

State of Wisconsin



2009 Assembly Bill 43

Date of enactment: **July 10, 2009**
Date of publication*: **July 24, 2009**

2009 WISCONSIN ACT 32

AN ACT *to renumber and amend* 30.26 (2); *to repeal and recreate* 30.26 (4) (title); and *to create* 30.26 (2) (a) 3. and 30.26 (5) of the statutes; **relating to**: designating portions of the Totogatic River as a wild river.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 30.26 (2) of the statutes is renumbered 30.26 (2) (a) (intro.) and amended to read:

30.26 (2) (a) (intro.) The following rivers, or portions of rivers, are designated as wild rivers:

1. The Pike River in Marinette County, and the
2. The Pine River and its tributary Popple River in Florence and Forest counties are designated as wild rivers and.

(b) The rivers designated under par. (a) shall receive special management to assure their preservation, protection and enhancement of their natural beauty, and their unique recreational and other inherent values in accordance with guidelines outlined in this section.

SECTION 2. 30.26 (2) (a) 3. of the statutes is created to read:

30.26 (2) (a) 3. Portions of the Totogatic River as follows:

a. From the outlet of Totogatic Lake located in Bayfield County to the upstream end of Nelson Lake at the Southern edge of the walleye spawning refuge located in Sawyer County.

b. From a point 500 feet below the dam in the Totogatic Wildlife Area located in Washburn County to the upstream end of the Colton Flowage located in Washburn County.

c. From a point 500 feet below the dam that forms the Colton Flowage located in Washburn County to the point where the river crosses the Washburn–Douglas County line immediately above the upstream end of the Minong Flowage.

d. From the bridge on CTH “I” that crosses the river located in Washburn County to the confluence of the river with the Namekagon River located in Burnett County.

SECTION 3. 30.26 (4) (title) of the statutes is repealed and recreated to read:

30.26 (4) (title) SNOWMOBILES AND ALL-TERRAIN VEHICLES.

SECTION 4. 30.26 (5) of the statutes is created to read:
30.26 (5) TOTOGATIC RIVER. (a) As part of the management of the designated portions of the Totogatic River, all of the following shall apply:

1. The department may authorize the removal of natural obstructions from the portion of the river specified in sub. (2) (a) 3. a. if needed for the protection or growth of wild rice.

2. Any pier that is in place on the river on the effective date of this subdivision [LRB inserts date], may be maintained or replaced. A replacement pier may have no more boat slips than did the original pier and may not have a loading platform. A replacement pier shall either be limited to the dimensions of the original pier or the dimension requirements specified for piers in s. 30.12

* Section 991.11, WISCONSIN STATUTES 2007–08 : Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated” by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

(1g) (f), whichever dimensions result in a smaller square area for the pier.

3. Any bridge or water crossing that is used for recreational or forestry purposes and that is in place on the river on the effective date of this subdivision [LRB inserts date], may be maintained, modified, or replaced to the extent necessary to ensure public safety. Any such

maintenance, modification, or replacement shall be performed in a manner that results in the least impact on the beauty and the natural condition of the river.

(b) Compliance with any applicable permitting or other requirements under ch. 30 is required for the maintenance, modification, and replacement activities authorized under this subsection.
