

NR 15,45

State of Wisconsin

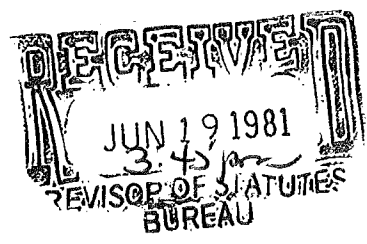
DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: _____

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carroll D. Besadny, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. PR-7-81 was duly approved and adopted by this Department on April 23, 1981. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 19th day of June, 1981.

9-1-81

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD

AMENDING, REPEALING & RECREATING, AND CREATING RULES

.....
IN THE MATTER of amending sections NR 15.02 .
(74)(a)(intro.), NR 17.01(8)(b), NR 45.08(4), .
NR 45.09(1)(jj), (5)(a) & (b), NR 45.13(18)(a), .
(b) & (e)(intro.) and NR 45.17(1); repealing .
and recreating sections NR 15.02(74)(a)1.a., .
NR 17.01(7)(a)1., NR 45.05(1), NR 45.08(12), .
NR 45.12(3), NR 45.17(6)(intro.) and .
NR 45.18(1); and creating sections NR 10.24, .
NR 17.01(7)(c)5., NR 45.01(3)(o) & (t) and .
(4), NR 45.13(18)(e)13., NR 45.16(14), .
NR 45.17(6)(dd) & (12) and NR 45.24 of the .
Wisconsin Administrative Code pertaining to .
the Bong State Recreation Area .
.....

PR-7-81

Analysis prepared by Department of Natural Resources

The proposed rules are needed to provide for the management and operation of the Bong State Recreation Area. Bong is designated as a state recreation area under section 23.091, Wis. Stats. The master plan and environmental impact statement were approved in June, 1979. Development of the property is in progress and it should be fully operational in the fall of 1981. The most significant proposals establish a managed hunt and provide for the use of the special use zone at Bong. By law, the vehicle admission sticker or daily admission tag is required for admission to Bong.

The managed hunt should increase hunter success, overall satisfaction and optimize the use of available resources. These rules limit the number of hunters and trappers, require permits for all hunters and trappers, prohibit the use of rifles and pistols, prohibit night hunting, establish hunting hours, require arm bands, provide for the shooting of hen pheasants, establish a fee to hunt pheasants and an advance reservation system. Hunting and trapping zones are also established.

The rules also establish a special use zone on Bong and provide for a wide range of recreational uses. A reservation and fee system is established for use of the zone. Either the vehicle admission sticker, daily admission tag or a per person fee applies. The proposal gives priority to groups of users at certain times of the year. Groups may reserve the special use zone one year in advance of the desired date.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by ss. 23.09(2)(b), 23.091(1) and (3), 23.11(1), 29.174(2)(a), 29.255 and 227.014, Stats., the State of Wisconsin Natural Resources Board hereby amends, repeals and recreates, and creates rules interpreting ss. 23.09(2)(b), 23.11(1), 23.091(1) and (3), 29.174(2)(a), 29.255 and 27.01(2r)(a), (c) and (d), Stats., as follows:

Section 1 - NR 10.24 is created to read:

NR 10.24 Bong state recreation area hunting zone. (1) Description. The area described in s. NR 45.01(3)(t)1., Wis. Adm. Code, shall be called the hunting zone.

(2) Restrictions. (a) No person may take, catch, kill, hunt, trap or pursue any species of wild animal at any time, or have in possession or under control any firearm unless it is unloaded and enclosed within a carrying case or any bow unless it is unstrung or enclosed within a carrying case in the hunting zone except as provided in this section.

(b) All rifles and pistols, except starter pistols loaded with blanks, are prohibited except when they are transported unloaded and enclosed within a carrying case in a vehicle or automobile.

(c) Methods of hunting other than by use of rifles and pistols shall comply with those established in this chapter.

(3) Permit and tags. (a) No person may hunt or trap within the hunting zone without first obtaining a permit issued by the department.

(b) Permits and associated carcass tags are not transferable or replaceable and are valid only for the date and area specified on the permit.

(c) The number of daily hunting permits issued may not exceed 675 at any one time. Permits returned by hunters may be reissued on a first-come, first-served basis.

(d) Until the pheasant season opens, no more than 16 waterfowl permits may be issued each day for the area north of state highway 142.

(e) The number of seasonal trapping permits may not exceed 10.

(f) Permits are only valid for hunting or trapping the species specified on the permit.

(g) Permits, waterfowl blind markers, and unused carcass tags shall be returned to a department check-out station immediately upon termination of hunting.

(4) Reservations. (a) Hunting and trapping permit reservations may be obtained by applying on department forms between August 1 and August 31 each year. Forms are available at the Bong state recreation area headquarters.

(b) No one may submit more than one application for a single date.

(c) If the number of applications exceeds the number of permits available, a random drawing shall select successful applicants.

(d) Applications received after August 31 shall be approved on a first-come, first-served basis if permits are available.

(e) No person may receive more than 5 reservations per season.

(f) Any person who obtains a hunting permit reservation and fails to arrive at the department's check-in station within one-half hour after the opening of hunting hours shall forfeit such reservation and reservation fee. Such person may obtain a daily permit on a first-come, first-served basis provided a permit is available.

(g) A maximum of 440 permits of which 40 are for waterfowl, shall be reservable each day. The remaining nonreservable permits may be issued for hunting within the special use zone as defined in s. NR 45.01(3)(t)2., Wis. Adm. Code, on a first-come, first-served basis when the zone is not reserved by other groups.

(5) Hunter identification. Armbands or other means of identification issued with permits shall be worn on the outermost garment at all times and shall be returned to a department check-out station immediately upon termination of hunting.

(6) Season and hours. (a) The open season and limits for hunting and trapping shall be those established in s. NR 10.01, except for the pheasant limits which shall be:

1. Daily - one, either sex for the first 2 days; 2, either sex, thereafter.
2. Possession - one the first day, either sex; 2 the second day, either sex; 4 either sex thereafter.

(b) Hunting hours for all species shall be the hours established in s. NR 10.06(2)(e) and (3) except during the pheasant season when hunting shall terminate at 2:00 p.m. on the even-numbered days of the calendar after the Saturday nearest October 27 but not including the Saturday immediately preceding the Thanksgiving holiday.

(c) Trapping hours shall be the hours established in s. NR 10.13(3).

(7) Pheasant hunting. (a) When a pheasant is killed and before it is carried by hand or transported in any manner, the hunter shall completely attach to the bird's leg a carcass tag issued by the department.

(b) The carcass tag shall remain attached to the pheasant until it is prepared for consumption.

(8) Waterfowl hunting south of state highway 142. (a) Hunting shall be restricted to blinds constructed, located and assigned by the department except for retrieval of crippled waterfowl.

(b) No more than 2 persons may hunt from any blind.

(9) Trapping. (a) Trapping permits are valid for the entire season.

(b) Areas shall be determined by the department and no more than one permittee or helper may trap in any one area.

Section 2 - NR 15.02(74)(a) (intro.) is amended to read:

(a) Bong state recreation area.

Section 3 - NR 15.02(74)(a)1.a. is repealed and recreated to read:

a. Section 17 - Beginning at the intersection at an abandoned railway spur and the west line of the section, then southerly to the northern edge of the taxiway of the abandoned Bong air base, then southeasterly along the taxiway to a road connecting the taxiway and state highway 142, then northerly along the road to its intersection with an abandoned railway spur, then northeasterly along the railway spur and continuing westerly to its intersection with the southern edge of the abandoned railway spur and continuing westerly to the point of beginning.

Section 4 - NR 17.01(7)(a)1. is repealed and recreated to read:

1. Bong state recreation area - the west unit of the special use zone as defined in s. NR 45.01(3)(t)2., Wis. Adm. Code, as posted with department markers or signs;

Section 5 - NR 17.01(7)(c)5. is created to read:

5. Bong state recreation area - the east unit of the special use zone as defined in s. NR 45.01(3)(t)2., Wis. Adm. Code, as posted with department markers or signs.

Section 6 - NR 17.01(8)(b) is amended to read:

(b) On class 2 and class 3 field trial grounds, up to 10 horses are permitted for each brace, including handlers, owners, judges, scouts, bird planters and field marshalls.

Section 7 - NR 45.01(3)(o) is created to read:

(o) Off-road motorcycle. A motor vehicle not more than 45 inches in overall width designed to travel on not more than 3 wheels in contact with the ground transporting a maximum of 2 people, having an unaltered U.S. forest service approved spark-arrester muffler emitting a sound level not to exceed 102 decibels (dba) measured at a distance of 20 inches from the exhaust outlet at an engine speed one-half of red line. The microphone shall be at an angle of $45^{\circ} \pm 10^{\circ}$ from the vertical plane through the exhaust system centerline.

Section 8 - NR 45.01(3)(t) is created to read:

(t) Bong state recreation area. All that portion of township 2 north, range 20 east, town of Brighton, Kenosha county posted with department markers or signs.

1. Hunting zone. All that portion of the Bong state recreation area except that portion described in subd. 3.

2. Special use zone. All that portion of the Bong state recreation area lying south of state highway 142 posted with department markers or signs.

3. Intensive use zone. All that portion of the Bong state recreation area posted by department markers or signs.

Section 9 - NR 45.01(4) is created to read:

(4) Bong state recreation area. No person may be in any zone or area other than that assigned by department permit or otherwise authorized by the department.

Section 10 - NR 45.05(1) is repealed and recreated to read:

(1) No person may allow a dog, cat or other pet in any building or on any bathing beach, picnic area, playground or fish hatchery ground. Dogs, cats and other pets shall be kept on a leash not more than 8 feet long and under control at all times in all other state park areas, headquarters areas, ranger stations, campgrounds, on posted trails in state forests and the intensive use zone within the Bong state recreation area. No person may allow his or her dog, cat or other pet to interfere in any manner with the enjoyment of the area by others.

Section 11 - NR 45.08(4) is amended to read:

(4) ~~It shall be unlawful to~~ No person may land or launch any aircraft on the water or ice of Devil's lake in Devil's Lake state park, Sauk county; all waters in Governor Dodge state park, Iowa county, and Willow River state park, St. Croix county; Crystal lake in the Northern Highland state forest, Vilas

county; Lake of the Dalles in Interstate park, Polk county; Mauthe lake in the Kettle Moraine state forest, Fond du Lac county; Lake Seven in the Kettle Moraine state forest, Sheboygan county; Ottawa lake in the Kettle Moraine state forest, Waukesha county; Interfalls lake in Pattison state park, Douglas county; Yellowstone lake in Yellowstone Lake state park, Lafayette county, and on all waters and lands, except model aircraft and hang gliders, in the Bong state recreation area.

Section 12 - NR 45.08(12) is repealed and recreated to read:

(12) All vehicles shall stop at department property entrance stations when such stop is ordered by department signs.

Section 13 - NR 45.09(1)(jj) is amended to read:

(jj) All waters ~~in~~ within the boundaries of Bong state recreation and ~~wildlife~~ area, Kenosha county.

Section 14 - NR 45.09(5)(a) and (b) are amended to read:

(a) ~~It shall be unlawful for any person to~~ No person may moor, anchor or leave unattended any boat, watercraft or aircraft in any state park, ~~state~~ park recreation area or at any campground or picnic area in any state forest, except in areas designated for that purpose.

(b) No boat, watercraft or aircraft shall be left on shore, moored or anchored overnight in the waters of any state park, recreation area or forest recreational area except in areas designated for that purpose and except on state-owned islands designated for camping.

Section 15 - NR 45.12(3) is repealed and recreated to read:

(3) No person may leave any boat or watercraft on any state property contrary to posted notice except as provided in s. NR 45.09(5)(a) and (b).

Section 16 - NR 45.13(18)(a) and (d) are amended to read:

(a) Group reservations will be accepted only at state parks, recreation areas and forests having designated group facilities; group camp reservations for Wyalusing and the northern unit-Kettle Moraine state forest will be accepted only for a minimum of 2 days on weekends.

(d) Reservation applications for outdoor group camps ~~must~~ shall arrive at the state park, recreation area or forest office no more than 1 one year in advance of the date the area is to be occupied.

Section 17 - NR 45.13(18)(e) (intro.) is amended to read:

(e) Reservations may be granted to either tent or trailer groups at outdoor group camps in the following state parks, recreation areas or forests:

Section 18 - NR 45.13(18)(e)13. is created to read:

13. Bong state recreation area.

Section 19 - NR 45.16(14) is created to read:

(14) Bong state recreation area. (a) Special use zone. Participants and spectators shall pay the vehicle annual admission sticker or daily admission

tag or the following per person fee for special events conducted within the zone. Such fee includes state sales tax.

- | | |
|----------------------------------|-------------------|
| 1. Residents | \$0.50/person/day |
| 2. Nonresidents | \$0.75/person/day |
| 3. Children under 7 years of age | No fee |
| 4. Reservations (nonrefundable) | \$2.50 per event |

5. Residency of users shall be determined by the vehicle registration plate of the vehicle in which they are being transported.

6. In addition to any admission or user fee required by the department, user groups may collect fees from participants and spectators when authorized by the department.

(b) Hunting zone. A per person fee for reservation and pheasant hunting within the zone shall be charged in addition to the admission sticker fee. Such fee includes state sales tax.

- | | |
|------------------------------|-----------------------|
| 1. Pheasant hunting user fee | \$1.00/person/day |
| 2. All other hunting | No fee |
| 3. Reservations (hunting) | \$1.00/person/day |
| 4. Reservations (trapping) | \$10.00/person/season |

Section 20 - NR 45.17(1) is amended to read:

(1) ~~It shall be unlawful for any~~ No person ~~to~~ may operate or ~~to~~ park any automobile, motor truck, motor delivery wagon, bus, motorcycle or other similar motor vehicle or trailer or semitrailer ~~used-in-connection-thereewith~~ in the Bong state recreation area lands, in the Point Beach state forest, in

developed recreational areas in other state forests as designated in sub. (2), in designated use zones within recreation areas established under s. 23.091(3), Stats., or in any state park or roadside park except those designated in sub. (3) and those specified in s. 27.01(2r)(b), Stats., unless such vehicle has affixed directly and completely thereto by its own adhesive an annual sticker or daily admission tag as provided in s. 27.01(2r)(a), Stats.

Section 21 - NR 45.17(6) (intro.) is repealed and recreated to read:

(6) The following state parks, recreation areas and forest recreation areas are designated by the department as areas in which vehicle admission stickers or admission tags are required, except as otherwise provided, from January 1 through December 31:

Section 22 - NR 45.17(6)(dd) is created to read:

(dd) Bong state recreation area.

Section 23 - NR 45.17(12) is created to read:

(12) Participants and spectators shall pay the vehicle annual admission sticker or daily admission tag or the special admission fee specified in s. NR 45.16(14) for special events conducted within the special use zone in the Bong state recreation area.

Section 24 - NR 45.18(1) is repealed and recreated to read:

(1) No person may enter or be within the boundaries of any state park, forest campground, picnic area, headquarters sites, posted parking area or the Bong state recreation area between the hours of 11:00 p.m. and the following 6:00 a.m. except:

(a) Registered campers in or enroute to designated campsites.

(b) Hunters entering the Bong state recreation area during established hunting seasons, provided such entry is no earlier than one hour prior to the opening of hunting hours established in s. NR 10.24, Wis. Adm. Code.

Section 25 - NR 45.24 is created to read:

NR 45.24 Bong state recreation area special use zone. (1) Reservations.

(a) Reservations are restricted to groups of 25 or more individuals.

(b) Reservations shall be submitted on department forms and will be accepted no more than one year and not less than 10 days in advance of the requested date. The forms are available at the Bong state recreation area headquarters.

(c) Reservations may be made at the Bong headquarters in person or by mail.

(d) Reservations shall be approved subject to a department special use zone calendar.

1. No reservation of any kind may be approved for dates scheduled for hunting.

2. Reservations shall be accepted and made on a first-come, first-served basis consistent with the special use zone calendar.

(2) Special use zone calendar. (a) The department shall establish and maintain an annual calendar of use for the recreational uses listed in par.

(b) recognizing the priority of special uses designated in this section for the dates indicated.

(b) Permitted recreational uses.

1. Bird watching
2. Cross country skiing
3. Dog sledding
4. Dog training
5. Dog trials
6. Falconry
7. Foot racing
8. Hang gliding
9. Hiking
10. Horseback riding, competition and horse drawn vehicles
11. Hot air ballooning
12. Hunting
13. Land sailing
14. Model aircraft flying
15. Model rocket flying
16. Nature study
17. Scout jamborees
18. Sky diving
19. Sleigh riding
20. Snowmobiling
21. Steeplechase events
22. Trail biking
23. Trapping

(c) Picnicking and camping incidental to a use in par. (b) is authorized if indicated as such in the permit.

(d) The following uses shall have priority on a first-come, first-served basis over all other uses during the period indicated:

1. Horse activities, model aircraft flying, dog training on foot, retriever dog trials, falconry, land sailing and hang gliding.
 - a. The first and third weekends of June, July and August.
 - b. The 3 day Memorial Day weekend.
2. Dog trials, dog training, waterfowl and bow deer hunting in season and model aircraft flying.
 - a. Weekends in March, April, May (except Memorial Day weekend) and September.
 - b. One Friday near mid-month during April and September.
 - c. Labor Day.
 - d. One weekend near mid-October.
3. Snowmobiling, hiking, cross country skiing, trail biking, model aircraft flying, dog training on foot, falconry, hot air ballooning and hang gliding.
 - a. The first 3 weekends of January, February and December.
 - b. The second and fourth weekends of June and July.
 - c. The second weekend of August.
4. Hunting and dog training on foot.
 - a. The first 2 days and the following weekend of the waterfowl and pheasant seasons.
 - b. Monday through Friday of the first week of pheasant season.

- c. All weekends in November.
- d. Thanksgiving Day and the following Friday.
- e. The zone shall be available to groups on a first-come, first-served basis if not previously reserved except for those days designated in par. (d)4.
- f. Other uses not listed. Recreational uses not listed in par. (b) shall be approved by the natural resources board prior to authorized use in the zone. Such approved uses shall be adopted as rules on a periodic basis.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on April 23, 1981.

The rules contained herein shall take effect as provided in section 227.026(1)(intro.), Stats.

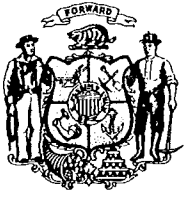
Dated at Madison, Wisconsin June 18, 1981

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By

Carroll D. Besadny
Carroll D. Besadny, Secretary

(SEAL)



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

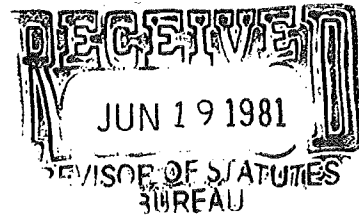
Carroll D. Besadny
Secretary

June 19, 1981

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: 1020

Mr. Orlan L. Prestegard
Revisor of Statutes
411 West
C A P I T O L



Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. PR-7-81. These rules were reviewed by the Assembly Committee on Tourism and Recreation and the Senate Committee on Agriculture and Natural Resources pursuant to s. 227.018, Stats. There were no objections.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

C. D. Besadny
C. D. Besadny
Secretary

Enc.