered.

### **3.8 Adjacent Landowner Easements and Access Permits**

Access to land under other ownerships in which County forest land or other owned land managed by the DCFD is used requires an access permit (see Appendix - C for template). Requests for an access permit are considered on a case-by-case basis. Douglas County is not required to provide access to other parcels through its lands. When an application is approved and an access permit is issued, only permission to cross county land is granted. The DCFD does not issue legal easements.

Currently, there is no general fee associated with an access permit. However, as set forth in the Access Management Plan, the DCFD plans to establish a general \$150 access permit fee for up to five years. It has been proposed that this fee be increased to \$250 for up to five years effective on January 1, 2010.

## ACCESS MANAGEMENT PLAN

Associated damages also will be assessed and charged to the permittee as follows:

- (1) If no new construction is needed to use the access, – damages will not be charged.
- (2) If construction is required to develop or improve the proposed access temporarily (less than 24 months) as determined by the DCFD, an acreage estimate of the disturbed area will be calculated and the permittee will be charged for a single commercial timber rotation at DCFD's current per-acre timber value (as determined by the average per-acre equivalent value of the DCFD's three most recent timber auctions at the time of application).
- (3) If construction is required to develop or improve the proposed access in a more sustained fashion (more than 24 months) as determined by the DCFD, an acreage estimate of the disturbed area will be calculated and the permittee will be charged for a double commercial timber rotation at the DCFD's current per-acre timber value (as determined by the average per-acre-equivalent value of the DCFD's three most recent timber auctions at the time of application).

As of 2006, 15 access permits (2 for forest-product removal and 13 for recreational use) have been issued by the DCFD.

### **3.9 Need for an Ordinance**

As additional roads were constructed on the County Forest and recreation use continued to increase, conflicts increased among recreationists, particularly motorized and non-motorized users. At the same time, there was heightened concern about sedimentation and damage to riparian vegetation, alteration of fish and wildlife habitat, adverse hydrological impacts, road density and long-term scarring of the land.

Gates, earth berms, and professionally manufactured signs restricting ATV use were erected on trails and roads that are highly susceptible to road damage. Certain routes suffering from annual damage by rutting and/or erosion were rehabilitated and reclaimed, and some roads that had been open to motorized use for long periods were closed to prevent environmental degradation. These new regulations and changes in historical use allowances created considerable controversy judging from comments by the Forest users and general public.

With increased regulations and fees at local transfer stations over the last decade came an unfortunate use of forest roads: the dumping of household, business, and yard refuse in secluded areas of the Forest. Many more persons guilty of dumping and littering go unpunished than are apprehended and fined. Illegal dumping probably will continue so long as it is cheaper to do so than to pay for refuse removal from one's home or business.

In 1973, a "County Forest Ordinance" was adopted that helped regulate the use of County Forest Roads and recreational trails. In 1991, a "Land Recreation Ordinance" was established to regulate use of County forest land, including the road and trail network. The ordinance includes regulations for the use of OHV's and penalties in the form of forfeiture for misuse of forest roads or recreational trails that are regulated by the DCFD or FPRC (see the Land Recreation Ordinance 7.2 – Appendix - A).

### CHAPTER 3: ACCESS HISTORY ON THE DOUGLAS COUNTY FOREST

In January 2000, the Douglas County Sheriff's Department implemented a program that created a new Recreation Officer position to be occupied by a fully credentialed law enforcement professional. This position is funded through the snowmobile, ATV, Boating and Narcotic Prevention programs, and from County general purpose revenues.

The County Recreation Officer has a variety of duties, including routine patrol activities such as speed enforcement, traffic accident investigation, courthouse security, and warrants. The core of the job is working on recreational trails, parks, and forest lands managed and/or owned by the County. Activities include investigating timber thefts, illegal dumping, marijuana growing, methamphetamine labs, illegal ATV operations, illegal use of tree stands, and park patrol.

The duties of the Recreation Officer require that he or she develop a solid working relationship with other law enforcement professionals: wardens (both WDNR and Minnesota DNR), recreation officers from other counties, state narcotics and patrol officers, Superior WI police officers, and deputies with the Douglas County Sheriff's Department. The County Recreation Officer also works closely with DCFD staff on issues related to resource protection.

Despite the addition of the Recreation Officer, it has been difficult to enforce access regulations for protecting the County Forest and its users because DCFD staff cannot be assigned to enforcement duties on a full-time basis. Adding to this difficulty is the overall size of the Forest and amount of remote acreage. Certain users continue to disregard the ordinances because they disagree with the regulations and/or do not respect enforcement efforts. Other users have willingly accepted the risk of being apprehended because the benefits derived by ignoring regulations outweigh the cost of fines that may be imposed.

#### **3.10 County Forest Road Development**

In the 1970's, Wisconsin funded a County Forest Road system at \$100/mile annually (per statutory authority 86.315 (4)(a)) through the Department of Transportation to help defray costs incurred in improving and maintaining public roads within county forest land. The State later withdrew this source of funding and the County Forest Road system suffered accordingly. Efforts by the Wisconsin County Forest Association succeeded in restoring funding for the system in 1988 at the rate of \$200/mile per year. In 1999, funding was increased to the current level of \$336 per mile/per year. To qualify, roads must meet minimum design standards of a 16-foot surface width and a 20-foot roadway width, be located within county forests, be open and used for travel, and not be a town roads or a county or state trunk highway. County Forest Roads are not eligible to receive general transportation aid from the State.

Today, there are 45 major County Forest Roads within the Douglas County Forest (see Appendix - O for a map). Total mileage was 95.5 miles in 2006. Some of these roads double as winter snowmobile trails and/or summer ATV trail segments.

ACCESS MANAGEMENT PLAN

**Table 3.1  
County Forest Roads within the Douglas County Forest, 2006**

<b>Name</b>	<b>Miles</b>	<b>Name</b>	<b>Miles</b>
Amnicon River Trail	0.5	Pine Knob Road	3.4
Aspen Moraine Trail	1.9	Pine Ridge Trail	4.1
Bounty Road	8.3	Pine Savannah Loop	2.8
Buckley Break	1.4	Prairie Trail	0.5
Darwin's Loop	1.4	Raspberry Trail	1.8
Dewey Road	1.2	Red Pine Road	0.5
Erickson Creek Cut-A-Cross Road	2.1	Red Squirrel Loop	2.2
Erickson Creek Road	2.5	Reichuster Lake Road	1.4
Fred Bear Ridge	3.9	Resinosa Road	3.6
Gray Ghost Trail	2.5	Road 41	4.8
Gullion Trail	0.2	Shed Horn Trail	1.0
Holmes Camp Road	2.5	Spike Loop	1.4
Hungry Bear Trail	3.4	Spruce River Trail	1.9
Hunters Trail	3.9	Staupe Road	0.7
Jackson Box Grouse Road	2.5	Strutters Lane	1.0
Leopold Lane	0.9	Thorn Trail	0.4
Loop Trail	2.5	Twilight Trail	1.0
Nanuuq Trail	2.7	Twin Bridges Trail	3.2
Ole Larson Road	1.0	Two Drop Trail	0.5
Ox Creek Trail	0.6	Wanek Trail	3.0
Pack Trail	0.7	Webb Lake Road	0.4
Pikes Peak Road	3.2	West Crotte Brook Road	4.8
Pikes Peak West Road	2.4		

Additional routes and segments of existing roads have been added in recent years and there are proposed plans in place for future development of the overall system (see Appendix - P for a map).

**3.11 County and Township Access**

County - All new timber sales with access onto Douglas County Highways will require coordination with the County Highway Department. This includes sales being accessed through existing roads and new roads planned for construction.

Townships - In recent years, several townships in Douglas County have developed additional policies to protect their investments in and limit damage to their road networks. Many towns have cooperated fully in resolving road-hauling issues and the DCFD is committed to continuing and strengthening these relationships to provide good roads for all public uses. Every year, the WDNR Division of Forestry pays townships \$0.30 per acre of forest land enrolled in the County Forest Program. This payment is distributed to each Douglas County township based on the individual acreage of County Forest in that township. Douglas County also distributes to 13 townships and 1 village 10 percent of the gross timber sale receipts from the County Forest. These funds are intended to be used to help maintain town and village road networks. The amount that each township receives is based on the

CHAPTER 3: ACCESS HISTORY ON THE DOUGLAS COUNTY FOREST

percentage of total County forest land within its boundaries (see Appendix P-II for a map showing townships that contain County forest land). In 2006, 10 percent of the gross timber-sale receipts totaled \$336,477.42, which was distributed as follows:

**Table 3.2**  
**Payments to Townships from Gross Timber-Sale Receipts**  
**on the Douglas County Forest, 2006**

<b>Township</b>	<b>Dollars</b>	<b>Percent</b>
Bennett	\$8,177.22	2.43%
Brule	8,210.87	2.44
Dairyland	65,956.18	19.60
Gordon	64,307.27	19.11
Hawthorne	7,268.64	2.16
Highland	3,600.66	1.07
Village of Lake Nebagamon	1,043.18	0.31
Lakeside	33.65	0.01
Maple	4,307.34	1.28
Oakland	15,681.41	4.66
Solon Springs	18,070.64	5.37
Summit	80,426.16	23.90
Superior	8,143.56	2.43
Wascott	51,250.64	15.23

**3.12 Summary**

Access on the Douglas County Forest has encompassed numerous stages from severely limited access to increased access by logging roads, to the overuse and destruction of logging roads and sensitive areas by recreationists.

Access to the Forest has become increasingly necessary to reach timber sales and remove timber. Today, the transportation system and the use of these roads for other motorized and non-motorized uses has grown considerably. Large blocks of County Forest that with no access opportunities in recent decades other than cross-country travel by foot now contain timber-sale access roads.

Soil variability is great within the County. Soil type, steepness, slope length and shape, and drainage patterns must all be considered when designing access routes and trails. The amount of use, and amount and type of traffic also must be taken into account.

Construction and design requirements for access routes and trails in all soil types have become more advanced in the last decade as a result of the increased need for erosion and environmental protection. This advancement has been coupled with an increasing need for extended access on traditionally marginal sites. The DCFD has successfully designed and located all-season roads and trails on fragile soils with high erosion potential by implementing many of these advanced construction and mitigation requirements.

## ACCESS MANAGEMENT PLAN

The resulting problems related to increased access was evident in the early 1990's and led to the Land Recreation Ordinance. Since its implementation in 1991, this ordinance has been amended eight times most recently on July 20, 2006. Yet, issues related to access on the Forest continue to grow in both scope and complexity despite the ordinances. The Access Management Plan is the next step in attempting to deal with these issues and provide direction for managing access throughout the County Forest.

Forest-management activities, snowmobile, OHV, and non-motorized recreation, trapping, horseback riding, cross-country skiing, hiking, mountain biking, hunting, and fishing, are all legitimate uses of public land affected by roads and access. Also, whether existing or planned, primary County Forest Roads, fire lanes, cross-country ski, ATV, and snowmobile trails, and timber-sale access roads are legitimate types of road and trail on the Douglas County Forest.

One of the most difficult issues facing the DCFD during a time of increasing recreational use and conflict is how to provide access opportunities for all users while ensuring that no single activity dominates, displaces, or disrupts the recreation experiences of others. Over the next decade, the most dominant access issue likely will revolve around the conflict between motorized and non-motorized users. The preparation of the Access Management Plan is hoped to change access management from the current user-conflict management to an integrated use management, which also is environmentally friendly.

Increasingly, Douglas County must work closely with its many cooperators to meet ever increasing recreational access demands on the Forest. Cooperators such as snowmobile, sportsman, and ATV clubs, professional wildlife organizations, forest-management contractors, and other groups have worked with the DCFD in the past to achieve a multiple-use balance on County forest land. The number of cooperators is expected to increase as the Forest continues to expand in area and services.

The benefactors of effective access management will be the environment and those who use the Forest. Educating users and enforcing existing laws and ordinances will be required to ensure that recreational access and opportunities are well balanced and the future forest resource is protected.