

Natural Resources

AB 43

Representative Milroy

Summary of Assembly Bill 43

Assembly Bill 43 - AB 43 establishes sections of the Totogatic River as a Wild River under the state's Wild River Program (chapter 30.26 of statute) as administered by the DNR. The river flows through approximately 70 miles of Bayfield, Sawyer, Washburn, Douglas and Burnett Counties. The designation does not include the flowages and dams located along the Totogatic.

AB 43 specifically allows DNR to authorize the removal of natural obstructions in the river if needed for the growth of wild rice and water crossings that are currently in place.

The Totogatic was recently designated as an Outstanding Resource Water under NR 102 and, in Washburn County, the shore land zoning ordinance does include "resource conservancy" protection for some parcels along the river. Washburn County has also designated the Totogatic as a "County Wild River" under its Comprehensive Forest Management Plan.

An inventory of existing piers on the Totogatic River would be done by DNR so owners could repair and replace them up to their current size and in keeping with state requirements.

Fiscal Effect:

The Fiscal Estimate from DNR lists increased costs that can be absorbed within the agency's budget. DNR states that management of the Totogatic can be covered by existing DNR staff as they do not anticipate significant changes because of the Wild River designation as the river already flows through significant public lands and is already designated an Outstanding Resource Water. DNR staff may be called upon to provide information to the public.

Supporters Message:

The intent of the State's Wild River Program is to "preserve some rivers in a free flowing condition and to protect them from development." This designation would prevent any human activity from changing the river channel, no new dams, piers or bridges (with the some exceptions) and no grading on the river bank over 10,000 square feet.

Much of the river is still relatively wild. A substantial portion of the land along the Totogatic is already in public ownership as state, county or federal land. There are tracts of industrial forest as well.

In 2000 the DNR's Northern Rivers Initiative ranked the lower section of the Totogatic in Washburn County in the top 2%, recognizing it as one of Wisconsin's best.

Opponents Message:

Property owners along Totogatic River will have to follow strict DNR rules for any changes they want to make to their piers, shoreland and possibly even their homes.

The Totogatic is already an Outstanding Resource Water and the Wild River designation could be considered redundant.

Key Supporters:

Senator Jauch, author; Representative Milroy, author; Sierra Club, Wisconsin League of Conservation Voters; WI Wildlife Federation; Clean WI

Key Opponents:

No one testified or registered against AB 43 and no one registered against it with the Ethics Board. However, Wisconsin Realtors Association registered with GAB as "position undecided has reservation."

Committee Vote:

On March 18, 2009, the Assembly Natural Resources Committee recommended passage of AB 43 on a vote of 14-0. [Rep. Jim Ott absent.]

Ranking Member Author of Bill Summary

Ginger Mueller; Office of Rep. Jim Ott (6-0486)