



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny, Secretary
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CR 89-54

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SEP 29 1989
11:05 am
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STATE OF WISCONSIN)
DEPARTMENT OF NATURAL RESOURCES)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Bruce B. Braun, Deputy 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. CA-7-89 was duly approved and adopted by this Department on June 29, 1989. 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 26th day of September, 1989.

Bruce B. Braun
Bruce B. Braun, Deputy Secretary

(SEAL)

12-1-89

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

.....
IN THE MATTER of amending ss. NR 50.09(3), (4), (c)2.f. .
and 3.b., (5)(c)(d) and (f), 50.10(1) and (2); repealing .
and recreating s. NR 50.10(4) and (5); and creating .
NR 50.09(4)(e), and (f), 50.09(5)(1) to (n), (7), and .
50.10(3)(b) of Wisconsin Administrative Code pertaining .
to the administration of the county snowmobile aids program .
and the municipal route sign program. .
.....

CA-7-89

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Analysis Prepared by the Department of Natural Resources..

Statutory authority: ss. 23.09(26), 227.11(2)(a) and ch. 350, Stats.
Statutes interpreted: s. 23.09(26) and ch. 350, Stats.

Chapter NR 50, Wis. Adm. Code, provides rules for the administration of outdoor recreation aid programs. In particular, ss. NR 50.09 and 50.10, Wis. Adm. Code, specify rules for the county snowmobile aids program and aids to cities, villages and towns for route signs, respectively.

The proposed rule will bring s. NR 50.09, Wis. Adm. Code, into conformity with recent statutory changes. In addition, the proposed rule will add provisions covering major bridge rehabilitation, supplementary grooming payments, single audit, penalties for failure to comply with agreement conditions, and useful life. Changes proposed pertain to width of new and rehabilitated bridge structures and the time allowance for submitting claims for reimbursement.

The proposed rules in s. NR 50.10, Wis. Adm. Code, include provisions on signing standards for the intoxicated snowmobile law as required under s. 350.108, Stats.

SECTION 1. NR 50.09(3) is amended to read:

NR 50.09(3). DISTRIBUTION OF FUNDS. The distribution of funds according to priority ranked purposes is specified in s. 23.09(26)(c), Stats. Should funds not be sufficient to satisfy the total request for either maintenance, or acquisition, ~~or insurance~~ the funds remaining to satisfy that priority ranked purpose shall be distributed on a proportional basis.

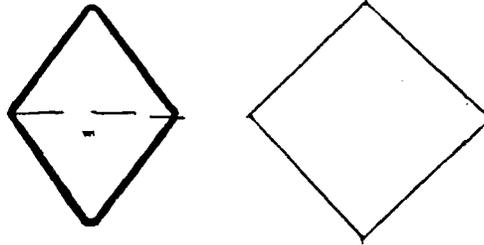
SECTION 2. NR 50.09(4)(c)2.f. is amended to read:

NR 50.09(4)(c)2.f. Snowmobile trails ~~shall~~ may not be routed over bodies of water. If stream crossings make bridging necessary, bridging shall be at least ~~6~~ 8 feet wide free from obstruction. If the bridge is located on an abandoned railroad grade, the bridge shall be a minimum of 10 feet wide free from obstruction. The department shall determine the need for bridging or if ice crossings may be used.

SECTION 3. NR 50.09(4)(c)3.b. is amended to read:

NR 50.09(4)(c)3.b. Signs for use on snowmobile trails to regulate snowmobile traffic or warn snowmobile drivers shall be totally reflectorized. Guide signs which assist the snowmobile driver to reach a destination shall have letters and legend reflectorized. Informational signs do not need to be reflectorized. Trail signs shall also conform with the following specifications and illustrations:

Figure 1.



TRAIL BLAZER

Purpose: To delineate the trail and to reassure the user that he or she is on the trail.
Size: 6" x 6"
Color: Reflective orange

Figure 2.



STOP SIGN

Purpose: Halt users on a snowmobile trail at a road crossing, railroad crossing or trail intersection.
Minimum size: 12" x 12"
Color: Reflective red background and reflective white letters and border.
Legend: 12" x 12" size - 4" upper case letter.

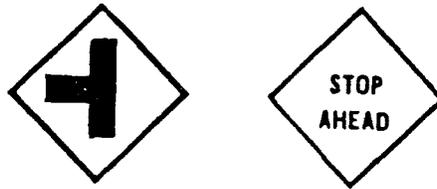
Figure 3.



YIELD SIGN

Purpose: To notify the snowmobile driver that right of way should be given to other vehicles, snowmobiles or other trail users at trail intersections and limited vehicle crossings.
Minimum size: 12" x 12" x 12"
Color: Reflective red background and letters. Reflective white border and center

Figure 4.



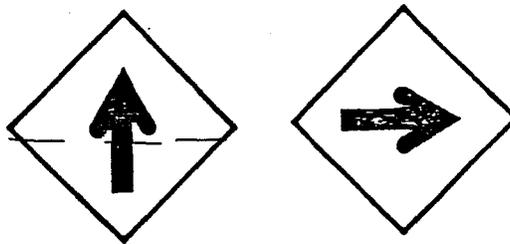
CAUTION SIGNS

Purpose: To warn the snowmobile driver of a specific trail hazard or advise the driver to proceed with caution at a reduced speed.

Minimum size: 12" x 12"

Color: Reflective yellow background and black letters or legend.

Figure 5.



DIRECTIONAL ARROW

Purpose: Indicates a change in trail direction.

Size: 9" x 9"

Color: Reflective orange background with black arrow and border.

Legend: 5" directional arrow.

Figure 6.



HAZARD MARKERS

Purpose: Used in pairs, hazard markers indicate the trail opening through which a snowmobile driver may pass over a bridge or a culvert. The stripes of each sign face inward and show the bridge opening. Used singly, a hazard marker indicates a trail obstruction. The stripes of the sign point down toward the path around the obstruction.

Minimum size: 6" x 12"

Color: Alternate reflectorized black and white 45 diagonal stripes.

Figure 7.



REGULATORY SIGN

Purpose: To inform snowmobile driver of regulations.
Minimum size: 12" x 18"
Color: Reflective white background and black letters and border.

Figure 8.



PERMISSIVE

Purpose: To indicate snowmobile trails and other areas where snowmobiling is permitted.
Minimum size: 12" x 12"
Background color: Reflective white
Legend: Reflective green circle with reflective black snowmobile symbol.

Figure 9.



RESTRICTIVE

Purpose: To indicate areas where snowmobiling is not permitted.
Minimum size: 12" x 12"
Background color: Reflective white.
Legend: Reflective red circle and slash. Reflective black snowmobile symbol.

Figure 10.



DO NOT ENTER SIGN

Purpose: To indicate one-way trail or restricted area.
Minimum size: 12" x 12" with 2" letters.
Color: Reflective red background with white letters, border and legend.

Figure 11.



GUIDE SIGN

Purpose: Directs snowmobile driver to a destination.
Color: Brown background with reflective white letters and legend.
Legend: 2" upper case letters.

Figure 12.



BARRIER MARKERS

Purpose: Barrier markers are used in pairs to indicate a barrier or gate that restricts entry to a trail or road for snowmobiling. The stripes of each sign face inward toward the center of the trail or road.

Minimum size: 6" x 36"
Color: Alternate reflectorized red and white 45 diagonal stripes.

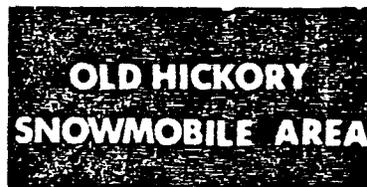
Figure 13.



HIGHWAY GUIDE SIGN

Purpose: Inform auto driver of location of snowmobile trail or route.
Color: Reflective brown background with reflective white letters and legend.

Figure 14.



INFORMATIONAL SIGN

Purpose: Furnish information about trails or facilities.
Color: Brown background with white letters.
Legend: 2" upper case letters.

Figure 15.



CORRIDOR TRAIL MARKER

Purpose: To indicate that the trail is part of the designated corridor trail system.
Minimum size: 6" x 6"
Color: Reflective blue background with reflective white border, cross bar and letters.

SECTION 4. NR 50.09(4)(e) and (f) are created to read:

NR 50.09(4)(e) Major bridge rehabilitation. 1. For bridge rehabilitation projects that involve total deck replacement, the deck shall be reconstructed to a width of at least 8 feet, free from obstruction.

2. When a bridge rehabilitation project is located on an abandoned railroad grade and involves total deck construction or replacement, the width of the bridge, free from obstruction, shall be at least 10 feet.

(f) Supplementary grooming payment. 1. If sufficient funds are available under s. 350.12(4)(b)1m., Stats., counties are eligible for supplementary grooming payments if all of the following conditions are met:

a. The county applies for a supplementary grooming payment for the grooming expenses of the previous fiscal year by October 1 of the current fiscal year.

b. The reimbursement claim for the previous fiscal year maintenance expenses is submitted to the appropriate DNR district office prior to October 1 of the current fiscal year.

c. The county has expended the entire amount of \$165 per mile on eligible maintenance cost items in the previous fiscal year.

d. The county has spent at least \$110 per mile for eligible grooming expenses during the previous fiscal year.

2. Counties requesting supplemental grooming payments shall submit full financial documentation prescribed by the department to the appropriate DNR district office for audit purposes.

3. Should the amount of funds approved for supplementary grooming payments under s. 350.12(4)(b)1m, Stats., not be sufficient to satisfy the total audited requests received under subd. 1, the funds shall be distributed on a proportional basis.

SECTION 5. NR 50.09(5)(c)(d), and (f) are amended to read:

NR 50.09(5)(c) County maintenance of snowmobile trails shall be 100% of approved eligible project costs of maintaining the trail up to ~~\$150~~ \$165 per mile per year maximum. Counties may request advance payments of up to 50% of the signed contract amount for maintenance. To be eligible for maintenance advance payments a county must have settled all maintenance claims from previous years.

(d) County liability insurance payments for approved trails shall be reimbursed at 100% of eligible costs. Liability insurance is an eligible cost under the category of maintenance.

(f) Claims will be on a reimbursement basis except for development and maintenance project advances.

SECTION 6. NR 50.09(5)(1) to (n) are created to read:

NR 50.09(5)(1) Claims for payment of maintenance, acquisition, development and bridge rehabilitation projects shall be submitted within 6 months after the project termination date for the costs to be eligible for reimbursement.

(m) Reductions in grant payments for failure to comply with the requirements of maintenance, development or bridge rehabilitation project agreements may be made on a case-by-case basis. A partial or total reduction in funds shall be preceded by specific written notification of conditions which were not met and shall include a timetable for improvement in performance. Continued failure to comply with the grant agreement within the prescribed timetable may result in a reduction of grant funds. The reduction shall be calculated based on a percentage of poor performance in relation to the total trail system specified in the grant agreement.

(n) For counties which do not request supplemental grooming payments under s. NR 50.09(4)(f), financial audit of claims shall take place as part of each county's year-end single audit. Counties not requesting supplemental grooming payments are not required to submit financial documentation with their payment request. After the single audit is completed, the department may perform additional financial audits of these claims to supplement work done in a single audit.

SECTION 7. NR 50.09(7) is created to read:

NR 50.09(7) USEFUL LIFE. (a) A table of maximum useful life for project elements is established for the purpose of record management and record disposition. The listing of the maximum useful life figures for snowmobile maintenance, acquisition, development and bridge rehabilitation projects is as follows:

<u>Activity</u>	<u>Description</u>	<u>Maximum Useful Life in Years</u>
Maintenance	Includes brushing, signing, grooming, minor structural repairs	0
Acquisition	Annual easements and leases. Fee Simple	0 Perpetuity
Insurance	Purchase of county liability coverage	0
Development	General trail construction, signing, brushing, grading	0
	Bridge structures	10
	Culverts	3
	Gates	3
	Multi purpose buildings	20
	Trail shelter	5

SECTION 8. NR 50.10(1) and (2) are amended to read:

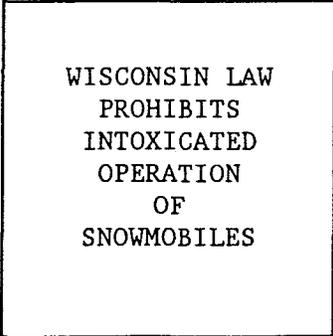
NR 50.10(1) PURPOSE. The purpose of this section is to establish standards for the implementation of an aids program for cities, villages and towns for the initial purchase of the snowmobile route signs and for the purchase of signs briefly explaining the intoxicated snowmobile law along snowmobile routes under ss. 23.09(26) and 350.12(4), Stats.

(2) APPLICABILITY. The provisions of this section are applicable to all cities, villages or towns ~~participating in the route sign program~~ applying for funds under this section. Aids are available to cities, villages or towns for up to 100% for approved eligible project costs of initial signing of snowmobile routes which connect authorized trails or which offer entrance to or exit from trails leading to such municipalities. Aids are also available to cities, villages or towns for up to 100% of the cost to purchase signs explaining the intoxicated snowmobile law along snowmobile routes.

SECTION 9. NR 50.10(3)(b) is created to read:

NR 50.10(3)(b) INTOXICATED SNOWMOBILE LAW SIGN STANDARDS: Signs explaining the intoxicated snowmobile law, to be used on highways or sidewalks designated as snowmobile routes by the governmental agency having jurisdiction, shall meet all of the following standards:

1. The intoxicated snowmobile law sign shall have reflectorized black letters and border on a reflectorized white background.
2. The standard size of this sign shall be 24" x 24".



WISCONSIN LAW
PROHIBITS
INTOXICATED
OPERATION
OF
SNOWMOBILES

SECTION 10. NR 50.10(4) and (5) are repealed and recreated to read:

NR 50.10(4) ALLOWABLE COSTS AND BILLING (a) Snowmobile route signs and route arrows, trail crossing warning signs, intoxicated snowmobile law signs, and sign posts are eligible for aid.

(b) Signs and posts may not be purchased until funds are approved for the project by the department.

(c) Labor costs to install signs are not eligible for reimbursement.

(d) Sponsors may submit a claim for payment upon placement of signs.

(5) APPLICATION PROCEDURE. Application forms and instructions are available from any department district office. Completed applications shall be submitted to the appropriate district office by April 15.

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on June 29, 1989.

The rules shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2) (intro.), Stats.

Dated at Madison, Wisconsin

September 26, 1989

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By Carroll D. Besadny
Carroll D. Besadny, Secretary

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5/22/89



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny, Secretary
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September 27, 1989

SEP 29 1989

In reply refer to: 1020

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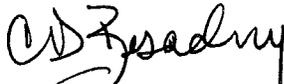
Mr. Orlan L. Prestegard
Revisor of Statutes
Suite 702
30 W. Mifflin Street

Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. CA-7-89. These rules were reviewed by the Assembly Committee on Tourism, Recreation and Government Operations and the Senate Committee on Transportation, Conservation and Mining 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,


C. D. Besadny
Secretary

Enc.