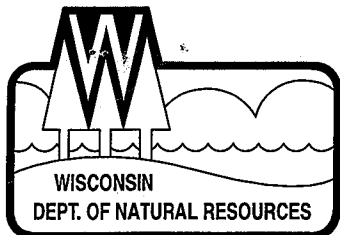


97-040

Clearinghouse Rule 97-040



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

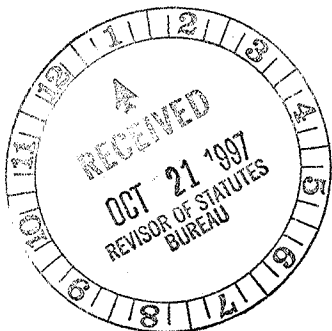
Box 7921
101 South Webster Street
Madison, Wisconsin 53707-7921
TELEPHONE 608-266-2621
FAX 608-267-3579
TDD 608-267-6897

STATE OF WISCONSIN)
) ss
DEPARTMENT OF NATURAL RESOURCES)

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-20-97 was duly approved and adopted by this Department on August 27, 1997. 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 14th day of October, 1997.



George E. Meyer
George E. Meyer, Secretary

(SEAL)

1-1-98



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

PR-20-97

The Wisconsin Natural Resources Board proposed an order to repeal NR 45.10(3)(a)3., 45.12(1)(c)3., (d)32. to 34., (2)(b)4., and (c)3.c., 45.13(1)(b); to renumber NR 45.04(3)(k), (l) and (m) and 45.12(2)(b) 3. and 5.; to renumber and amend NR 45.10(3)(a)4., 45.13(17)(bf) to (c); to amend NR 45.05(3)(e), 45.06(1), (6)(a), 45.07(1), 45.08(1) and (2), 45.10(1)(a), (k) and (l), and (4), 45.11(6)(cm) and (g), 45.12(1)(f)1., (2)(a)3., (4)(e), and (h), 45.13(17)(b)4., 51.91; to repeal and recreate NR 45.10(2)(c), 45.12(1)(b)6.c., d., e., and n., (4)(g)1. and 2., 45.13(1)(c), (2) and (14)(b); to create NR 45.05(3)(f) and (g), 45.12(1)(b)8., (d)49., and (2)(a)2.s., 45.13(lm), and (22) relating to regulating public use of state parks, forest 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), 25.295, 27.01(2)(j) and (k), (7), (11), 27.016, 227.11(2)(a), Stats.

Statutes interpreted: ss. 23.09(2), 23.091, 23.098, 23.11(1), 23.28, 25.295, 27.01(2)(i), (j), (k), (7) and (11), and 27.016, 28.01, Stats.

Summary of proposed rules:

1. Correct errors in cross references to state statute changes, repeal, renumber, and update language to current program practices.
2. Create stop sign regulation on bike trails and prohibit careless operation of bicycles.
3. Limit camping stay on watercraft campsites on designated state-owned islands outside northern state forest boundaries to 3 days and 14 days at group and backpack campsites in northern state forests.
4. Create camping regulations on Turtle-Flambeau scenic waters area.
5. Rename East Lake to Vern Wolf Lake at Bong State Recreation Area, as previously approved by Natural Resources Board.
6. Increase boat mooring fee to \$15.00/night at Kinnickinnic and to \$.60/ft of boat length per night at Rock Island.
7. Create open shelter rental fees with electric at \$25.00/group/day and enclosed shelters at \$55.00/group/day.
8. Create forest admission sticker requirement and camping fees at Governor Knowles State Forest.
9. Amend NR 51.91 to modify applicability language of Heritage Trust Fund grants.

Section 1. NR 45.04(3)(k), (l) and (m) are renumbered (j), (k) and (l)

Section 2. NR 45.05(3)(e) is amended to read:

NR 45.05(3)(e) Bicycles. Except where provided 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 northern state forests and the Turtle-Flambeau scenic waters area.

Section 3. NR 45.05(3)(f) and (g) are created to read:

NR 45.05(3)(f) Bicycle trails. Bicyclists shall stop at any stop signs which are located on designated bicycle trails.

(g) No person may ride a bicycle in a careless, negligent or reckless manner so as to endanger the life, property or persons of others on any lands under the management, supervision and control of the department.

Section 4. 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~~ swimming 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, state natural areas, on posted trails and posted use areas 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 5. 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 northern state forests or the Turtle-Flambeau scenic waters area.

Section 6. NR 45.07(1) is amended to read:

NR 45.07(1) No person may start, tend or maintain any fire on the ground or to burn any refuse except in designated fireplaces or fire rings in any state park, state natural area, picnic grounds or campsite in any state forest, fish hatchery, state recreation area, state trail, the Buckhorn wildlife area, the state game farm or the MacKenzie environmental center.

Section 7. NR 45.08(1) and (2) are amended to read:

NR 45.08(1) No person may possess or consume any food or beverage, or use any soap, detergent or shampoo on any ~~bathing~~ swimming beach or in the water adjacent to any ~~bathing~~ swimming beach in any state park, state recreation area or state forest.

(2) No person may swim beyond or disturb or molest a ~~bathing~~ swimming beach boundary buoy or marker in any beach in any state park, state recreation area or state forest.

Section 8. NR 45.10(1)(a), (k) and (l) are amended to read:

NR 45.10(1) GENERAL. (a) Camping is prohibited except 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 at designated watercraft campsites in the northern state forests, in the Turtle-Flambeau scenic waters area, or on the Chippewa and Turtle Flambeau ~~flowages and flowage~~ or on other designated state-owned islands outside state forest

boundaries. Camping at designated 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 Turtle-Flambeau scenic water area or Chippewa and Turtle-Flambeau flowages flowage.

(1) Camping is restricted to one ~~night~~ day only at designated watercraft campsites in northern state forests and , up to 3 days as posted on designated state-owned islands outside state forest boundaries and to 10 days at designated watercraft campsites in the Turtle-Flambeau scenic waters area and Chippewa flowages flowage.

Section 9. NR 45.10(2)(c) is repealed and recreated to read:

NR 45.10(2)(c) Extension within the 21 day-limit may be granted on camping permits if the site is available. Extension may be obtained up to the day prior to expiration of the camping permit during posted office hours at all state park and forest campgrounds.

Section 10. NR 45.10(3)(a) 3. is repealed.

Section 11. NR 45.10(3)(a) 4. is renumbered to NR 45.10(3)(a) 3. and amended to read:

NR 45.10(3)(a)3. Reservations may be accepted beginning ~~the first working day after~~ January ± 10 for the period May 1 through the last weekend of October each year.

Section 12. NR 45.10(4)(intro.) is amended to read:

NR 45.10(4) GROUP AND BACKPACKING CAMPING RESERVATIONS. (intro) The department may grant reservations and establish minimum group sizes for indoor and outdoor group camps and ~~backpacking~~ backpack camping. Upon request the department shall provide a list of parks and forest where reservations are accepted. No person may camp and no camping unit shall remain for a period exceeding that noted on the reservation form, and in no case for a period exceeding 21 days. After a site is occupied, in person or by a unit, for the maximum period authorized, the camping unit and camping party shall be removed from the property at least 7 days before being eligible to return.

Section 13. NR 45.11(1) is amended to read:

NR 45.11(1) No person may operate a boat within a water area marked by buoys or other approved regulatory devices as a ~~bathing~~ swimming beach; or operate a boat in a restricted use area contrary to regulatory notice marked on buoys or other approved devices. This subsection does not apply in the case of emergency, or to patrol or rescue craft.

Section 14. NR 45.11(6)(cm) and (g) are amended to read:

NR 45.11(6)(cm) All waters in the Browntown-Cadiz Springs recreation area, ~~Grant~~ Green county.

(g) ~~East Vern Wolf~~ lake within Bong state recreation area, sections 15, 16, 21 and 22, T2N, R20E, town of Brighton, Kenosha county.

Section 15. NR 45.12(1)(b) 6.c., d., e., and n. are repealed and recreated to read:

NR 45.12(1)(b) 6.c. McMiller Sports Center for non-shooters

d. ~~LaGrange camp and picnic area~~ Ottawa field trial grounds

e. ~~Palmyra bridle trail camp area~~ Horseriders campground

n. ~~Highway 67 picnic area~~ D.J. Mackie picnic area

Section 16. NR 45.12(1)(b) 8. is created to read:

NR 45.12(1)(b)8. Governor Knowles state forest
a. St. Croix campground

Section 17. NR 45.12(1)(c) 3. and (d) 32. to 34. are repealed.

Section 18. NR 45.12(1)(d) 49. is created to read:

(d) 49. Governor Knowles state forest - St. Croix campground

Section 19. NR 45.12(1)(f) 1. is amended to read:

NR 45.12(1)(f)1. For vehicles in which the occupant has a Golden Age, Golden Access or Golden Eagle Passport at Interstate, Devil's Lake and Mill Bluff state parks, Chippewa Moraine recreation area and the northern unit of the Kettle Moraine state forest.

Section 20. NR 45.12(2)(a) 2.s. is created to read:

NR 45.12(2)(a)2.s. Governor Knowles

Section 21. NR 45.12(2)(a) 3. is amended to read:

NR 45.12(2)(a)3. Kinnickinnic sand delta - overnight boat mooring ~~\$10.00~~ \$15.00 per boat per day.

Section 22. NR 45.12(2)(b) 4. is repealed.

Section 23. NR 45.12(2)(b) 3. and 5. are renumbered 2. and 3.

Section 24. NR 45.12(2)(c) 3.c. is repealed.

Section 25. NR 45.12(4)(e) is amended to read:

NR 45.12(4)(e) Rock Island state park ~~\$.40~~ .60 per foot of
over-night boat mooring fee length per night

Section 26. NR 45.12(4)(g) 1. and 2. are repealed and recreated to read:

- NR 45.12(4)(g)1.a. Open picnic shelter - \$25.00 per group per day.
- b. Open picnic shelter with electricity - \$30.00 per group per day.
- 2.a. Enclosed shelter - \$50.00 per group per day.
- b. Enclosed shelter with electricity - \$55.00 per group per day.

Section 27. NR 45.12(4)(h) is amended to read:

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

Section 28. NR 45.13(1)(b) is repealed.

Section 29. NR 45.13(1)(c) is repealed and recreated 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 written permission from the department.

Section 30. NR 45.13(lm) is created to read:

NR 45.13(1m) DELLS OF THE WISCONSIN RIVER STATE NATURAL AREA. (a) No person may enter or be in the Dells of the Wisconsin River state natural area, including sandbars, between the hours of 10:00 p.m. and the following 5:00 a.m. from May 15th to September 15th, and between the hours of 8:00 p.m. and the following 5:00 a.m. from September 16th to May 14th except where the department has waived these hours and established different hours for special events and programs.

(b) No person may possess any glass containers in the Dells of the Wisconsin River state natural area.

(c) No person may light a fire or use a charcoal grill in the Dells of the Wisconsin River state natural area.

Section 31. NR 45.13(2) is repealed and recreated to read:

NR 45.13(2) (title) PARFREY'S GLEN, NATURAL BRIDGE, ROCHE-A-CRI MOUND, AND PEWIT'S NEST STATE NATURAL AREAS. (a) No person may possess or consume any food or beverage in the Parfrey's Glen state natural area, Natural Bridge state natural area, Roche-A-Cri Mound state natural area and Pewit's Nest state natural area.

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

(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 unless authorized to do so in writing by the department.

(d) 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 32. NR 45.13(14) (b) is repealed and recreated to read:

NR 45.13(14) (b) No person may possess any of the following containers on the Brule river within watercraft launched from the Brule river state forest:

1. Glass bottles.
2. Unopened or empty beverage containers that are not secured in a larger container that is fastened to the watercraft.

Section 33. NR 45.13(17) (b) 4. is amended to read:

NR 45.13(17) (b) 4. Reservations shall be approved subject to the special use zone calendar under ~~s. NR 45.13(18) (b) 2~~ par. (c).

Section 34. NR 45.13(17) (bf) to (c) are renumbered (17) (c) to (i), respectively, and (17) (c), as renumbered, is amended to read:

NR 45.13(17) (c) Special use zone calendar. The department shall establish and maintain an annual calendar of use for the recreation uses listed par. ~~(b)~~ (d) recognizing the priority of special uses designated in this section for the dates indicated.

Section 35. NR 45.13(22) is created to read:

NR 45.13(22) TURTLE-FLAMBEAU SCENIC WATERS AREA. When camping at designated watercraft campsites, the campsite shall be occupied by the camping party on the first night camping equipment occupies the site, and the campsite may not be left unoccupied by the camping party for more than one night thereafter.

Section 36. NR 51.91 is amended to read:

NR 51.91 APPLICABILITY. This subchapter is applicable to friends groups organized for, and under formal written agreements with the department for properties or programs under s. 23.098(1), Stats., and s. NR 1.71. ~~This subchapter is also applicable to nonstock, nonprofit corporations described under section 501 (c) (3) or (4) of the internal revenue code and exempt from taxation under section 501 (a) of the internal revenue code organized for the purpose of operating a department property by lease or similar written arrangement.~~

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on August 27, 1997.

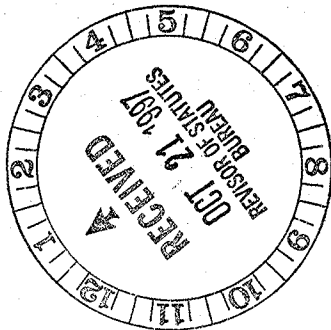
The rules shall take effect January 1, 1998.

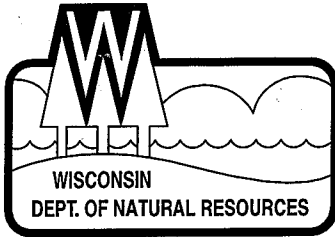
Dated at Madison, Wisconsin October 14, 1997

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By George E. Meyer
George E. Meyer, Secretary

SEAL






State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

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October 14, 1997


Mr. Gary L. Poulson
Assistant Revisor of Statutes
131 West Wilson Street - Suite 800
Madison, WI


Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. PR-20-97. These rules were reviewed by the Assembly Committee on Tourism and Recreation and the Senate Committee on Agriculture and Environmental Resources pursuant to s. 227.19, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees are also enclosed.

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

Sincerely,


George E. Meyer
Secretary

Enc.

