

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

The State of Wisconsin Natural Resources Board proposes an order to repeal NR 45.12(1)(b)1., 45.12(1)(f)1., 45.12(2)(a)2., 45.12(2)(c)2., and 45.12(2)(c)4.; to renumber NR 45.04(1)(a)2. and 3., 45.12(1)(b)2. to 7., 45.13(8g); to amend NR 45.03(9i), 45.03(15), 45.04(1)(a)1., 45.04(3)(b), 45.04(3)(f)1., 45.07, 45.09(5)(intro) and (5)(a), 45.10(1)(m) and (n), 45.10(2m)(f), 45.11(2)(c), 45.12(1)(b)7., 45.12(1)(d), 45.12(1)(d)51., 45.12(2)(a)1., 45.12(2)(b)3., 45.12(2)(b)4., 45.12(2)(c)3.b., 45.12(4)(k), 45.13(1)(c), 45.13(2), 45.13(2)(b), 45.13(2)(c); to repeal and recreate NR 45.13(26); to create NR 45.03(3m), 45.03(18k), 45.04(1)(a)2., 45.04(3)(v), 45.05(3)(h), 45.09(10), 45.10(1)(a)6., 45.11(4)(zb), 45.11(10), 45.12(1)(d)54., 45.12(2)(b)5.p., 45.12(2)(b)5.q., 45.12(2)(c)5., 45.13(1m)(d), 45.13(11m), 45.13(13m), and 45.13(27) relating to the use of department properties.

LF-05-10

Statutes Interpreted: ss. 23.091, 23.09(2)(intro), 23.11(4), 23.17, 23.175, 23.28(3), 23.293, 23.33(4)(b), 27.01(2)(i) and (j), 27.01(10)(f) and 28.04(2), Stats.

Statutory Authority: ss. 23.091, 23.09(2)(intro), 23.11(1), 23.28(3), 23.293, 27.01(2)(j), 27.01(10)(b) and (f), 227.11(2)(a) and 23.33(4)(b), Stats.

Explanation of Agency Authority: In addition to the general authority granted by s. 227.11(2)(a), Stats., to implement and interpret its statutory authority, the Department of Natural Resources has specific grants of rule making authority in chs. 23 and 27, Stats., to manage its properties.

Related statute or rule: All Wisconsin DNR property management regulations are found in this chapter.

Plain Language Analysis: Chapter NR 45 is the principal rule governing the conduct of visitors to the properties and facilities owned, acquired by easement, or leased by the Department. This chapter is reviewed and revisions proposed by staff on a regular basis. This rule revision contains a number of fee and policy changes relative to camping and other uses of Department land. The increased fees are needed to address the continued costs of providing quality services.

Rules are amended to clarify that collection of edible plants without a permit is for personal consumption, to clarify the term “edible fruits” and to remove the prohibition on collecting edible fruit on state natural areas.

The Coulee Experimental state forest has been added to the definition of “northern state forests” so that the property is covered by the code provisions governing the northern state forests. A rule is being amended to prohibit fires on the Coulee Experimental state forest.

A rule is created to make it permissible to remove invasive plants without a permit.

A rule is created to prohibit the collection of dead and down wood located below the ordinary high water mark of the northern flowage properties for ecological and aesthetic purposes.

A rule is amended governing evictions from department lands so as to prevent an evicted individual from entering a different state park, forest, or recreation area for a specified period of time after being evicted in order to alleviate law enforcement problems.

A rule is amended to clarify that concessions or special events are permitted by contractual agreements rather than commercial use permits.

A rule is created to allow the department to designate roads within northern state forest properties as ATV routes when the use is authorized in the property master plan.

A rule is amended to clarify that the exception to the requirement that firearms must be unloaded and enclosed in a case only applies on the portions of a property that are open to hunting.

A rule is created to allow uncased bows and firearms when crossing the Glacial Drumlin state trail adjacent to lands that are part of the Lake Mills wildlife area.

Rules are amended to permit camping on state-owned sandbars on the Lower Chippewa river and to limit the number of campers at the Turtle Flambeau scenic waters area group campsites.

A rule is created to prohibit the launching or removal of motorboats on those portions of waterbodies located within department properties when the use of motorboats is restricted by the property’s master plan.

Rules are amended to reorganize the list of fee areas at state forests and to eliminate two fee areas from the list.

A rule is repealed relating to fee waivers for state park admission for holders of the National park service pass program. Instead, waivers would be given utilizing general statutory authority and guidance found in internal policy documents.

A rule is amended to categorize all state forest campgrounds as type “A” to allow for an increase in camping fees per s. 27.01(10), Stats.

A rule is amended to increase camping fees by \$3.00 due to local market conditions for Rock Island state park and 5 state forest campgrounds as allowed by NR 45.12(2)(b)5..

Rules are being amended to increase the fee for commercial use permits, and for use of the indoor group camp at Wyalusing state park.

A rule is being created to establish fees for the new outdoor group campground at Council Grounds state park. The fees are based on site amenities including the number of electrical pedestals.

A provision is being repealed which specified rates for renting entire campgrounds at Devil's Lake state park.

A rule is being created to establish a slow-no-wake area in the "narrows" of the Dells of Wisconsin River state natural area for public safety reasons.

A rule is being amended to establish closed hours for the newly acquired Gibraltar Rock state natural area for safety reasons.

Rules have been amended to allow the addition of state natural areas to areas where vehicle admission receipts are required, to add Parfrey's Glen state natural area to the list of properties requiring a vehicle admission fee, and to allow people to explore beyond the end of the designated trail at Parfrey's Glen state natural area in response to the loss of an established trail due to flooding.

Rules are created to establish rules of conduct at Yellowstone Lake wildlife area's shooting range and to define the term "range officer".

Rules are being created which are necessary to implement the master plan for Straight Lake state park including a ban on glass containers, a motorboat prohibition on Straight and Rainbow Lake, and a prohibition of gasoline powered ice augers.

Rules are being created to establish special event and boat mooring fees at Lakeshore state park and for establishing rules on operation of the marina.

A rule is being created to prohibit target shooting within the Thornapple River sturgeon spawning area in Rusk County for public safety reasons.

Federal Regulatory Analysis: These rules are consistent with the requirements for land that is acquired or managed all or in part with Pittman Robertson, Sport Fish Restoration, and Land and Water Conservation Act funding.

Comparison with Adjacent States:

Information pertinent to camping fees in state forests:

Illinois:

Family campsite fees range from \$10 per night to \$20 per night.

Illinois pricing varies by location.

There is no mention of fee differentials due to market forces.

Minnesota:

Family campsite fees range from \$12 per night to \$18 per night.

Minnesota sets a range of pricing for different types of state parks.

Minnesota prices their "Familiar Favorites" campsites at the \$18 fee.

Iowa:

Family campsite fees in Iowa range from \$11 to \$16 per night.

Iowa charges a camping differential fee based on the time of year.

Michigan:

Family campsite fees in Michigan range from \$10 to \$33 per night.

Campsite prices do not vary by season or day of the week.

Information pertinent to state park proposals:

Illinois:

- North Point Marina is a comparable facility to Lakeshore state park. Vessels visiting North Point Marina 30 feet and under are charged a minimum daily rate of \$40. There is an additional per foot, per day charge not to exceed \$2 for each foot of vessel over 30 feet. Each seventh consecutive day leased under a temporary permit is free. 17 Ill. Adm. Code 220.60(c)

- Rules allow the Department to evict campers and refuse to permit a person to re-enter the eviction site or park for a period of up to 365 days from such eviction. 17 Ill. Adm. Code 130.150

- Rates for adult outdoor group camps are \$4 per day with a \$40 minimum charge

Iowa:

- No Great Lakes moorages.

- Department of natural resources officers are given authority to refuse camping privileges and to rescind any and all camping permits for cause. 571 IAC 62.8(461A)

- Group camp fees are facility dependent with a wide range of fees depending on amenities and size. Some facilities require a deposit as well.

- Special events require a permit.

Minnesota:

- Does not charge moorage fees at state parks

- People in violation of rules are subject to immediate removal and any other appropriate legal action, to include revocation of permits issued. Minn. R. 6100.0525

- Group camp fees are \$50-\$75 per night or \$3 per camper per night, whichever is greater. A minimum non-refundable deposit of \$50 per night reserved is charged for all class III group camps at the time the reservation is made. The balance of fees is due at time of arrival.

- Special use requires a permit with proof of insurance.

Michigan:

- At comparable moorage sites, \$24-\$27 for vessels 24 feet and under, plus \$1-\$2 for each additional foot. <http://www.midnrreservations.com>
- People in violation of rules are subject to eviction and revocation of camping permit in addition to any other penalties prescribed by law. MICH. ADMIN. CODE R 299.929
- Campground fees range dependent on amenities and location. For groups rustic cabins are available for \$60-\$80 a night.
- Permit is required for commercial operations. Land use permit is dependent on the event and the volume of people. Minimum of \$50 is required for permit on medium intensity and for ranges depending on services for all intensity of use. Permit review, staff monitoring, and land use fees are all add-ons for the permit. The permit may range from free (\$0) to a maximum of \$950.

Summary of Factual Data and Analytical Methodologies:

Information pertinent to camping fees in state forests:

Five northern state forest campgrounds are added to the current fifteen state parks where fees will be raised by \$3 per night from \$12 to \$15 in response to market conditions . The new Northern state forest campgrounds added to this list are: Crystal Lake, Clear Lake, Firefly Lake and Musky Lake campgrounds in the Northern Highland American Legion State Forest (NHAL) and Castle Mound campground in the Black River state forest. The locations of these state forests include popular tourism destinations.

All other state forest campgrounds in six northern state forests are added to the Class “A” category where fees will be raised by \$3 per night from \$9 to \$12.

A survey of the markets surrounding the Northern State Forest campgrounds being adjusted for market conditions reveals that prices are much higher for non-state forest campsites per night compared to state forest sites. The increase brings the northern state forests in line with current public camping facilities.

Surrounding Market Prices:

Campground Ownership	Fee Range
Wisconsin State Parks	\$12 - \$15
National Forests	\$12 – \$15
County Parks	\$10 - \$22
Private Campgrounds	\$18 - \$50

Information pertinent to other state park proposals:

The fee structures being set up in most of the park areas are specific to the area and facilities.

Wyalusing is the only WSPS property with indoor group dormitory style camping, and the current rate is well below the existing market for accommodations of like type. Charging a rate which is close to market-based of \$6 a person a day and \$300 minimum will help to close the existing price and expense gap while simultaneously providing a cost effective option for groups. Current capacity for the indoor group camp is 108; with the \$200 minimum rate set based upon a 50 person occupancy. Property staff report that it is not uncommon for groups as small as 10 to reserve the group campground. This still only results in costs of \$20/night/person which is significantly lower than what exists in the private sector given amenities at the location. The DNR recently upgraded this facility without increasing the cost to rent; consequently, an increase is warranted at this time and is unlikely to significantly impact demand for this group camp. While these fees are higher for this campground, the fee is lower than rates charged in the private sector and remains an economical choice for groups or families to utilize.

Devil's Lake is the only property that specifies a rate for renting the entire campground in ch. NR 45, Admin. Code. The current rate is well below the existing market for accommodations of like type in the market area and significantly lower than if the sites were reserved separately. Deleting this code provision will allow the department to charge a more market based rate as authorized by s. 27.01(10)(f) Stats. and help to close the existing fiscal gap to operate the campground.

There is precedent for charging a special rate for particular campsites or campgrounds based upon amenities offered. Council Grounds state park recently opened three new group campsites, and the existing group camping fees are well below the market value for accommodations of like type in the market area. These sites include electrical hookups, dedicated toilet buildings and other amenities. By charging the existing group camping rate the Department believes these sites are under-valued. The new fees were calculated utilizing the current camping fee structure, plus the cost of the electrical pedestals with a premium for the amenities. These changes are unlikely to impact demand for these campsites and the change will make rates competitive based upon the amenities offered. While the fees are higher for these select campsites, the fee is competitive with rates charged in the private sector and still remains an economical choice for groups or families to utilize.

The Commercial Use Permit is required for common or recurring, property master plan-compatible, commercial uses of parks, recreation areas, and southern forest lands. Typically, these uses involve a service which is purchased and arranged off of a property but performed on the property. This fee has not been updated in over 8 years. The fee is significantly lower than the perceived value to those who use parks, trails and southern forests commercially because of the profit generated by the commercial use. All of the surrounding states require a commercial use permit and the cost is dependent on the activity.

Lakeshore state park recently opened its boat slips, and the rates charged mirror those for accommodations of like type provided by Milwaukee county as well as those at private marinas in the area. The fee is competitive with rates charged in the public and private sector, remains an economical choice for groups or families and is unlikely to impact demand for this facility. Lakeshore state park is an urban park that regularly hosts various special events for visitors and local businesses. This event fee structure is similar to what Milwaukee county charges. Without

this fee structure, the DNR is only authorized to charge its current special event fees, which are not applicable for events of this size and at this location. Lakeshore state park is uniquely poised to host large and small scale events, contributing to the cultural and economic vitality of downtown Milwaukee. These events could range in size from 50 to 500,000 in attendance and span multiple days. The flexible fees will be decided in advance by the manager at Lakeshore state park in conjunction with the event holder, based upon the expected attendance, activities planned and impacts to other users of the property. The fee would be mutually established well in advance of an event, thus enabling groups to budget and plan effectively for their event on the Lakeshore grounds. Under this scenario, fees for special events at Lakeshore state park would remain an economical choice for everyone from corporations to families are unlikely to impact demand for this facility, and would provide the funds necessary to staff events of this magnitude.

Anticipated Private Sector Costs:

Fees are increased for certain uses of department lands and those increased costs will be incurred by the users. Because most users camp on a relatively infrequent basis, and the increases are modest, the fee increases are not anticipated to be burdensome. Regarding the slow-no-wake proposal at the “narrows”, there is one private property landowner with frontage in the section of Wisconsin River encompassed by the regulation. There is no anticipated negative effect on his property values. In a personal contact with the landowner, he expressed support for a slow no wake rule. Since his property sits on the blind corner of the Narrows, he has a long history of providing access to the river for a flagman to monitor boat traffic and signal tour boats when it was safe to proceed.

Analysis and Documents supporting determination of small business effect:

One rule provision creates a slow-no-wake area on a stretch of the Wisconsin river. There are four commercial enterprises that operate boat tours in the Upper Dells on the Wisconsin river; two run both traditional tour (cruise) boats and jet boats, one runs exclusively jet boats and one only operates a tour/dinner boat. When contacted by the department, all the tour boat operators said their normal practice is to go slowly through the area anyway, so there would be no impact to them on their scheduling. They expressed support for a slow-no-wake regulation because their ability to navigate is often jeopardized by recreational watercraft attempting to jump the wakes of their boats or trying to maneuver around the larger boats at high speed. The distance of the slow-no-wake area is approximately 3,700 linear feet.

Effects on Small Business:

This rule does not impose performance standards or compliance or reporting requirements for small businesses. Small business impacts from the commercial use permit fee increase will be minor as the permit fee increase is \$20 per year. Even for a very small-scale business, the cost is likely to be easily absorbed by the business, and offset by revenues generated from the business conducted on the state property. This change is not expected to dramatically increase revenues to the system; rather it updates the fee relative to the value businesses receive from doing business on system properties, and the impact their work may have on the resources or facilities

at the property. The current fee is significantly below market value, remains an economical choice for businesses or families to utilize, and is unlikely to impact demand.

The Corporate Event fee at Lakeshore State Park is \$500 for less than 500 attendees and is intended to offset the additional expenses associated with sponsoring the event. The businesses impact is anticipated to be minimal for many small businesses.

The campground fee increases will not have a negative effect on nearby private campground owners. Private campgrounds may see a small increase in visitation and associated revenue if some campers select the private provider rather than paying the increased fee. The slow-no-wake proposal is not anticipated to have a measurable effect on commercial boat operators.

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SECTION 1. NR 45.03(9i) is amended to read:

NR 45.03(9i) “Edible fruits” means fleshy fruits from plants including apples, plums, pears, blueberries, raspberries, blackberries, juneberries, and strawberries that are harvested for ~~the purpose of human consumption, and.~~ It does not include the seeds from, roots or other parts of herbaceous plants such as wildflowers or grasses.

SECTION 2. NR 45.03 (3m) is created to read:

NR 45.03(3m) “Motorboat” has the meaning given in s. 30.50(6), Stats.

SECTION 3. NR45.03(15) is amended to read:

NR45.03(15) “Northern state forests” means the Black River, Brule River, Coulee Experimental, Flambeau River, Governor Knowles, Northern Highland, American Legion and Peshtigo River state forests.

SECTION 4. NR 45.03(18k) is created to read:

NR 45.03(18k) “Range officer” means any department employee or person designated by the department to monitor activities on the shooting range.

SECTION 5. NR 45.04(1)(a)1. is amended to read:

NR 45.04(1)(a)1. Edible fruits, edible nuts, wild mushrooms, and wild asparagus, and watercress may be removed by hand without a permit, ~~except on state natural areas.~~ for the purpose of personal consumption by the collector.

SECTION 6. NR 45.04(1)(a)2. and 3. are renumbered to NR45.04(1)(a)3. and 4.

SECTION 7. NR 45.04(1)(a)2. is created to read:

NR 45.04(1)(a)2. Herbaceous plant species that are listed as prohibited plant invasive species under s. NR 40.04 (2) (b) or listed as restricted plant invasive species under s. NR 40.05 (2) (b) may be removed without a permit issued under this chapter.

SECTION 8. NR 45.04(3)(v) is created to read:

NR 45.04(3)(v) On state properties where legally authorized camp fires may be built, dead and down wood may be gathered from upland areas of the property for campfire use. Driftwood or other dead and down wood located below the ordinary high watermark of the Willow, Turtle Flambeau, and the Chippewa flowage is considered a natural feature that may not be removed or destroyed without written authorization from the department.

SECTION 9. NR 45.04(3)(b) is amended to read:

NR 45.04(3)(b) Evictions. The department may expel any person or persons from the 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~~ The expelled person may not return to the property before the eviction period has elapsed. ~~or enter any other state park, forest, recreation area, or any other designated camping area for a period of 48 hours after eviction.~~ 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 10. NR 45.04(3)(f)1. is amended to read:

NR 45.04(3)(f)1. Soliciting. No person may solicit or collect funds or peddle or solicit business of any nature, post signs or distribute handbills or advertising matter unless first authorized by contractual agreement, ~~or a department commercial use permit.~~

~~Note: Commercial use permits are available at any state park or southern forest office.~~

SECTION 11. NR 45.05(3)(h) is created to read:

NR 45.05(3)(h) *All-terrain vehicle routes*. The department may establish all-terrain vehicle routes on northern state forests over state forest roads, under Wis. Stats. s. 23.33(4)(b), that are:

1. Specified in a department master plan under ch. NR 44, and
2. Signed in accordance with NR 64.12, and NR 64.12(7)c.

SECTION 12. NR45.07(1) is amended to read:

NR 45.07 Fires. (1) No person may start, tend or maintain any fire on the ground or burn any refuse except in designated fireplaces or fire rings, except for small cooking and warming fires at the following locations:

- (a) Sandbars on the Lower Wisconsin state riverway.
- (b) On the northern flowage properties and in non-designated use areas in the northern state forests except the Coulee Experimental state forest.
- (c) Authorized camping areas without designated fireplaces or fire rings, in wildlife areas, the Pine-Popple wild river, state forests, and the Menominee River natural resources area.

SECTION 13. NR 45.09(5)(intro) and NR 45.09(5)(a) are amended to read:

NR 45.09(5)(intro) No person may possess any loaded or uncased firearm or air gun while within the exterior boundary of state-owned lands posted with department signs in Dane, Dodge, Fond du Lac, Jefferson, Juneau, Kenosha, La Crosse, Milwaukee, Outagamie, Ozaukee, Racine, Sauk, Sheboygan, Walworth, Washington, Waukesha and Winnebago counties or on state forest lands in the Kettle Moraine or Point Beach state forests, state recreation areas, state natural areas or on state trails established on ~~abandoned~~ railroad grades, except as follows:

NR 45.09(5)(a) While engaged in hunting in accordance with the open seasons established in s. NR 10.01 on the portions of properties where hunting is authorized.

SECTION 14. NR 45.09(10) is created to read:

NR 45.09(10) Except as provided under s. NR10.275, nothing in this section shall prohibit the possession of an uncased bow, cocked and unloaded crossbow or uncased and loaded firearm or air gun for the purpose of crossing the Glacial Drumlin state trail by the shortest route possible where it is adjacent to lands that are part of the Lake Mills Wildlife Area, Jefferson County.

SECTION 15. NR 45.10(1)(a)6. is created to read:

NR 45.10(1)(a)6. On state-owned sandbars on the Lower Chippewa River downstream from County Highway “H” in Dunn County to the confluence with the Mississippi River,

excluding the northerly shoreline portion between Dunnville Road and the mouth of the Red Cedar River.

SECTION 16. NR 45.10(1)(m) and (n) are amended to read:

NR 45.10(1)(m) Camping permits are not required and payment of daily camping fees is waived when camping on state-owned islands in the Mississippi river or state-owned islands or sandbars in the Lower Wisconsin state riverway, on state-owned sandbars on the Lower Chippewa River, on other state-owned islands outside state forest boundaries when the island is posted open to camping, designated campsites on the Willow flowage and designated watercraft campsites in the northern state forests, Chippewa flowage, Menominee River natural resources area or the Turtle-Flambeau scenic waters area except a camping permit, reservation and fee are required on campsites B3, B4, B5, B6, B7 and B8 in the Turtle-Flambeau scenic waters area.

(n) Camping is restricted to one day only at designated watercraft campsites in northern state forests, up to 3 days as posted on state-owned islands outside state forest boundaries, to 3 days on state-owned islands and sandbars in the Lower Wisconsin state riverway and state-owned sandbars on the Lower Chippewa River and to 10 days at designated campsites on the northern flowage properties. Camping at these locations is restricted to persons and their equipment arriving by watercraft only.

SECTION 17. NR 45.10(2m)(f) is amended to read:

NR 45.10(2m)(f) No more than one camping party may occupy a single group campsite and no camping party may exceed 15 persons on the Willow Flowage scenic waters area or the Turtle-Flambeau scenic waters area.

SECTION 18. NR 45.11(2)(c) is amended to read:

NR 45.11 (2)(c) No person may remain overnight in any boat, watercraft or aircraft anchored, moored or docked at any department-controlled dock, wharf, boat landing or marina, or other mooring area except at the marina at High Cliff state park, the marina at Lakeshore state park, at the sand delta at Kinnickinnic state park, at Eagle island (Horseshoe island) and Nicolet bay (Shanty bay) in the Peninsula state park, at the campground in Merrick state park, and at Rock Island state park.

SECTION 19. NR 45.11(4)(zb) is created to read:

NR 45.11(4)(zb) On Straight Lake or Rainbow Lake in Straight Lake state park.

SECTION 20. NR 45.11(10) is created to read:

NR 45.11(10) No person may launch or remove a motorboat of a type restricted on that waterbody in the property's master plan under the authority of s. NR 44.07(4)(d), NR 44.07(5)(d) or NR 44.07(6)(h). Notice of the prohibition shall be posted at the launch site.

Note: Pursuant to the applicability provisions of NR 45.02, this provision will apply only to the launching and removal of motorboats from department-owned or managed properties.

SECTION 21. NR 45.12(1)(b)1. is repealed.

SECTION 22. NR 45.12(1)(b)2. to 7. are renumbered NR 45.12(1)(b)1. to 6.

SECTION 23. NR 45.12(1)(b)8. to 10. are renumbered NR 45.12(1)(b)7. to 9. and amended to read:

NR 45.12(1)(b)7. Northern Highland – American Legion state forest

- a. Big Lake campground
 - b. ~~Firefly Lake campground~~ Buffalo Lake campground
 - c. ~~Muskellunge group campground~~ Carroll Lake campground
 - d. ~~Jag Lake group campground~~ Clear Lake campground, beach and picnic area
 - e. ~~Plum Lake campground~~ Crystal Lake campground, beach and picnic area
 - f. ~~Razorback Lake campground~~ Cunard Lake campground
 - g. ~~Sandy Beach Lake campground~~ Firefly Lake campground
 - h. ~~Star Lake campgrounds~~ Indian Mounds campground
 - i. ~~Starrett Lake campground~~ Jag Lake group campground
 - j. ~~Trout Lake campground-north~~ Muskie Lake family and group campgrounds
 - k. ~~Trout Lake campground-south~~ Plum Lake campground
 - l. ~~Upper Gresham Lake campground~~ Razorback Lake campground
 - m. ~~Crystal Lake picnic areas and beach~~ Sandy Beach Lake campground, beach and picnic area
 - n. ~~Sandy Beach Lake beach and picnic area~~ Star Lake campground
 - o. ~~Crystal Lake and Muskie Lake campgrounds~~ Starrett Lake campground
 - p. ~~Nichols Lake beach and picnic area~~ Trout Lake campground – north and south
 - q. ~~Little Star Lake beach and picnic area~~ Upper Gresham Lake campground
8. Governor Knowles state forest
- a. St. Croix campground
 - b. Trade River horse campground
9. Peshtigo River state forest
- a. Old Veteran's Lake

SECTION 24. NR 45.12(1)(d) is amended to read:

NR 45.12(1)(d) The following state parks, recreation areas, ~~and~~ forest recreation areas and state natural areas are designated by the department as areas in which vehicle admission receipts are required, except as otherwise provided, from January 1 through December 31:

SECTION 25. NR 45.12(1)(d)51. is amended to read:

NR 45.12(1)(d)51. Governor ~~Tommy G. Thompson Centennial~~ state park

SECTION 26. NR 45.12(1)(d)54. is created to read:

NR 45.12(1)(d)54. Parfrey's Glen state natural area

SECTION 27. NR 45.12(1)(f)1. is repealed.

SECTION 28. NR 45.12(2)(a)1. is amended to read:

NR 45.12(2)(a)1. Campgrounds in state parks, southern forests, northern forests and recreation areas, and on state trails ~~as well as on the Crystal Lake, Muskie Lake, Firefly Lake, and Clear Lake Campgrounds in the Northern Highland – American Legion state forest, and Castle Mound campground in the Black River state forest~~ are type “A” campgrounds.

SECTION 29. NR 45.12(2)(a)2. is repealed.

SECTION 30. NR 45.12(2)(b)3. and NR 45.12(2)(b)4. are amended to read:

NR 45.12(2)(b)3. Additional family camping fees for Type “A” ~~and B~~ campgrounds in the state parks, southern state forests and northern state forests ~~and the Crystal Lake, Muskie Lake, Firefly Lake, and Clear Lake Campgrounds in the Northern Highland – American Legion state forest, and Castle Mound campground in the Black River state forest.~~

NR 45.12(2)(b)4. Additional camping fees may be charged for waterview campsites not to exceed \$5.00 per night for type “A” ~~and “B”~~ campgrounds.

SECTION 31. NR 45.12(2)(b)5.p. and NR 45.12(2)(b)5.q. are created to read:

NR 45.12(2)(b)5.p. Rock Island State Park

NR 45.12(2)(b)5.q. Crystal Lake, Clear Lake, Firefly Lake and Muskie Lake campgrounds within the Northern Highland – American Legion state forest.

SECTION 32. NR 45.12(2)(c)2. is repealed.

SECTION 33. NR 45.12(2)(c)3.b. is amended to read:

NR 45.12(2)(c)3.b. Wyalusing group camp.....~~\$4.00~~ \$6.00 per person per day
.....~~\$200.00~~ \$300.00 minimum per group per day.

SECTION 34. NR 45.12(2)(c)4. is repealed:

SECTION 35. NR 45.12(2)(c)5. is created to read:

NR 45.12(2)(c)5. Outdoor group campgrounds at Council Grounds state park shall charge the following rates:

- a. Site A, capacity of 32 people with three electrical pedestals: \$135 per night.
- b. Site B, capacity of 32 people, with three electrical pedestals: \$135 per night.
- c. Site C, capacity of 22 people, with one electrical pedestal: \$80 per night.

SECTION 36 . NR 45.12(4)(k) is amended to read:

NR 45.12(4)(k) The fee for a commercial use permit shall be ~~\$30.00~~ \$50.00 per year, in addition to any applicable admission fee.

SECTION 37. NR 45.13(1)(c) is amended to read:

NR 45.13(1)(c) No person may destroy, remove or attempt to remove any plant or plant part, ~~including seeds, fruits, nuts and roots,~~ without permission from the department except as provided for in s. NR 45.04(1)(a)1. and 2. ~~Edible fruit collecting for personal use is specifically permitted at Spread Eagle Barrens state natural area.~~

SECTION 38. NR 45.13(1m)(d) is created to read:

NR45.13(1m)(d) No person may operate a boat at a speed greater than slow-no-wake as defined in 30.50(12) Stats. in the waters of the Wisconsin River within the designated state natural areas from Coldwater Canyon (N43° 39' 18.06") downstream approximately 3,700 feet to the area known as Chapel Gorge (N43° 38' 53.58").

SECTION 39. NR 45.13(2)(title) is amended to read:

NR 45.13(2) PARFREY'S GLEN, NATURAL BRIDGE, ROCHE-A-CRI MOUND, AND PEWIT'S NEST, AND OAKFIELD LEDGE AND GIBRALTAR ROCK STATE NATURAL AREAS.

SECTION 40. NR 45.13(2)(b) is amended to read:

NR 45.13(2)(b) No person may enter or be in Parfrey's Glen state natural area and surrounding and adjacent lands in sections 22 and 23, township 11 north, range 7 east, Sauk county, the Natural Bridge state natural area, ~~or~~ Pewit's Nest state natural area or Gibraltar Rock state natural area between the hours of 8:00 p.m. and 6:00 a.m.

SECTION 41. NR 45.13(2)(c) is amended to read:

NR 45.13(2)(c) No person may hike in any area of Parfrey's Glen state natural area, Natural Bridge state natural area or Roche-a-Cri Mound state natural area other than on a trail specifically designed and signed for that purpose, except for that portion of the gorge at Parfrey's Glen state natural area that lies within 20 feet of Parfrey's Glen Creek as it flows between the end of the designated hiking trail and the base of the waterfall in the NE1/4SE1/4NE1/4 of section 23, township 11 north, range 7 east, or unless authorized to do so in writing by the department.

SECTION 42. NR 45.13(8g) is renumbered NR 45.13(2g)

SECTION 43. NR45.13(11m) is created to read:

NR 45.13(11m) STRAIGHT LAKE STATE PARK. The following rules are established for the use of the Straight Lake State Park:

- (a) No person may possess any glass containers.
- (b) No person may operate a gasoline powered ice auger.

SECTION 44. NR 45.13(13m) is created to read:

NR 45.13(13m) YELLOWSTONE WILDLIFE AREA. The following rules are established for the use of the Yellowstone wildlife area shooting range in Lafayette County:

- (a) The possession or consumption of malt, fermented or alcoholic beverages is prohibited within the area maintained as the shooting range.
- (b) No glass, plastic, clay, breakable or metal materials may be used as targets.
- (c) Firearms shall be pointed down range while at designated firing lines.
- (d) Firearms shall be unloaded and their actions open except while on the firing lines.
- (e) No person may leave a loaded firearm unattended at any time.
- (f) All spent shell casings and cartridges, live ammunition, targets, and materials brought onto the range shall be collected and disposed of properly off the range.

- (g) No person may discharge a firearm on the range while any part of a person is down range of the firing line.
- (h) A cease fire may be called for by the range officer at any time. A cease fire may be called for by any person if an unsafe or illegal condition exists.
- (i) Burning of materials or refuse is prohibited at the shooting range.
- (j) Use of shot size BB or smaller is not permitted on a 25 yard range.
- (k) Shooting the archery targets with a firearm is prohibited.
- (L) Firearms or air rifles that discharge paint are prohibited.
- (m) No person may engage in careless or reckless behavior that may endanger the safety of themselves, other persons, or any property.
- (n) No person under 18 years of age shall be present on the range unless accompanied by an adult or unless the person is at least 14 years of age and in possession of a valid certificate of accomplishment issued under s. 29.591, Stats.
- (o) This section does not apply to training activities conducted by a law enforcement agency.

SECTION 45. NR45.13(26) is repealed and recreated to read:

NR 45.13(26) LAKESHORE STATE PARK. The following rules and fees are established:

(a) *Alcoholic Beverages.* No person may drink or possess any intoxicating liquor or fermented malt beverage except by transient boat campers in designated boat slips or by permit. Permits are available at the park office and shall be requested at least 24 hours in advance. The cost of a permit is \$25.00. The department may deny a permit based on user conflicts or other public safety considerations.

(b) *Event fees.* All organized group events using Lakeshore state park are required to obtain a special events use license prior to using the park. The license has a required fee that must be remitted 30 days prior to holding the event. The fee is determined by the number of participants or the type of event.

1. Free Presentations: art events, dance demonstrations, educational \$25.00
2. Family Events: reunions, weddings, picnics \$100.00
3. Fireworks Events: minimum of \$300.00. The park is closed to public thoroughfare between the hours of 9:00 p.m. to the end of the fireworks display.
4. Runs/Walks: \$750.00
5. Corporate Events: less than 500 people \$500.00, more than 500 people minimum of \$2,000/day.
6. Event concession booths: \$75.00/booth.

(c) *Marina Operations.* The following prohibitions and restrictions apply to the marina located at Lakeshore state park:

1. Swimming off docks or piers is prohibited.

2. Fishing off docks or piers is prohibited.
3. Sleeping on docks or piers is prohibited.
4. Quiet hours begin at 11:00 P.M. and continue until 7:00 A.M., except on H.Maier Park festival nights when quiet hours begin at 12:30am.
5. All boaters and guests on park property, on the night of firework events, shall remain on their boat or adjoining slip beginning at 9:00 P.M. and continuing until the end of the fireworks display.

(d) *Boat moorage fees*

1. 'General.' All overnight moorage fees shall be based on the overall length of the watercraft as shown on the boat registration.
2. 'Exemption.' Watercraft that are the property of the United States, the State of Wisconsin, and other governmental entities during the performance of official duties are exempt from all moorage fees.
3. 'Overnight Fees.'
 - a. The overnight mooring fee is \$1.50 per foot, with a minimum charge of \$30.00 per each overnight stay.
 - b. The overnight mooring fee reserves the assigned dock from 3:00 P.M. through 1:00 P.M. the following day.
 - c. A boater who wishes to occupy the slip prior to 3:00 P.M. may do so if the slip is available.
 - d. An overnight boater who wishes to occupy the slip beyond 1:00 P.M. may be permitted to extend the time, if available, at the discretion of the park manager. The boater who is permitted to stay beyond 1:00 P.M. shall pay the daytime temporary moorage rate.
4. 'Daytime Fees.'
 - a. The daytime temporary moorage rate shall be \$3.00 per hour, with a minimum charge of \$10.00.
 - b. The temporary daytime fee applies to all watercraft tied to the dock.
 - c. If a boat fails to vacate the slip by the required time of 3:00 p.m., the boater shall pay the overnight moorage fee.

d. The park manager shall have discretion in determining if and for what time period the temporary moorage is allowed.

(d) Boat moorage reservations

1. Reservations may be made up to 11 months in advance.
2. A one night nonrefundable reservation fee due with the overnight reservation application.
3. Length of stay is limited to four consecutive days in any five day period.
4. A boater shall vacate the slip for a minimum of 24 hours before reserving a moorage slip again. Consecutive reservations are not allowed during Milwaukee World Festival Incorporated's Summerfest event unless approved by the park manager.
5. If more than a one night reservation fee is paid in advance, and the reservation is cancelled at least 7 days in advance, all but one night's fee shall be refunded.

(e) Rules for doubling

1. Watercraft that are doubled properly to the pier shall both be charged the normal dockage rate.
2. When two boats are moored in a slip, the second boat may not be provided electric power. The second boater may make arrangements with the first boater to share electric power but the first boater is under no obligation to do so.
3. The park manager shall have discretion to allow doubling.

(f) Rules on rafting

1. Watercraft that are properly rafted onto a moored watercraft shall be charged the normal moorage rate.
2. When a boat is rafted to a moored vessel watercraft, the rafted boat may not be provided electric power. The rafted boater may make arrangement with the moored boater to share electric power, but the moored boater is under no obligation to do so.
3. The park manager shall have discretion in allowing rafting, provided that rafting may not interfere with other marina uses or waterway navigation.

SECTION 46. NR 45.13(27) is created to read:

NR 45.13(27) THORNAPPLE RIVER STURGEON SPAWNING PROPERTY-RUSK COUNTY. No person may discharge any firearm for the purpose of target shooting in areas designated by posted notice within the Thornapple River sturgeon spawning property, Rusk County.

SECTION 47. EFFECTIVE DATE: This rule shall take effect the first day of the month following publication in the Wisconsin administrative register.

SECTION 48. BOARD ADOPTION. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on August 11, 2010.

Dated at Madison, Wisconsin _____.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Matthew J. Frank, Secretary

(SEAL)