



## **Section 4:**

**How can inspectors take care of their boat landings?**





# Boat Landing Inventory

The Clean Boats, Clean Waters program offers an excellent opportunity for inspectors to inventory the boat landings on their lake. Oftentimes the signage is old or damaged and needs to be replaced. Boat ramps and piers may need servicing or trash buckets may be missing. If the landing has a message board or kiosk, inspectors can post informational brochures about invasive species and contact numbers if a questionable plant or animal is found. Remember, the boat landing is the first opportunity for inspectors to educate boaters. The watercraft inspection team cannot be there for every boater, so inspectors must be prepared to offer education and information at any time.

It is important to know who owns the landing and who to contact when maintenance needs to be done. Inspectors should always seek permission prior to making any changes at the landing site.

If the landing is in need of signage, inspectors can contact their WDNR Regional AIS Coordinator for the appropriate sign (see the following pages for the sign posting information and an image of the AIS landing sign).

## WI Department of Natural Resources Regional AIS Biologists

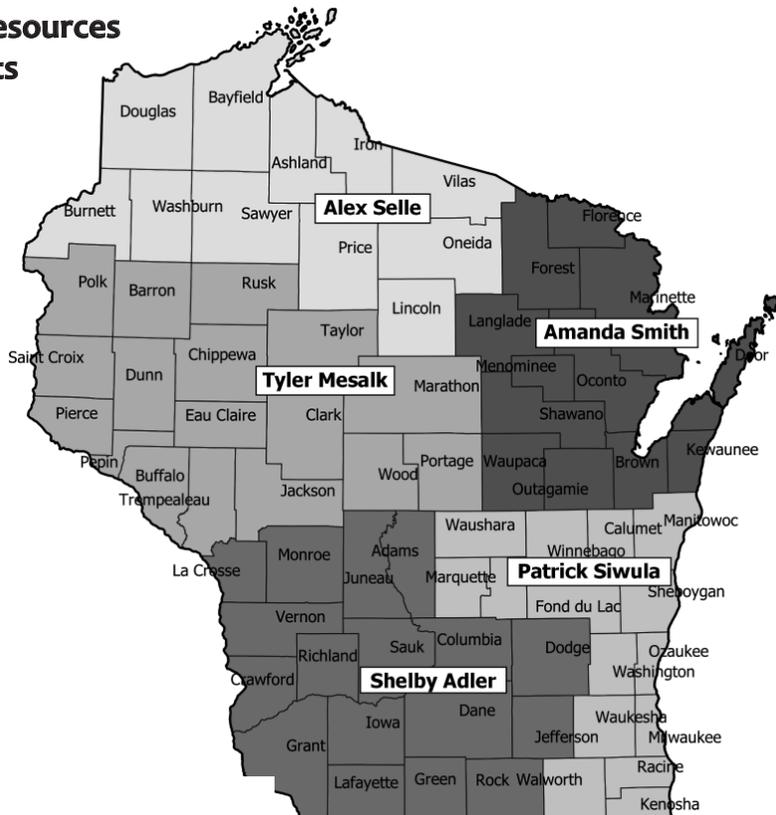
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# Boat Landing AIS Prevention Signage

## Information for when you need to add or replace your state approved AIS signage.

The complete **AIS Signage Guide** can be found on the CBCW website in the “Resources” section: <https://www.uwsp.edu/cnr-ap/UWEXLakes/Pages/programs/cbcw>.

Looking for a new sign? Start by contacting your regional WDNR AIS Biologist. These regional staff are listed, along with a map, on the previous page (4-3), as well as on the WDNR website at <https://apps.dnr.wi.gov/lakes/invasives/topics.aspx>.

There are four primary signs that are currently in use to let Wisconsin citizens and visitors know what the state requires for aquatic invasive species prevention per NR40. The “Prevent the Spread” boat launch and stream access signs pictured below are provided by the WDNR at no cost. The artwork for boot brush stations and large cleaning station signs is provided, but anyone building and placing the stations may need to purchase the actual signs and other materials. Funding is sometimes available through grants. Contact [DNRAISinfo@wisconsin.gov](mailto:DNRAISinfo@wisconsin.gov) for current details.

### “Prevent the Spread” Sign for Boat Launches on Lakes and Rivers

All boat launches should have this 18”x24” “Prevent the Spread” sign. A permit from WDNR is not needed to have this sign present but working with the launch owner for proper placement and installation is important. Do not relocate a sign without the launch owner’s permission.





## Signs for Stream and Wetland Access Points

At stream and wetland access points, either a “Stop Aquatic Hitchhikers” stream access sign or a boot brush station with AIS sign are often used. You can include a boot brush station in a practical location even if there is already a “Prevent the Spread” or stream access sign present. Work with local landowners, including those who manage public lands, as you consider where to place these signs. These signs with cleaning tools are generally grant funded.



Boot brush stations signs can have a hunting or wading angler focus. You may see these types of signs at:

- Put In, Take Out (PITO) locations for paddlers in parks and at pullouts on roadsides
- Stream access points for anglers
- Wetlands accessed by hunters from a public parking area, including those with a boat launch



Photo by Jeanne Scherer





## “AIS Removal Station” Signs with Tools



Some locations may also have larger (4’x4’ or 4’x 8’) signage that was created in conjunction with Extension Outreach staff and holds cleaning tools, such as deck brushes and long-handled grabbers, for use by boaters. You may also hear them called Boat Cleaning Station Signs. These stations have proven very popular at busy launches, giving people the tools they need to follow the law. Often, they are funded by grants or purchased outright. For all signage, the maintenance of the sign is the responsibility of the organization that puts it up.

Managing the tools and possibly other items, such as bleach and water solutions sprayers, is often, but not always, handled through a local AIS partner or volunteer program, not the launch owner/manager. It is especially important to establish a relationship with the launch owner and have their full permission before installing these types of signs. Some locations will not allow them.

Tools hung from the sign are provided by the organization and usually include:

- A rake to help clear plants from the landing.
- A “grabber” tool for plants hanging on trailers.
- A pole with a rubber coated hook on the end for plants hanging on trailer.
- A broom for cleaning off the hull.

Location considerations, particularly if allowed to have a bleach solution sprayer at the sign:

- Away from where vehicles will be turning around/backing up.
- Away from a slope into lake and upward further on land, if possible.
- Away from areas where trailers will be parked.
- Be knowledgeable of property lines.

Section 4: How can inspectors take care of their boat landings?



State of Wisconsin Department of Natural Resources Wisconsin Lakes Partnership		<b>Aquatic Invasive Species Signage Report</b> Form 3200-152 (03/19)	
<p>The purpose of this form is to notify DNR of initial installations, inspections and replacements of Aquatic Invasive Species (AIS) Signage. Types of signage include the "Prevent the Spread" sign used at boat launches, the Stop Aquatic Hitchhikers sign for stream and wetland access points and boot brush stations with AIS signage attached.</p> <p>Always contact the launch owner for permission before placing new signs or boot brush stations. If the launch owner is WDNR, a Land Use Agreement is required for putting up new signage, including cleaning stations and boot brush stations.</p> <p><b>Notice:</b> Information on this voluntary form is collected under ss. 33.02 and 281.11, Wis. Stats. Personally identifiable information collected on this form will be incorporated into the DNR Surface Water Integrated Monitoring System (SWIMS) Database. It is not intended to be used for any other purposes, but may be made available to requesters under Wisconsin's Open Records laws, ss. 19.32 - 19.39, Wis. Stats.</p> <p><b>Boat launch and stream/wetland access signs and information can be obtained from Regional DNR AIS Coordinators:</b>  <a href="https://dnr.wi.gov/lakes/invasives/Contacts.aspx?role=AIS_RE_COORD">https://dnr.wi.gov/lakes/invasives/Contacts.aspx?role=AIS_RE_COORD</a>.</p>			
<b>Data Collector (s)</b>			
Name		Organization	Email
<b>Location, Date and Time</b>			
Lake, River or Wetland Name		WBIC	SWIMS Station ID
		SWIMS Station Name	
Monitoring Date	Start Time	End Time	County
Latitude:		Longitude:	
<b>Type of access point:</b>			
Carry-in	Ramp	Roadside	Other
<b>Waterbody type:</b>			
Lake	River/stream	Wetland	
<b>Purpose of visit - circle all that apply and include the number of signs if more than one:</b>			
Inspection	Installation of new sign(s)	Replacement	Other:
<b>Sign Types: Prevent the Spread Boat Launch Sign (18 X 24), Stop Aquatic Hitchhikers Access Sign (8 x 11- note if larger), Boot brush/wader wash station, Cleaning station sign with tools</b>			
<b>Sign 1</b>			
<b>Sign Type:</b>		<b>Condition:</b> Very Good   Adequate   Damaged   No sign present	
<b>Location:</b>	On post at pier/dock   Kiosk/sign board	On a shelter/wall	Other:
<b>Direction</b>	Facing Water-seen as boater comes in	Facing launch area (upland)-seen as boater is launching	
<b>Comments:</b>			
<b>Sign 2</b>			
<b>Sign Type:</b>		<b>Condition:</b> Very Good   Adequate   Damaged   No sign present	
<b>Location:</b>	On post at pier/dock   Kiosk/sign board	On a shelter/wall	Other:
<b>Direction</b>	Facing Water-seen as boater comes in	Facing launch area (upland)-seen as boater is launching	
<b>Comments:</b>			
<b>Sign 3</b>			
<b>Sign Type:</b>		<b>Condition:</b> Very Good   Adequate   Damaged   No sign present	
<b>Location:</b>	On post at pier/dock   Kiosk/sign board	On a shelter/wall	Other:
<b>Direction</b>	Facing Water-seen as boater comes in	Facing launch area (upland)-seen as boater is launching	
<b>Comments:</b>			
<b>Sign 4</b>			
<b>Sign Type:</b>		<b>Condition:</b> Very Good   Adequate   Damaged   No sign present	
<b>Location:</b>	On post at pier/dock   Kiosk/sign board	On a shelter/wall	Other:
<b>Direction</b>	Facing Water-seen as boater comes in	Facing launch area (upland)-seen as boater is launching	
<b>Comments:</b>			
<b>Photo(s) taken?</b>	YES   NO	<b>Other Comments:</b>	
Please enter your data into the SWIMS database or give this form to your local AIS Coordinator to be entered.			



## Boat Landing Questions

Invasive species are posing an increasing threat to the quality of water experiences in Wisconsin. Communities are looking at developing a campaign to educate boaters at the landings on the possibilities and consequences of moving aquatic invasives. Other communities are developing plans to look at their water resources and prevent or slow the spread of aquatic invasives. The following is a list of questions that we have been hearing from communities as they consider various prevention plans.

### Landing Ownership and Maintenance

**How can I find out who owns the boat landing?**

Ownership of boat landings can be determined through a variety of methods. Plat maps are one useful source, as are searches at the register of deeds office for the county in which the landing is located. Department of Natural Resources (DNR)-owned and leased boat landings are identified on the DNR Web site under the “State Parks and Forests” Web pages. The DNR Web site also provides a page that contains links to the Web sites of county-owned parks.

**Do state-owned parks operate under different rules than county, village, or city parks?**

State-owned parks with boat landings are regulated under ch. 26, Wis. Stats. and ch. NR 45, Wis. Adm. Code. County, village, and cities that own parks with boat landings usually operate such parks and boat landings under local ordinances.

**Who is responsible for maintaining the boat landings?**

Whoever owns or operates a boat landing is responsible for its maintenance.

**Can boat landings be closed or have special launch hours?**

State-operated boat landings are required to operate under the same hours as the state parks. Most Wisconsin state parks, recreation areas, trails, and forest campgrounds are open from 6 a.m. to 11 p.m. Occasionally, DNR sites have different hours as required under conditional use permits. Boat landings that have been funded by the DNR and that are operated under lease from the DNR must maintain the same hours. Other locally owned sites are subject to hours established by the local unit of government. The state does not regulate launch hours unless the hours create a significant impediment to public use of the site. Once a boat has been launched, it must be allowed to exit from the lake, even if after the prescribed launching hours.

**What signage and items (composting bins, garbage cans) are acceptable and legal at landings?**

Informational signs at DNR public access sites can be installed and should be located in compliance with shoreland zoning and other local regulations whenever practicable. Boat landings that are the responsibility of other governmental entities or private individuals or businesses are not exempt from the requirements of local zoning ordinances, and responsible parties will need to apply for any permits that may be required under applicable zoning



ordinances. Signs may be required to be set back 75 feet from the ordinary high-water mark of navigable waters (although the DNR is likely to propose some changes to ch. NR 115, Wis. Adm. Code, that would exempt from county shoreland setback requirements certain regulatory and informational signs that meet specified standards). Composting bins and garbage containers that are large and relatively immobile will need to be set back at least 75 feet from the ordinary high-water mark of navigable waters. However, the DNR's shoreland zoning program has taken the position for some time that small items that are easily moved by hand (such as movable garbage cans and picnic tables) are not subject to shoreland setback requirements in county shoreland zoning ordinances, even though the definition of "structure" found in dictionaries, ch. NR 116, Wis. Adm. Code (floodplain zoning ordinance rules), and in many local zoning ordinances is broad enough to theoretically include such items. Small structures that are easily moved by hand are likely to be specifically exempted from shoreland setback requirements when ch. NR 115, Wis. Adm. Code, is revised.

## Launching fees

**Are there state guidelines for communities that are considering boat launching fees?**

The DNR encourages free boat launching. However, under s. NR 1.91(11), Wis. Adm. Code, a reasonable launch fee may be charged under authority of s. 30.77, Stats., for the purpose of operating and maintaining a boat access site owned or operated by municipalities, lake management districts, and other access providers. Excessive, unjustified, or unreasonable boat launching fees restrict or prohibit public boating access and use of navigable waters in the state. A reasonable launch fee for the purposes of s. 30.77, Stats., is one that does not exceed the

maximum allowable amount under criteria identified in s. NR 1.91(11), Wis. Adm. Code. The base fee that can be charged for a state resident is that fee that is charged a state resident vehicle for entrance to the state parks.

Under s. NR 1.91(11), Wis. Adm. Code, public boating access surcharges may be added to a base fee for specific services identified in that code section. However, prior approval by the DNR is required when a public boating access provider proposes to charge a fee in excess of the resident state park daily entry fee. In addition, no more than the base fee may be charged for nonmotorized or nontrailer boats. Surcharge fees may be charged for vehicles with trailers at boat landings in the following circumstances: when an attendant is on duty, for on-site toilet facilities, at Great Lakes sites, for boats that are at least 20 feet in length but less than 26 feet in length, and for boats that are greater than 26 feet in length.

**Do the fees have to be used for a particular item?**

Boat launch fees are to be used for operation and maintenance of a boat launch site. Boat launch fees cannot exceed amounts established in s. NR 1.91, Wis. Adm. Code. The DNR's jurisdiction or authority is limited to whether the fee amounts comply with the s. NR 1.91, Wis. Adm. Code requirements.

**Can the fees include the costs of operating a boat wash facility?**

Boat launch fees may only be used for the operation and maintenance of a boat launch site, which could include a boat wash facility. However, as noted above, additional fees cannot be charged for a boat wash facility.



**Can a special nonresident or out-of-state resident fee be charged?**

Under s. NR 1.91(11)(g), Wis. Adm. Code, local units of government, including lake management districts that maintain and operate public boating access sites, may charge differential fees on the basis of residency within the unit of government maintaining or operating the access. If a fee is charged, the fees for a nonresident may not exceed 150% of the fee charged a resident and may not exceed the maximum allowable amounts except when surcharges for boats longer than 20 feet are in place.

**Can a special fee be charged by someone who is not a riparian owner?**

As noted above, differential fees can only be charged on the basis of residency within the unit of government maintaining or operating an access site. A special fee based only on riparian ownership or lack thereof would not be appropriate.

**Can the launch fee be increased over time to assist in lake management costs, for example, controlling invasive species?**

Boat launch fees can not exceed the maximum allowable amount established under s. NR 1.91 (11), Wis. Adm. Code.

**Can the launch fee include nonmotorized equipment such as canoes, scuba equipment, or kayaks?**

Under s. 30.50(2), Stats., a boat means “every description of watercraft used or capable of being used as a means of transportation on water, except a seaplane on the water and a fishing raft.” This definition means that canoes and kayaks could be required to pay a launch fee, but a fee could not be charged for scuba equipment. However, no more than the base fee may be charged for a canoe or

kayak because they are nonmotorized or nontrailerred boats. A nonmotorized boat is a boat that is not a motorboat but that is designed and constructed to be used as a boat for transportation of a person or persons on water. The term includes, but is not limited to, any canoe, sailboat, inflatable boat or similar device, rowboat, raft, and dinghy that is not a motorboat.

**If a fee is charged, how can it be collected?**

Normally, launch fees are collected through the use of launch attendants who are on duty during the day or through the use of an honor system, in which the user voluntarily pays for launching when no attendant is on duty.

**Do funds need to be reported?**

Launch fees are the responsibility of the municipality that is operating the launch site. Any questions or concerns concerning the reporting of launch fees should be directed to the municipality that maintains the launch site. The DNR’s jurisdiction or authority is limited to whether the fee amounts comply with s. NR 1.91, Wis. Adm. Code.

**What is the public trust doctrine?**

The Wisconsin Constitution establishes a state-administered public trust for navigable waters of the state. Under the public trust doctrine, the state holds the beds of navigable bodies of water in trust for all its citizens and has an obligation to protect public rights in navigable waters.

**What is the relationship of the public trust doctrine to local regulations?**

The public trust doctrine plays a substantial role in any decision relating to the public’s access to and use of public waterways. The doctrine provides that the government holds



all navigable waters in trust for the benefit of, and unrestricted use by, the public as a whole. This doctrine essentially creates a property right for the public as a whole in the waterways within a state. Access and use of waters may be restricted only under the police powers of the state for the protection and conservation of the public health, safety, and welfare, including environmental conservation and recreational purposes. Any regulation of the use of waterways must be reasonable in respect to the public interest being protected.

Under s. 30.77, Stats., no municipality, public inland lake protection and rehabilitation district, or town sanitary district may enact any ordinance or local regulation that requires local numbering, registration, or licensing of boats or any ordinance or local regulation that charges fees for inspection.

In addition, these entities may not, except as provided in subs. 30.77 (2) and (3), Stats., enact any ordinance or local regulation that in any manner excludes any boat from the free use of the waters of this state or that pertains to the use, operation, or equipment of boats or that governs any activity regulated by ss. 30.50 to 30.71, Stats.

Under s. 30.77(2), Stats., any municipality may enact ordinances that are in strict conformity with ss. 30.50 to 30.71, Stats., or rules of the DNR promulgated under those sections. Under s. 30.77(3), Stats., any town, village, or city may, in the interest of public health, safety, or welfare, including the public's interest in preserving the state's natural resources, enact ordinances applicable on any waters of this state within its jurisdiction if the ordinances are not contrary to or inconsistent with that chapter and if the ordinances relate to the equipment, use, or operation of boats or to any activity regulated by ss. 30.60 to 30.71. These ordinances are subject to advisory review by the DNR (s. 30.77(3)(d), Stats.).

## Boat Wash Facilities

**Are there state guidelines for construction, placement, and use of a permanent boat wash station at a landing?**

There are no existing state guidelines for the construction, placement, and use of permanent boat wash stations.

**Are there state guidelines for portable washing stations?**

There are no state guidelines for portable washing stations.

**Can a lake association, district, or municipality require boat washing as a condition of access to public waters?**

Washing as a condition of access may be required only if a boat wash facility is readily available for public use, if no fee is required for the use of the boat wash facility, and if the requirement does not unreasonably exclude any boat from access to public waters.

**Could a lake association or district place a boat wash facility on an access area owned by the state?**

A lake association or district would need the permission of the DNR to place a boat wash facility on an access area owned by the state. In such circumstances the lake association or district would need to enter into a land use agreement (lease) with the DNR. Such agreements would include an assumption of all risk by the operator and an insurance requirement.

**Could lake association or district volunteers manage a boat wash facility on a state-owned access area? What conditions (such as liability waivers) would need to exist?**

Yes, a volunteer-run boat wash facility on a state-owned access area could be



## Section 4: How can inspectors take care of their boat landings?

accomplished through an operational lease that included indemnification clauses.

### Is there any permissible basis for closing a public launch site?

The closing of a public launch site by a county or town would be viewed as an abandonment of a public access, which would require DNR approval. The DNR may grant an abandonment only if the access site or part thereof proposed to be abandoned or discontinued is replaced prior to granting the petition, or if the access proposed to be abandoned does not contribute to the quality or quantity of public access on the body of water. In addition, an access site may be abandoned if environmental degradation is occurring at the site as a result of existing use and if abandonment of the access will reduce or eliminate the degradation without

reducing public interests in access to that body of water.

The DNR's authority does not apply to cities and villages, but court approval may still be required if the access site is part of a platted subdivision or if the site is considered part of a highway and objections from adjoining landowners are received.

### Could a local ordinance place conditions on the use of a launch site and limit access if boats are not washed?

A local ordinance may place conditions on the use of a launch site and limit access if boats are not washed only if a boat wash facility is readily available for public use, if no fee is required for the use of the boat wash facility and if the requirement does not unreasonably exclude any boat from access to public waters.



Photo by Wisconsin DNR