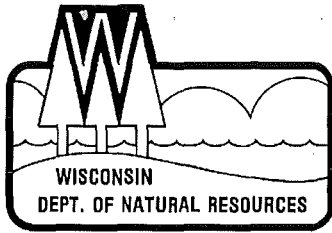


CR 95-28



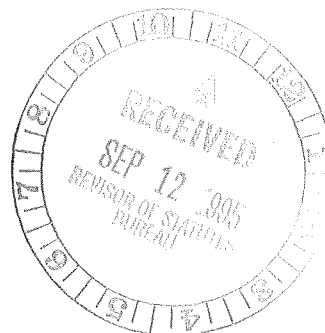
George E. Meyer
Secretary

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

101 South Webster Street
Box 7921
Madison, Wisconsin 53707
TELEPHONE 608-266-2621
TELEFAX 608-267-3579
TDD 608-267-6897

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES)

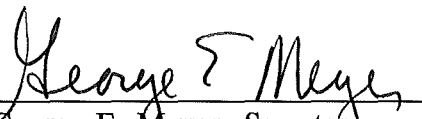
ss



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, George E. Meyer, 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-4-95 was duly approved and adopted by this Department on June 29, 1995. 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 the Natural Resources Building in the City of Madison, this 1st day of September, 1995.


George E. Meyer, Secretary

(SEAL)

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD REPEALING,
RENUMBERING, RENUMBERING AND AMENDING, AMENDING, REPEALING AND
RECREATING, AND CREATING RULES

PR-4-95

The Wisconsin Natural Resources Board adopts an order to repeal NR 45.10(2)(e) and (3)(b), 45.10(4)(a)5., 45.10(4)(b)4., 45.10(4)(c)4., 45.12(1)(c)11. through 15., 45.12(2)(b) and (2)(c)2, 45.13(14), 45.13(17)(p); to renumber 45.12(1)(c)16., 45.12(2)(a)4.; to renumber and amend NR 45.03(9) to (22), 45.10(4)(c)5. to 7., 45.12(2)(c), (d) and (f), 45.13(15) to (22); to amend NR 45.03(6), 45.05(3)(e), 45.06(1), 45.06(6)(a), 45.09(2), 45.10(1)(a) and (k), 45.10(2)(a), (b) and (d), 45.10(4)(a)2. and 3., 45.10(4)(b)2., 45.10(4)(c)1., 45.11(2)(a) and (b), 45.12(2), 45.12(4)(a)1. and 2., 45.12(4)(d) and (g)4., 45.12(5), 45.13(2)(intro.) (a) and (c), 45.13(12); to repeal and recreate NR 45.04(2)(b)3., 45.04(3)(b), 45.12(2)(a)2. and 3., 45.12(4)(b); and to create NR 45.03 (14) (15) and (21), 45.04(1)(d), 45.04(2)(a)3., 45.04(2)(b)4., 45.05(1)(f), 45.06(4)(f), 45.10(1)(l) and (m), 45.11(4)(aa) and (6)(k), 45.12(1)(b)6., 45.12(1)(c)12., 45.12(1)(d)37. to 48., 45.12(2)(a)1. u to zb., 45.12(4)(h), (i) and (j), and 45.13(2)(e) relating to regulating public use of state parks, forests and other public lands and waters under the Department's jurisdiction.

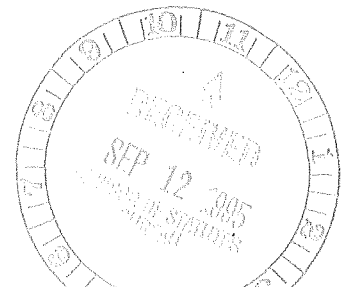
Analysis Prepared by Department of Natural Resources

Statutory authority: ss. 23.09(2), 23.091(3), 23.28(3), 27.01(2)(j), (9), (10)(b), (f) and (h), 227.11(2)(a), and 349.234(2), Stats.

Statutes interpreted: ss. 23.09(2), 23.091, 23.28, 27.01(2)(f), (9), (10)(f) and (h), 27.01(2)(i), (7), (8), (9), Stats.

The proposed rules:

1. Define terms needing clarification that are used throughout ch. NR 45.
2. Correct errors in cross references to state statute changes, eliminate lengthy lists, renumber, reorganize and update language to current program practices.
3. Increase the firewood fee from \$2.00 to \$3.00 per bundle of wood where provided by the Department.
4. Reclassify Interstate, Perrot, Pike Lake, Rocky Arbor, Wildcat Mountain, Wyalusing and Yellowstone Lake State Parks to type "A" campgrounds and Amnicon Falls, Mill Bluff, New Glarus Woods, Rib Mountain, Roche-A-Cri, Tower Hill State Parks and Black River, Brule River, Flambeau River, Northern Highland/American Legion, 18 sites of the Northern Unit of Kettle Moraine and 230 sites of the Southern Unit of the Kettle Moraine State Forests to type "B" campgrounds.
5. Increase indoor group camping fees from \$1.00 to \$2.00 per person and raises the minimum from \$20.00 to \$30.00 at Big Bay State Park, Black River and Point Beach State Forests.
6. Permit park admission stickers to be required the entire year at all facilities selling stickers.
7. Create a \$3.00 dump station fee for non-registered campers using facility and create a \$5.00 registration fee to campers failing to self register when such program is in place.
8. Modify group camping reservation process.
9. Prohibit motors on Bass Lake in Price County and permits electric motors on Big Bay Sand Spit and Bog State Natural Area in Ashland County.



10. Limit camping to 21 days throughout the year and include the Chippewa and Turtle-Flambeau flowages in camping regulations.
11. Limit the use of showers to registered campers only.
12. Permit the use of blinds on department lands.
13. Clarify pets are prohibited in the Great Lakes Shoreline Zones, indoor group camps and related facilities.
14. Permit in-line skating except where posted closed.
15. Adjust closing hours for fishers, and use at Roche-A-Cri Mound and Sugar River Trail.
16. Remove refund procedures from the code and places them in Department handbooks.
17. Modify eviction period to include entire stay or until after case is adjudicated in court for serious violations including, but not limited to, assaultive and disorderly behavior.

SECTION 1. NR 45.03(6) is amended to read:

NR 45.03(6) "Camping party" means any individual, family or ~~unorganized~~ non-family group occupying a campsite.

SECTION 2. NR 45.03(9) to (22) are renumbered (28),(9) to (13), (16) to (20) and (22) to (24), respectively and NR 45.03(11) and (25) as renumbered are amended to read:

NR 45.03(11) "Family campground" means any tract of land designated for camping by families or groups of ~~5~~ 6 persons or less.

(25) "~~Canoe~~ Watercraft campsite" means a campsite along a waterway for use by persons traveling exclusively by watercraft.

SECTION 3. NR 45.03(14),(15) and (21) are created to read:

(14) "Non-family group" means any 6 or less individuals who do not meet the definition of family.

(15) "Northern state forests" means the Black River, Brule River, Flambeau River, Governor Knowles, Northern Highland and American Legion state forests.

(21) "Southern state forests" means Havenwoods state forest preserve, Point Beach state forest and all units of the Kettle Moraine state forests.

SECTION 4. NR 45.04(1)(d) is created to read:

NR 45.04(1)(d) In-line skates or roller blades are permitted on all public highways and paved trails under department management and supervision except where posted against such use.

SECTION 5. NR 45.04(2)(a)3. is created to read:

NR 45.04(2)(a)3. Sugar River state trail.

SECTION 6. NR 45.04(2)(b)3. is repealed and recreated to read:

NR 45.04(2)(b)3. Uses the boat launch facilities and boat launching parking lots in the northern state forests.

SECTION 7. NR 45.04(2)(b)4. is created to read:

NR 45.04(2)(b)4. Enters any state park or state forest recreation area one hour before sunrise.

SECTION 8. NR 45.04(3)(b) is repealed and recreated to read:

NR 45.04(3)(b) Evictions. The department may expel any person or persons from lands under the management, supervision and control of the department for violations of any state law, administrative rule or posted rules or regulations. The period of time for which a person may be expelled is 48 hours, or for the period of their camping permit, whichever is longer. No expelled person may return to the property before the eviction period has elapsed. Persons expelled are not eligible for refunds for unused camping fees or vehicle admission fees. People charged with violent, assaultive or disorderly behavior may be expelled until after the case is adjudicated in court.

SECTION 9. NR 45.05(1)(f) is created to read:

NR 45.05(1)(f) No person may operate a motor vehicle as defined in s. 340.01(35), Stats., off highways and parking lots while under the influence of an intoxicant or a controlled substance or without a valid driver's license issued by this or another state or province.

SECTION 10. NR 45.05(3)(e) is amended to read:

NR 45.05(3)(e) Bicycles. Except where provided ~~herein in this chapter~~, bicycles are prohibited on all department lands except on public highways and areas or trails posted for their use. Bicycles are permitted in all areas and on trails except where posted against such use on the ~~American Legion, Black River, Brule River, Flambeau River, Governor Knowles and Northern Highland~~ northern state forests.

SECTION 11. NR 45.06(1) is amended to read:

NR 45.06(1) No person may allow a dog, cat or other pet in any building or on any bathing beach, or on any Great Lakes shoreline zone as posted, picnic area, playground, fish hatchery ground, or Paradise Springs area southern unit Kettle Moraine state forest. 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 12. NR 45.06(4)(f) is created to read:

NR 45.06(4)(f) Pets are prohibited in the indoor group camps and related facilities at Wyalusing state park, Kettle Moraine state forest - northern unit and the MacKenzie environmental center.

SECTION 13. NR 45.06(6)(a) is amended to read:

NR 45.06(6)(a) No person may ride, lead or fail to prevent a horse from being on any beach, posted or marked hiking trail, nature trail, picnic area or campground or contrary to posted notice on the ~~American Legion, Black River, Brule River, Flambeau River, Governor Knowles and Northern Highland~~ northern state forests.

SECTION 14. NR 45.09(2) is amended to read:

NR 45.09(2) ~~No~~ Except as provided in s. 29.27(1)(a), Stats., no person may construct, occupy or use any elevated ~~scaffold or ground blind~~ or other elevated device except that portable tree stands and blinds may be used provided they are ~~completely~~ removed from the property each day at the close of hunting hours. No person may cause damage to trees by the placement or erection of portable tree stands or by any other manner while climbing or hunting from a tree. This subsection does not apply to the use of blinds constructed entirely of dead vegetation found on the property.

SECTION 15. NR 45.10(1)(a) and (k) are amended to read:

NR 45.10(1)(a) Camping is prohibited ~~in~~ within designated camping areas, or on state-owned islands in the Mississippi river and state-owned islands and sandbars in the Lower Wisconsin state riverway. No person may camp in designated camping areas without a permit and the payment of the prescribed fees, except when traveling by watercraft and camping ~~for one night only~~ at designated ~~canoe watercraft~~ campsites in the ~~American Legion, Black River, Brule River, Flambeau River, Governor Knowles and Northern Highland~~ northern state forests, on the Chippewa and Turtle-Flambeau flowages and on other designated state-owned islands outside state forest boundaries. Camping at designated ~~canoe watercraft~~ campsites is restricted to persons and their equipment arriving by watercraft only.

(k) Camping permits are not required and payment of camping fees are waived when camping on state-owned islands in the Mississippi river or state-owned islands or sandbars in the Lower Wisconsin state riverway and Chippewa and Turtle-Flambeau flowages.

SECTION 16. NR 45.10(1)(l) and (m) are created to read:

NR 45.10(1)(l) Camping is restricted to one night only at designated watercraft campsites in northern state forests and on designated state-owned islands outside state forest boundaries and to 10 days at designated watercraft campsites in Turtle-Flambeau and Chippewa flowages.

(m) No person may use family campground shower facilities in any state park or forest unless that person is a registered camper.

SECTION 17. NR 45.10(2)(a),(b) and (d) are amended to read:

NR 45.10(2)(a) No more than one camping party may occupy a single campsite. No camping party consisting of ~~an unorganized a non-family~~ group may exceed 6 persons ~~who are 7 years of age or older.~~

(b) No person may camp and no camping unit shall remain for a period greater than 21 days in any 4-week period in the property of registration ~~from May 1 to Labor Day~~. After 21 days the camping unit and camping party shall be removed from the property for at least 7 days before being eligible to return except in the ~~Northern Highland, American Legion, Flambeau River, Brule River, Black River and Governor Knowles~~ northern state forests where this subsection applies only to the campground of registration.

(d) No person may park any motor vehicle outside the parking area designated at each campsite. No person may park more than 2 motor vehicles in the parking area of any campsite, except that as many as 6 motorcycles are permitted for members of a camping party registered as ~~an unorganized a non-family~~ group.

SECTION 18. NR 45.10(2)(e) and (3)(b) are repealed.

SECTION 19. NR 45.10(4)(a)2 and 3 are amended to read:

NR 45.10(4)(a)2. Reservation applications for indoor group camp facilities shall arrive at the park or forest office no more than one year in advance of the date the camp is to be occupied. Walk in reservations

will be held for 5 days and treated equally with mail in reservations postmarked the same day by using a random selection list.

3. A reservation fee plus full payment, in the form of a check or money order, ~~for the first night the area is to be occupied,~~ shall be included with each application.

SECTION 20. NR 45.10(4)(a)5. is repealed.

SECTION 21. NR 45.10(4)(b)2. is amended to read:

NR 45.10(4)(b)2. A reservation fee plus full payment, in the form of a check or money order ~~for the first night the area is to be occupied,~~ shall be included with each application.

SECTION 22. NR 45.10(4)(b)4. is repealed.

SECTION 23. NR 45.10(4)(c)1. is amended to read:

NR 45.10(4)(c)1. A permit designating the site to be occupied shall be obtained ~~from the property superintendent.~~

SECTION 24. NR 45.10(4)(c)4. is repealed.

SECTION 25. NR 45.10(4)(c) 5. to 7. are renumbered 4. to 6., respectively and NR 45.10(4)(c)5. as renumbered is amended is read:

NR 45.10(4)(c)5. No more than one camping party is permitted at a backpack camping site in state parks, recreation areas and other state forests offering these facilities. No camping party consisting of ~~an unorganized a non-family~~ group may exceed 6 persons ~~who are 7 years of age or older.~~ A permit may be issued for up to 14 nights at each designated site at these areas.

SECTION 26. NR 45.11(2)(a) and (b) are amended to read

NR 45.11(2)(a) No person may moor, anchor or leave unattended any boat, ~~watercraft~~ or aircraft in any state park, recreation area, state natural 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 may be left on shore, moored or anchored overnight in the waters of any state park, state natural area, recreation area, or forest recreational area except in areas designated for that purpose or on state-owned islands designated for camping.

SECTION 27. NR 45.11(4)(aa) and (6)(k) are created to read:

NR 45.11(4)(aa) Bass lake, section 18, T38N, R2W, town of Flambeau, Price county.

(6)(k) All waters in Big Bay Sand Spit and Bog State natural area, section 13, T50N, R3W, town of La Pointe, Ashland county.

SECTION 28. NR 45.12(1)(b)6. p. is created to read:

NR 45.12(1)(b)6.p. Paradise Springs

SECTION 29. NR 45.12(1)(c)11 through 15 are repealed.

SECTION 30. NR 45.12(1)(c)16. is renumbered 11.

SECTION 31. NR 45.12(1)(c)12. is created to read:

NR 45.(12(1)(c)12. Rock Island.

SECTION 32. NR 45.12(1)(d)37. to 48. are created to read:

- NR 45.12(1)(d)37. Amnicon Falls state park
38. Big Bay state park
39. Browntown - Cadiz Springs state recreation area
40. Brunet Island state park
41. Buckhorn state park
42. Kinnickinnic state park
43. Natural Bridge state park
44. Nelson Dewey state park
45. New Glarus Woods state park
46. Roche-A-Cri state park
47. Rocky Arbor state park
48. Tower Hill state park

SECTION 33. NR 45.12(2)(intro.) is amended to read:

NR 45.12(2) CAMPING FEES. (intro.) No person may use any facility, land or area for which a fee or charge has been established by the department without payment of ~~such~~ the fee or charge as listed in the following schedule. All fees under this subsection include state sales tax except for juvenile group camping, and juvenile and adult group camping at the north shore campgrounds in Devil's Lake state park ~~and at Cox Hollow campground in Governor Dodge state park.~~

SECTION 34. NR 45.12(2)(a)1. u. to zb. are created to read:

- NR 45.12(2)(a)1. u. Interstate
v. Nelson Dewey
w. Perrot
x. Pike Lake
y. Rocky Arbor
z. Wildcat Mountain
za. Wyalusing
zb. Yellowstone Lake

SECTION 35. NR 45.12(2)(a)2. and 3. are repealed and recreated to read:

- NR 45.12(2)(a)2. The following are Type "B" campgrounds:
a. Amnicon Falls
b. Big Foot Beach
c. Blue Mound
d. Bong-Sunset campground
e. Brunet Island
f. Lake Kegonsa
g. Merrick
h. Mill Bluff
i. New Glarus Woods
j. Rib Mountain
k. Roche-A-Cri
l. Tower Hill
m. Northern Unit - Kettle Moraine State Forest
n. Southern Unit - Kettle Moraine State Forest

- o. Black River
- p. Brule River
- q. Flambeau River
- r. Northern Highland/American Legion

SECTION 36. NR 45.12(2)(a)4 is renumbered to 3.

SECTION 37. NR 45.12(2)(b) and (2)(c)2. are repealed.

SECTION 38. NR 45.12(2)(c),(d) and (f) are renumbered (b),(c) and (d) and (b)3., (c)1.(intro.) and b, 2. and 3 as renumbered are amended to read:

NR 45.12(2)(b)3. Firewood ~~\$2.00~~ \$3.00 per bundle (except for firewood sold by concessionaires).

(c) Group camping (group campgrounds)

1. Outdoor non-family group camping

b. Each additional interval of ~~\$30.00~~ 15.00 per night
~~20-10~~ or part thereof

2. ~~Mirror Lake - Blue Water Bay camp area~~ Outdoor family group camping

a. ~~Outdoor group camping - same as subd. 1.~~

b. ~~a~~ Family camping - same rate as Type "A" campground resident rate per family

3. Group camps (buildings)

a. Big Bay group camp, ~~\$1.00-2.00~~ per person
Black River state forest and per day
Point Beach state forest ~~\$20.00-30.00~~ minimum per group per day

b. Kettle Moraine state forest - \$4.00 per person per day
northern unit group camp and ~~\$125.00-200.00~~ minimum
Wyalusing group camp per group per day

c. ~~Big Bay group camp~~ ~~\$1.00 per person per day~~
~~\$20.00 minimum per group per day~~

d. ~~Kettle Moraine state forest~~ ~~\$4.00 per person per day~~
~~northern unit group camp~~ ~~\$125.00 minimum per group per day~~

e. ~~c~~ MacKenzie Environmental \$4.00 per person per day
Center \$75.00 minimum per group per day

f. ~~Black River state forest~~ ~~\$1.00 per person per day~~
~~\$20.00 minimum per group per day~~

SECTION 39. NR 45.12(4)(a)1 and 2 are amended to read:

NR 45.12(4)(a)	1. Adults	<u>\$1.00 per day</u>
	2. Children (2-12)	<u>\$.50 per day</u>

SECTION 40. NR 45.12(4)(b) is repealed and recreated to read:

NR 45.12(4)(b) McMiller sports center, when operated by the department.

- | | |
|-----------------------------|------------------------------|
| 1. Pistol range | \$5.00 per hour |
| 2. 100 yard range | \$5.00 per hour |
| 3. Plinking range | \$5.00 per hour |
| 4. Archery range | \$5.00 per hour |
| 5. Shotgun trap range | \$5.00 per round of 25 shots |
| 6. Shotgun patterning range | \$5.00 per 5 targets |
| 7. Organized matches | \$100 per group per day |
| 8. Hunter safety course | \$1.00 per hour |

SECTION 41. NR 45.12(4)(d) and (g) 4. are amended to read:

NR 45.12(4)(d) Admission fees under s. 27.01(2r)(a)(9), Stats.

(g)4. McMiller sports center, Southern Unit Kettle Moraine - \$100.00 per group per day during the period when the vehicle admission sticker is not required, and when operated by the department.

SECTION 42. NR 45.12(4)(h), (i) and (j) are created to read:

NR 45.12(4)(h) Visitors using areas posted subject to self-registration requirement for either vehicle admission sticker, trail passes or camping fees shall pay an additional \$5.00 registration fee if they fail to self-register.

(i) Use of dump station for non-registered campers \$3.00, in addition to park sticker.

(j) The department may charge participants of department sponsored special events or programs a fee sufficient to cover the cost of providing the program.

SECTION 43. NR 45.12(5) is amended to read:

NR 45.12(5) This section does not apply to department lands under lease or agreement which provides otherwise. No person may use any facilities without proper payment of appropriate fees established by a lessee or contractor.

SECTION 44. NR 45.13(2)(title)(a) and (c) are amended to read:

NR 45.12(2)(title) PARFREY'S GLEN, NATURAL BRIDGE AND ROCHE-A-CRI MOUND STATE NATURAL AREAS. (a) This subsection applies to the Parfrey's Glen state natural area, Natural Bridge state natural area, and Roche-A-Cri Mound state natural area.

(c) No person may enter or be in Parfrey's Glen state natural area and surrounding and adjacent state lands in sections 22 and 23, township 11 north, range 7 east, Sauk county, and the Natural Bridge state natural area ~~or Roche A-Cri Mound natural area~~ between the hours of 8:00 p.m. and 6:00 a.m.

SECTION 45. NR 45.13(2)(e) is created to read:

NR 45.13(2)(e) No person may enter or be in Roche-A-Cri Mound state natural area between the hours of sunset and 6:00 a.m.

SECTION 46. NR 45.13(12) is amended to read:

NR 45.13(12) WHITEFISH DUNES STATE PARK. No person may hike in any area other than on a trail specifically designed and signed for that purpose in the dune portion of the Whitefish Dunes state natural area in Whitefish Dunes state park unless authorized to do so in writing by the department.

SECTION 47. NR 45.13(14) is repealed.

SECTION 48. NR 45.13(15) to (22) are renumbered (14) to (21), respectively and NR 45.13(14)(a)(intro.) and (16)(intro.) as renumbered are amended to read:

NR 45.13(14) BRULE RIVER STATE FOREST. (a)(intro.) On department-owned or managed lands on the Brule river in the Brule River state forest, boats or other watercraft may only be launched or removed at the following designated launching sites:

NR 45.13(16) KETTLE MORAINES STATE FOREST, SOUTHERN UNIT. (intro.) The following rules and regulations are established for the use of the McMiller Sports Center in the southern unit Kettle Moraine state forest when operated by the department:

SECTION 49. NR 45.13(16)(p) as renumbered is repealed and (q) is renumbered to (p).

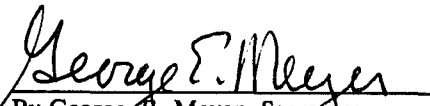
The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on June 29, 1995.

The rules shall take effect January 1, 1996.

Date at Madison, Wisconsin 9/1/95.

Seal

State of Wisconsin
Department of Natural Resources


By George E. Meyer, Secretary

r:\nr\codes\xx45.njp

