

STATEMENT OF SCOPE
DEPARTMENT OF TOURISM - KICKAPOO RESERVE MANAGEMENT BOARD

Rule No.: KB1
Relating to: Management of the 8,600 acre Kickapoo Valley Reserve
Rule Type: Permanent, non-emergency

1. Finding/nature of emergency (for Emergency Rule only).

This is not an Emergency Rule.

2. Detailed description of the objective of the proposed rule.

Rules governing the Kickapoo Valley Reserve (Reserve) have not been updated since their original adoption in 2004. The objective is to make the rule consistent with posted information by updating KB1.02(5) to define a “Camping Party” at 10 or fewer occupants and update Ch. KB 1.09(8) to coincide to posted camping limits and be consistent with HFS rule 175.17 allowing 10 persons at Primitive Campsites. The Reserve offers primitive camping at designated sites.

Also update Ch. KB1.08(2) to coincide with the State Concealed Carry law allowing persons to carry firearms in compliance with State law.

3. Existing Policy:

KB1.02(5) defines Camping Party as 6 or fewer; KB1.08(2) prohibits possession of loaded or uncased firearm within the reserve with exceptions for hunting; KB 1.09(8) Limits campsites to 6 persons.

New Policy: Reserve staff has worked with the Department of Health and Family Services to designate and post capacity limits for primitive camping within the Reserve that comply with rules regarding human health and safety. Capacity limits vary depending on size of the designated area and therefore the rule of “6 persons” is no longer appropriate. Referencing the “posted capacity limits” make the rule more accurate.

State law allows possession of firearms with proper permit; this will simply update the rule to be consistent with State law.

Policy Alternative: Continue operations under existing policy.

4. Statutory Authority: The statutory authority for the rule is s.41.41 (7) (k).

“Promulgate rules that are applicable only to land in the Kickapoo valley reserve and other land acquired by the board, facilities on that land and waters adjacent to that land establishing restrictions on use of the land, waters and facilities.”

5. Estimate of amount of time agency employees will spend developing the proposed rule:

Approximately 20 hours of staff time to develop the rule including public notice, hearing and related correspondence.

6. Entities affected by the rule:

Visitors to the Kickapoo Valley Reserve who choose to camp and/or carry a concealed weapon.

7. Comparison with Federal Regulation:

There are no proposed or existing federal regulations that address the activities contemplated by this proposed rule.

8. Anticipated economic impact of implementing the rule. Economic impact on small businesses.

Camping fees generate approximately \$15,000 annually for the KRMB budget through the self-registration, honor system. Revenue is used to maintain the property; mowing, tree clearing, fire pit cleaning etc.

Offering only 23 primitive, designated, campsites at the Reserve allows private small businesses such as campgrounds and lodging facilities to benefit as it is a relatively narrow niche market that prefers primitive camping – no toilets or water – to the equipped facilities offered nearby. The ripple effect is that visitors come to the Reserve for recreational activities but choose campgrounds, motels or cabins in the surrounding communities for lodging.

Contact Person:

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