

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 45.13(23); to renumber 45.13(24) to (26); to amend NR 1.30(1)(e), 10.01(2)(f)4., 45.04(1)(a)1. and (c), 45.05(3)(d), 45.06(1) and (4)(b)1., 45.09(5)(intro.) and (a), 45.10(2)(b) and (c), (2m)(title), (intro.), (a) and (d), (3)(title), (intro.) and (b), 45.12(1)(b)1.e and 8.o, (2)(a)1. and 2., (2)(b)3., (3) and (4)(g)1. and 2. and (h), 45.13(1)(c) and (2)(a) and 51.73(1) and (2); to repeal and recreate NR 45.10(1) and (3)(a); and to create NR 1.29, 45.03 (6m), (9c), (9i), (9k), (14m), (15m), (16r), (18f), (18t) and 21(g), 45.04(3)(t), 45.09(10), 45.11(4)(mm), 45.12(1)(b)1.g., (2)(b)5., (c)1.e. and 45.12(3)(d), and 45.13(10m) and (14m) relating to use of Department properties.

LF-52-04

Summary Prepared by the Department of Natural Resources

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) and 227.11(2)(a), Stats.

Statutes Interpreted: ss. 23.091, 23.09(2)(intro), 23.11(4), 23.17, 23.175, 23.28(3), 23.293, 27.01(2)(i) and (j), 27.01(10)(f) and 28.04(2), 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: None. 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 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.

Camping fees are being increased by \$3 during the peak camping season as allowed by s. 27.01,(1)(h), Stats., at eight state park system properties after a review of local market conditions. Shelter rental fees, and fees for outdoor group sites with electricity are also being increased in order to generate additional revenue to ensure continued quality services on department properties.

New requirements for campsite occupancy will reduce the not uncommon practice of saving sites that are not actually being utilized. Registrants without an advance registration must occupy the site with a camping unit the first night of the registration and every night thereafter. For reserved sites, the registrant must occupy the camping unit on the reserved site by 3 p.m. on the second day of the reservation. Reductions in the maximum length of allowed camping stays will give more campers an opportunity to be successful in obtaining a site. Prohibiting the extension of a camping reservation's ending date will make an aspect of the reservation system more equitable. This removes the ability to change arrival and departure dates to move the reservation out farther controlling the site until the dates wanted to begin with are obtained. Ice Age trail areas are added to the list of property types or areas where camping may be permitted.

Physically disabled person is defined for purposes of NR 45 to mean a person who has been determined by the Department of Transportation to have a permanent disability and has been issued a disabled registration plate or special identification card or who has been issued an approval under s. 29.193, Stats. for a permanent disability.

A provision stating that no person may resist or obstruct a law enforcement officer when that officer is doing any act in an official capacity and with lawful authority allows minor obstructions to be charged as civil forfeitures.

State natural areas are added to a list of areas, and properties that do not allow airguns (paintball guns) due to the sensitive nature of these properties.

Turkey hunting in the listed state parks was previously authorized in ch. NR 10. It is currently regulated by special permit, but the implementing regulations necessary for implementing the permits were never put in place. The new regulations simply recognize the system already in place.

All waters in Governor Tommy Thompson state park will be closed to motor boats except battery-powered electric motors at a slow-no-wake speed.

A number of other changes clarify or correct existing code language in NR 45. Clarification of policies regarding the North Country Trail and the Ice Age Trail are added to ch. NR 1. The change to s. NR 51.73(1) updates the list of state trails.

Federal Regulatory Analysis: N/A

Comparison with Adjacent States:

Illinois:

- Maximum camping stay of 14 nights
- If you are unable to arrive the 1st night of your camping stay you must contact the park to keep your site.
- No mention of fee differentials due to market forces
- Shelter rentals start at \$25 a day, non-refundable
- Paintball activities are not addressed directly in the Illinois Administrative Code. However, it is unlawful “for any person . . .to display or use on Department controlled lands, except as authorized by the Dept. on hunting, field trials, target or special event areas, any gun including shotgun, rifle, pistol, revolver, air or BB gun . . .” 17 Ill. Admin. Code § 110.170. This applies to all state lands, and the reference to air guns would seem to include paint ball guns.
- Flying Activities: Hang gliding and similar activities are not addressed in Illinois Code.

Minnesota:

- Maximum camping stay of 14 nights
- You must occupy the site the first night or you will lose the site
- No mention of fee differentials due to market forces
- Shelter rentals are arranged for and priced at each individual park. No set price.
- Paintball: It is not allowed in state parks and in developed areas of other state lands (state forests, etc). It is allowed in undeveloped state forest land.
- Flying Activities: There is no policy about hang gliding on state lands, though there is a regulation against landing aircraft in state parks specifically.

Iowa:

- No reservations for camping
- 14 night maximum camping stay
- No mention of fee differentials due to market forces
- Shelter rental \$25 a day plus tax
- Shelter with kitchen \$75 a day

- Paintball: Paintball guns are prohibited in state parks, preserves and recreation areas (i.e.: all state lands – there are no “natural areas” per se). Iowa Admin. Code § 571 -61.5(11) (“*Paintball guns*. The use of any item generally referred to as a paintball gun is prohibited in state parks, recreation areas and preserves.”)
- Flying Activities: There is no policy about hang gliding or flying activities on state lands.

Michigan:

- Maximum stay 15 days; the lower Peninsula has a 2 day minimum on weekends
- Reservations will be held for up to 24 hours without notification. If the park has not received notice of late arrival from you within that time, your reservation will be considered a no show and your site reassigned.
- Modern campsites range from \$14.00 per night to \$20.00 per night depending on the park
- Shelter rental prices begin at \$50 per day. Fees for 2005 are expected to begin at \$80.
- Paintball: There are no specific regulations for paint ball guns on state lands other than state parks, where they are not allowed.
- Flying Activities: There are no specific regulations on flying activities on state lands.

Summary of Factual Data and Analytical Methodologies:

Camping Fees: Fees are increased \$3 per night for market conditions at eight state parks and southern forests (Devil’s Lake, Kohler-Andrae, Mirror Lake, Peninsula, Big Bay, Point Beach, Willow River, and Hartman Creek). A 2001 *Future of Camping Study* completed by the WiDNR-Bureau of Parks and Recreation identified several significant “hot” spots in Wisconsin where camping demand often exceeds supply. These areas include the border areas near Illinois and Minnesota (Twin Cities area), Lake Michigan and Lake Superior properties, the Dells area, and the Waupaca Lakes area. All eight parks and forests being adjusted are located in these markets, and all eight properties have continuously high rates of occupancy during the camping season. A survey of the markets surrounding the eight properties being adjusted for market conditions reveals that prices are much higher for non-state park campsites per night compared to state park and forest sites:

State Park or Forest Pricing:

- Devil’s Lake - \$8 - \$15
- Kohler-Andrae - \$8 - \$15
- Mirror Lake - \$8 - \$15
- Peninsula - \$8 - \$18
- Big Bay - \$8 - \$15
- Point Beach - \$8 - \$15
- Willow River - \$8 - \$15
- Hartman Creek - \$8 - \$15

Surrounding Market Pricing:

- \$16 - \$41
- \$16 - \$37
- \$16 - \$41
- \$18 - \$23
- \$16 - \$28
- \$17 - \$31
- \$16 - \$29
- \$21 - \$28

Picnic Shelter Fees: Fees for picnic shelters have been raised by \$10 per day for an open air shelter to \$40 per day for an enclosed shelter with electricity that serves more than 50 persons. The new rates will also include a \$5 registration fee. Registration fees were separately charged previously. A survey of county park picnic shelter rental rates in Wisconsin reveals that Wisconsin State Park rates have been consistently lower. Picnic shelter rates at Wisconsin State Parks need to be raised to both provide the park system with reasonable fees for the amenities and services provided, and to reduce the situation where parks may be creating unfavorable low pricing in the marketplace.

Analysis and Documents supporting determination of Small Business Effect: No effects anticipated.

Anticipated Private Sector Costs: Fees are increased for certain uses of department lands and those increased costs will be incurred by the users. Because the fees correspond to activities that are for the most part, most commonly used on a relatively infrequent basis, and the increases are modest, the fee increases are not anticipated to be burdensome for most users.



Effect on Small Business: None anticipated.

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SECTION 1. NR 1.29 is created to read:

NR 1.29 Ice Age and North Country trails. (1) The Ice Age trail and North Country trail shall be managed primarily as footpaths for pedestrian use.

(2)(a) *Definition.* In this section, "State Ice Age trail areas" mean lands purchased by the department for the Ice Age trail under the authority of s. 23.09 (2)(d)10., Stats., except when purchased as part of another department project. [See s. 1.01 (7) (b) and (c), Manual.]

(b) *Management.* State Ice Age trail areas shall be managed for the Ice Age trail designated in s. 23.17(2), Stats.

(3) Dispersed camping on state Ice Age trail areas may be allowed.

SECTION 2. NR 1.30(1)(e) is amended to read:

NR 1.30(1)(e) ~~Park~~ State trails. Continuous corridors, ~~whether or not associated with a state park or state forest, suitable~~ other type of department property, utilized for hiking, biking, horseback riding, snowmobiling, canoeing or nature study recreation.

SECTION 3. NR 10.01(2)(f)4. is amended to read:

<i>Kind of animal and locality</i>	<i>Open season (all dates inclusive)</i>	<i>Limit</i>
NR 10.01(2)(f)4. Newport, Willow River and Interstate state parks.	Spring season beginning on the Wednesday nearest April 13 and continuing Wednesday through Sunday for 3 consecutive 5-day time periods in 2003, 2004 and 2005 <u>for those individuals possessing an access permit issued in accordance with s. NR 45.09(10).</u>	Only male or bearded turkeys may be killed. The possession limit corresponds to the number of carcass tags issued.

SECTION 4. NR 45.03 (6m), (9c), (9i), (9k), (14m), (15m), (16r), (16v), (18f), (18t) and (21g) are created to read:

(6m) "Camping permit" means any permit for camping overnight that requires registration and payment of a daily fee.

(9c) "Dispersed camping area" means an area where camping is authorized but there are no designated campsites.

(9i) "Edible fruits" means fleshy fruits from plants including apples, plums, pears, blueberries, raspberries and strawberries that are harvested for the purpose of human consumption, and does not include the seeds from herbaceous plants such as wildflowers or grasses.

(9k) "Edible nuts" means walnuts, hickory nuts, acorns and other similar nuts from trees and shrubs.

(14m) “Northern flowage properties” means the Turtle-Flambeau and Willow Flowage scenic waters areas, and the Chippewa flowage.

(15m) “Occupy,” “occupied” or “occupying” means the camping unit, such as a tent, trailer or RV, is set up in a useable condition and for persons staying at the South Trout Lake, Plum Lake, Firefly Lake, Crystal Lake, Muskie Lake, Carrol, Indian Mounds and Clear Lake campgrounds on the Northern Highland-American Legion state forest, includes the requirement that campers check in or register at a contact station.

(16r) “Pedestrian” means:

- (a) Any person afoot without the use of skis, skates or other similar devices.
- (b) Any physically disabled person in a wheelchair, either manually or mechanically propelled, or other low-powered mechanically propelled vehicle designed specifically for use by a physically disabled person, but does not include any person using an electric personal assistive mobility device.

(16v) “Physically disabled person” means a person who has been issued a disabled registration plate or special identification card by the department of transportation for a disability that will last greater than one year or who has been issued an approval under s. 29.193, Stats., for a disability that will last greater than one year.

Note: The procedures for DOT special identification cards are found in s. 353.51, Stats., and ch. Trans 130.

(18f) “Proper self-registration” means depositing a completed envelope with accurate information and containing, at a minimum, the appropriate fees into a self-registration box upon entering a state park, trail, recreation area or forest.

(18t) “Reservable remote camping” means a watercraft campsite on the Northern Highland-American Legion state forest that may have limited facilities such as pit toilets and fire rings that is reservable.

(21g) “State natural area” has the meaning given in s. 23.27(1)(h), Stats.

Note: Section 23.27(1)(h) states “state natural area”, unless otherwise limited, means any designated state natural area or dedicated state natural area.

SECTION 5. NR 45.04(1)(a)1. and (c) are amended to read:

NR 45.04(1)(a)1. Edible fruits, nuts, wild mushrooms and wild asparagus may be removed without a permit, except on state natural areas.

Note: The collection of seeds from herbaceous plants such as grasses and wildflowers is not allowed without written authorization from the department.

(c) Flying related activities, including but not limited to, hang gliding, parasailing, hot air ballooning, land sailing, flying model airplanes or sky diving on state parks, state recreation areas, state natural areas, Kettle Moraine and Point Beach state forests and Lower Wisconsin state riverway shall be restricted to areas designated for their use.

SECTION 6. NR 45.04(3)(t) is created to read:

NR 45.04(3)(t) *Resisting or obstructing a law enforcement officer.* 1. No person may knowingly resist or obstruct a law enforcement officer while that officer is doing any act in an official capacity and with lawful authority.

2. In this subsection, "obstruct" includes without limitation knowingly giving false information or knowingly placing, removing or concealing physical evidence with the intent to mislead a law enforcement officer in the performance of his or her duty.

SECTION 7. NR 45.05(3)(d) is amended to read:

NR 45.05(3)(d) *Persons with physical disabilities.* The department may authorize by permit persons with physical disabilities to use a motorized vehicle as a mode of personal conveyance.

Note: Wheelchairs used by the physically disabled are not motorized vehicles. Permits must be obtained from the property manager or designee.

SECTION 8. NR 45.06(1) and (4)(b)1. are amended to read:

NR 45.06 Animals. (1) No person may allow a dog, cat or other pet in any building or on any 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 in designated~~ use areas in state forests and the intensive use zone within the Richard 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.

(4)(b)1. Loop 1 of Pinewoods family and group camp - Southern Unit Kettle Moraine.

SECTION 9. NR 45.09(5)(intro.) and (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 forest, state recreation areas, state natural areas or on state trails established on abandoned railroad grades, except as follows:

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

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

NR 45.09(10) SPECIAL STATE PARK WILD TURKEY HUNTING ACCESS PERMIT. (a) *Permit.* Unless authorized by the department, no person may hunt wild turkeys during the seasons listed in s. NR 10.01(2)(f)4. in Interstate, Newport and Willow River state parks without obtaining and possessing a free state park wild turkey hunting permit and a property map identifying those areas closed to wild turkey hunting within the park properties.

(b) *Eligibility.* Only individuals who meet any of the following conditions may receive an access permit:

1. Individuals authorized to purchase a turkey hunting license during the season listed in s. NR 10.01(2)(f)4. in wild turkey hunting zone 34 may apply for access to hunt wild turkeys at Newport state park.

2. Individuals authorized to purchase a turkey hunting license during the season listed in s. NR 10.01(2)(f)4. in wild turkey hunting zone 37 as identified in s. NR 10.29 may apply for access to hunt wild turkeys at Interstate and Willow River state parks.

(c) *Applications.* Individuals meeting the eligibility requirements established in par. (b) may apply for an access permit on an application provided by the department. Applications shall be submitted by the date designated on the application.

Note: Contact the state park at which you wish to hunt to obtain a permit application.

(d) *Permit issuance.* The department shall conduct a random drawing to select the eligible persons applying to hunt wild turkeys at Interstate, Newport and Willow River state parks. The department shall notify individuals successfully drawn.

(e) *Number of access permits.* The department shall determine the number of access permits available for each property and time period in accordance with the criteria established in s. NR 10.25.

Note: This permit does not authorize the harvest of additional turkeys; it only allows access to hunt the park by an individual possessing an unused turkey hunting license and carcass tag for the turkey management zone that includes the park property.

SECTION 11. NR 45.10(1) is repealed and recreated to read:

NR 45.10 Camping. (1) GENERAL. (a) Camping is prohibited except as follows:

1. Within designated camping areas.
2. On state-owned islands in the Mississippi river.
3. On state-owned islands and sandbars in the Lower Wisconsin state riverway.
4. On other state-owned islands outside of state forest boundaries when the island is posted open to camping.
5. In state Ice Age trail areas as defined in s. NR 1.29(2) by those hiking the Ice Age trail where the trail segment is posted open to camping.

(b) No person may camp in designated camping areas without a permit and the payment of prescribed daily fees where required.

(c) A camping permit shall be obtained prior to setting up camp, unless otherwise posted.

(d) No camping party may move from its assigned campsite to another campsite without prior approval from the park or forest office.

(e) All camping permits expire at 3:00 p.m. on the last day of the permit period.

(f) No camping party may start setting up or taking down its camping unit between the hours of 11:00 p.m. and the following 6:00 a.m. except for juvenile or adult groups camping at the Devil's Lake North Shore campground and Governor Dodge Cox Hollow campground during the period from October 1 through April 30.

(g) Violation of any state law or any rules of the department by a member or guest of a member of a camping party is cause for revocation of the camping permit and eviction from the property.

(h) Any person without an advance camping reservation who is at a property may request a camping permit for a site to be occupied that day and one additional permit for the same time for another camping party, provided he or she has all the required information for registration to obtain both camping permits. Any person making advance reservations for a camping permit may apply for additional permits for themselves or others, providing he or she has all the required information to obtain the camping permits. Group leaders and parents of juvenile campers may obtain permits for use by juvenile or adult groups. The person to whom the campsite is registered shall be part of the camping party on that site.

(i) All registrants without an advance camping reservation shall occupy the site with a camping unit the first night of the registration and every night for the duration of the reservation. The department shall require on reserved sites that a camping unit occupy the reserved site by 3:00 p.m. on the second day of the reservation and be present for the duration of the reservation.

(j) Once a camping reservation has been confirmed, the reservation's original end date may not be extended beyond that date.

(k) The department reserves the right to reject or cancel camping reservations when necessary to protect either campers or the natural resources.

(L) If 2 camping parties are inadvertently assigned the same campsite, the department may assign one of the camping parties to another site and adjust the fees charged.

(m) Camping permits are not required and payment of 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 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, Turtle-Flambeau scenic waters area, Chippewa flowage or Menominee River natural resources 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 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.

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

(p) When camping at designated campsites at the northern flowage properties, 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 of the permit period.

(q) The department may terminate the reservation or registration for any site not being occupied in accordance with this subsection.

SECTION 12. NR 45.10(2)(b) and (c), (2m)(title) and (a) and (d) are amended to read:

NR 45.10(2)(b) No person may camp and no camping unit shall remain for a period greater than 21 14 days in any 4 3-week period in the property of registration. After 21 14 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 state forests where this subsection applies only to the campground of registration.~~ The requirement to vacate the campground for 7 days is only applicable for the following named campgrounds in the northern state forests: Crystal Lake, Muskie Lake, Firefly Lake, Clear Lake and Indian Mounds campground in the Northern Highland-American Legion state forest. For all other campgrounds in the northern forest, users may transfer to other campgrounds on the property without waiting for 7 days.

(c) Extension within the 24 14-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 the state park or forest campgrounds. Extensions beyond the 14-day limit, for up to 7 days, may be granted on camping permits in a calendar year when camping prior to Memorial Day weekend or after Labor Day weekend if the site is available. An extension may be obtained up to the day prior to expiration of the camping permit during posted office hours at the state park or forest campgrounds.

(2m)(title) OUTDOOR GROUP AND CAMPING, BACKPACK CAMPING AND RESERVABLE REMOTE CAMPING ON THE NORTHERN HIGHLAND-AMERICAN LEGION STATE FOREST. (a) No person may camp and no camping unit may remain on a group or backpack campsite or in backpack camping areas or on reservable remote camping sites on the Northern Highland-American Legion state forest for a period exceeding that authorized by the ~~registration~~ camping permit and in no case for a period exceeding 21 days any of the following:

1. For state parks, state recreation areas and southern forests:

a. 14 days on outdoor group sites.

b. 7 days on backpack sites.

2. For northern forests:

a. 7 days on outdoor group sites.

b. 14 days for backpack camping areas as authorized by a special camp registration permit.

c. 14 days for reservable, remote camping sites on the Northern Highland-American Legion state forest.

(am) After a site is occupied, in person or by a camping unit, for the maximum period authorized, the camping unit and camping party shall be removed from the property for at least 7 days before being eligible to return.

(d) No more than one camping party is permitted at a backpack campsite in state parks, recreation areas ~~and~~ other state forests offering these backpack campsites and reservable remote campgrounds. Except as provided in par. (c), no camping party consisting of a non-family group may exceed 6 persons on a backpack campsite. ~~A permit may be issued for up to 14 nights at each designated backpack site at these areas.~~

SECTION 13. NR 45.10(3)(title) and (intro.) are amended to read:

NR 45.10(3)(title) FAMILY, OUTDOOR GROUP, ~~AND~~ BACKPACK AND RESERVABLE REMOTE CAMPSITE RESERVATIONS. (intro.)The department may grant reservations for family, outdoor group, ~~and~~ backpack and reservable remote campsites and shall upon request provide a list of parks and forests where reservations are accepted. Reservations for family, outdoor group, ~~and~~ backpack and reservable remote campsites may be granted under the following conditions:

SECTION 14. NR 45.10(3)(a) is repealed and recreated to read:

NR 45.10(3)(a) Reservation applications may be accepted for camping up to 11 months before the date of occupancy. The following minimum stays shall apply:

1. Family sites: 2 days, except 3 days during the holiday weekends of Memorial Day, Fourth of July and Labor Day when the holiday occurs on a Monday or Friday.
2. Outdoor group sites: 1 day.
3. Reservable remote sites on the Northern Highland-American Legion state forest: 2 days.
4. Backpack sites: 1 day.

Note: Maximum stays are listed in sub. (2m).

SECTION 15. NR 45.10(3)(b) is amended to read:

NR 45.10(3)(b) ~~One-day~~ One-day family campsite reservations may be made starting on ~~June 4~~ May 15 and ending ~~September 1~~ October 31 each year for ~~anytime~~ any time between those dates within the calendar year.

SECTION 16. NR 45.11(4)(mm) is created to read:

NR 45.11(4)(mm) All waters in Gov. Tommy G. Thompson Centennial state park, sections 13-15, 17, 22-24, T33N, R18E, town of Stephenson, Marinette county.

SECTION 17. NR 45.12(1)(b)1. e. is amended to read:

NR 45.12(1)(b)1.e. Indian ~~Mound area~~ Mounds campground

SECTION 18. NR 45.12(1)(b)1.g. is created to read:

NR 45.12(1)(b)1.g. Indian Mounds picnic area and beach

SECTION 19. NR 45.12(1)(b)8.o, (2)(a)1. and 2. and (2)(b)3. are amended to read:

NR 45.12(1)(b)8.o. ~~Crystal-Muskie campground~~ Crystal Lake and Muskie Lake campgrounds

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

2. All northern forest campgrounds, except for the Crystal Lake, ~~Musky~~ Muskie Lake, Firefly Lake, and Clear Lake campgrounds in the Northern Highland-American Legion state forest, and the Castle Mound campground in the Black River state forest, are Type "B" campgrounds.

(b)3. Additional weekend and holiday family camping fees for ~~class~~ Type A and B campgrounds in the state parks or southern state forests and the ~~Carrol~~, Clear Lake, Crystal, Firefly Lake ~~Indian Mound~~ and ~~Musky~~ Muskie Lake campgrounds in the ~~American Legion~~ Northern Highland Highland-American Legion state ~~forests~~ forest beginning Memorial Day weekend through Labor Day.

SECTION 20. NR 45.12(2)(b)5. is created to read:

NR 45.12(2)(b)5. Based on local market conditions, additional camping fees of \$3 per campsite per night shall be charged at the following campgrounds from Memorial Day weekend through Labor Day and on weekends in September and October:

- a. Devil's Lake state park
- b. Kohler-Andrae state park
- c. Mirror Lake state park
- d. Peninsula state park
- e. Big Bay state park
- f. Point Beach state forest
- g. Willow River state park
- h. Hartman Creek state park

SECTION 21. NR 45.12(2)(c)1.e is created to read:

NR 45.12(2)(c)1.e. Outdoor group campsites with electricity will charge one to 20 persons \$60.00, 21 to 30 persons \$80.00 and 31 to 40 persons \$100.00 per night.

SECTION 22. NR 45.12(3) is amended to read:

NR 45.12(3) TRAIL FEES. (a) No person 16 years of age or older, except pedestrians or snowmobile or all-terrain vehicle riders, may use trails posted pursuant to par. (b) unless the person has in his or her possession a valid state trail admission card pass. For purposes of this section, "pedestrian" means:

- ~~1. Any person afoot without the use of skis, skates or other similar devices, or~~
- ~~2. Any person in a wheelchair, either manually or mechanically propelled, or other low-powered mechanically propelled vehicle designed specifically for use by a physically disabled person.~~

(b) State trails and trails on other department lands on which ~~admission cards are~~ a state trail pass is required shall be designated by the department with markers or signs.

(c) ~~The following admission fees for state trails designated pursuant to par. (b) include tax~~ The state trail pass system consists of the following admission fees:

1. Annual..... \$15.00

2. Daily..... \$4.00

SECTION 23. NR 45.12(3)(d) is created to read:

NR 45.12(3)(d) State trail passes are not transferable.

SECTION 24. NR 45.12(4)(g)1. and 2. and (h) are amended to read:

NR 45.12(4)(g) 1. a. Open picnic area shelters....~~\$25.00~~ \$40.00 per group per day.
b. Open picnic shelter with electricity....~~\$30.00~~ \$45.00 per group per day.
c. Open shelter with electric and kitchen/serving area.... \$55.00 per group per day.
2. a. Enclosed shelters....~~\$50.00~~ \$70.00 per group per day.
b. Enclosed shelter with electricity ~~....\$55 per group per day~~ and seating capacity less than 50.....\$80.00 per group per day.
c. Enclosed shelter with electricity and seating capacity more than 50..... \$100.00 per group per day.

(h) Visitors using areas posted subject to self-registration ~~requirement~~ requirements for either vehicle admission stickers, trail passes, mooring fees or camping fees shall pay an additional \$5.00 registration fee if they fail to properly self-register or pay at the park office.

SECTION 25. NR 45.13(1)(c) and (2)(a) are 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 written permission from the department. Edible fruit collecting for personal use is specifically permitted at Spread Eagle Barrens state natural area.

(2)(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 or Oakfield Ledge state natural area.

SECTION 26. NR 45.13(10m) and (14m) are created to read:

NR 45.13(10m) Downhill skiers and snowboarders are not permitted outside of the leased area of Granite Peak ski area within Rib Mountain state park.

(14m) FLAMBEAU RIVER STATE FOREST. No person may possess glass bottles within the Flambeau River state forest boundary at Little Falls-Slough Gundy scenic area or within watercraft launched or removed from designated launching sites on the Flambeau river.

SECTION 27. NR 45.13 (23) is repealed.

SECTION 28. NR 45.13(24) to (26) are renumbered NR 45.13(23) to (25), respectively.

SECTION 29. NR 51.73(1) and (2) are amended to read:

NR 51.73(1) The 400, Ahnapee, "400", Badger, Bearskin, Buffalo River, Capital City, Cattail, Chippewa River, Elroy-Sparta, Friendship, Fox River, Friendship, Gandy Dancer, Glacial Drumlins, Great River, Green Bay/Wausau, Green Circle, Hank Aaron, Hillsboro, La Crosse River, Mascoutin Valley,

Military Ridge, ~~Mountain Bay~~ Mountain-Bay, Nicolet, North Country, Oconto River, Old Abe, Pecatonica, Red Cedar, Saunders, Sugar River, Tomorrow River, Tuscobia, Urban, White River, Wild Goose, Wild Rivers and Wiouwash ~~state park~~ trails are designated as state trails.

(2) The Ice Age trail as established in s. ~~23-293~~ 23.17(2), Stats., is a state trail.

SECTION 30. EFFECTIVE DATE. This rule shall take effect the first day of the month following publication in the Wisconsin administrative register, except for ss. NR 45.10(1)(l) and (j), (2)(b) and (c), (2m)(a) and (d), (3)(intro.), (a) and (b), 45.12(2)(b)5., (c)1.e. and (4)(g)1. and 2. which shall take effect 90 days after publication in the Wisconsin administrative register.

SECTION 31. BOARD ADOPTION. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on December 8, 2004.

Dated at Madison, Wisconsin _____.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Scott Hassett, Secretary

(SEAL)