

## Chapter NR 50

ADMINISTRATION OF OUTDOOR RECREATION  
PROGRAM GRANTS AND STATE AIDS

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Note: The following recreational aids programs are found elsewhere: Motorcycle Recreation Program, ch. NR 65 and Recreational Boating Facilities Program, ch. NR 7.

History: Chapter NR 50 as it existed on March 31, 1975 was repealed and a new chapter NR 50 was created, effective April 1, 1975.

**NR 50.01 Purpose.** The purpose of this chapter is to establish procedures for implementation of various recreational aids programs under ss. 20.370 (4) (bx), 23.09 (11), (12), (17m) and (26), 23.30 (3) (h), 30.275 and 350.12 (4), Stats., and 16 U.S.C. ss. 460d, 460L-4, et seq.

History: Cr. Register, May, 1983, No. 329, eff. 6-1-83; am. Register, April, 1984, No. 340, eff. 5-1-84; am. Register, November, 1986, No. 371, eff. 12-1-86.

**NR 50.02 Applicability.** The provisions of this chapter are applicable to all sponsors of recreational aid programs under ss. 20.370 (4) (bx), 23.09 (11), (12), (17m) and (26), 23.30 (3) (h), 30.275 and 350.12 (4), Stats., and 16 U.S.C. ss. 460d, 460L-4, et seq.

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75; cr. (6), Register, March, 1977, No. 255, eff. 4-1-77; cr. (7) and (8), Register, June, 1980, No. 294, eff. 7-1-80; cr. (9), Register, September, 1980, No. 297, eff. 10-1-80; r. and recr. Register, May, 1983, No. 329, eff. 6-1-83; am. Register, April, 1984, No. 340, eff. 5-1-84; am. Register, November, 1986, No. 371, eff. 12-1-86.

**NR 50.03 Definitions.** (1) "Department" means department of natural resources.

(2) "Secretary" means secretary, department of natural resources.

(3) "Applicant" means unit of government applying for a grant.

(4) "LAWCON" means land and water conservation fund act of 1965.

(5) (a) "Acquisition project" includes the acquisition of land or rights thereto for a well defined outdoor recreation area or purpose.

(b) "Development project" includes the development of structures, utilities, facilities or landscaping necessary for outdoor recreation use of an area.

(6) "Approval" means the signing by the secretary or designee of a project agreement resulting in encumbering a specified amount of federal or state aid funds for a specific purpose.

(7) "Assistance" means funds made available by the department to a sponsor in support of a public outdoor recreation project.

(8) "Contingency fund" means that part of the LAWCON apportionment that is not immediately apportioned to counties or state agencies but held by the department to meet high priority, unforeseen, or emergency needs.

(9) "Project agreement" means a contract between the sponsor and department setting forth the mutual obligations with regard to a portion or all of a specific project.

(10) "Sponsor" means local unit of government, state agency, Indian tribe or snowmobile club receiving assistance.

(11) "Snowmobile trail" means a marked corridor on public property or on private lands subject to public easement or lease, designated for use by snowmobile operators by the governmental agency having jurisdiction, but excluding highways except those highways on which the roadway is not normally maintained for other vehicular traffic by the removal of snow.

(12) "District" means one of the 6 field administrative offices of the department of natural resources.

(13) "Project period" means the period of time specified in the agreement during which all work must be accomplished.

(14) "Basic facilities" means the minimum improvements necessary to enable people to make use of recreation sites with minimum maintenance.

(15) "State outdoor recreation plan" means the comprehensive statewide outdoor recreation plan required by the land and water conservation fund act.

(16) "Enforcement" means the detection and prevention of crimes and civil violations, and the arrest of those persons who violate such laws. To qualify for state aids under ss. 30.79 and 350.12, Stats., and ss. NR 50.12 and 50.13, officers involved in the "enforcement" of ss. 30.50 to 30.80 or ch. 350, Stats., must have the authority to make arrests for the violations of the laws they are employed to enforce.

(17) "Force account" means the performance of a development or maintenance project with the forces and resources of the sponsor, including personal services, equipment and materials.

(18) "Conservancy zone" is the designation a unit of government may give to a natural area held for the preservation of open space and supporting environmental education, nature interpretation and research activities.

(19) "Qualified naturalist" means a person who has had academic training and/or experience in ecology and outdoor education.

(20) "Fringe benefits" are employers' contributions or expenses for social security, employee's life and health insurance plans, unemployment insurance coverage, worker's compensation insurance, pension retirement plans, and employee benefits in the form of regular compensation

4. Camping facilities, including tent and trailer sites, tables and fireplaces;

5. Swimming, bathing and water sports facilities, including beaches, swimming areas and swimming pools, guard towers and bathhouses;

6. Fishing and hunting facilities, such as trails and fishing piers;

7. Winter sports facilities, such as slopes and trails for sledding and tobogganing, cross-country ski trails, facilities for skating and snowmobiling;

8. Urban recreation areas, such as neighborhood playgrounds, bicycling paths, walking or riding trails and participant sports facilities, including playing fields and tennis courts;

9. Supporting facilities, including entrance and circulation roads, utility and sanitation systems, erosion control work, parking areas, toilet buildings and interpretive facilities where there is a permanent professional naturalist staff and the facilities are on the land being used for nature interpretation;

10. Renovation or redevelopment of existing facilities or areas when the facilities or areas have received adequate and regular maintenance, yet have deteriorated to the point where their usefulness is impaired, or have become outmoded. Renovation or redevelopment may be undertaken to rebuild the facilities or areas into more useful forms;

11. Beautification of areas may be undertaken provided that the beautification is not regular maintenance and that the site's condition is not due to inadequate maintenance. Beautification may include landscaping to provide a more attractive environment, cleaning and restoration of areas which have been exploited, polluted, littered, etc., and screening, removal, relocation or burial of overhead wires;

12. Playgrounds and recreation areas on public school grounds, provided that such recreation grounds and facilities being developed are in excess of those normally provided to meet minimum education requirements. In determining the eligibility of a project, a statement or schedule of the time the facility will be available to the public is required;

13. Open shelters and multipurpose shelter buildings which support an outdoor recreation activity. Buildings devoted primarily to concession or control activities are ineligible;

14. Fences for the protection of park users, tennis court fences and ballfield fencing;

15. Dams where the entire shoreline is public and there is sufficient public backup land to insure a good recreation facility;

16. Lighting for tennis courts, hockey rinks, games courts, ball fields, sports fields, multipurpose courts and safety lighting; and

17. Outdoor swimming and wading pools.

(f) Development, acquisition or acquisition and development projects which generally will not be assisted include;

1. Acquisition, restoration or preservation of historic structures;

2. Development of areas and facilities to be used primarily for semiprofessional and professional arts and athletics;

3. Acquisition of areas for and development of amusement facilities such as merry-go-rounds, ferris wheels, children's railroads, exhibit type developments, convention facilities and commemorative exhibits, or the construction of facilities, including their furnishings, that are only marginally related to outdoor recreation such as professional type outdoor theaters;

4. Construction of, and furnishings for, employe residences;

5. Development of areas and facilities to be used solely for game refuges or fish production purposes unless they are open to the public for general compatible recreation use, or if they directly serve priority public outdoor recreation needs identified in the state plan;

6. Construction of lodges, motels, luxury cabins, or similar elaborate facilities;

7. Development projects in new or previously undeveloped recreation areas which consist solely of support facilities, unless it is clearly indicated that such facilities are required for proper and safe recreational use of the area; and

8. Buildings primarily devoted to operation and maintenance.

(5) In addition to conditions listed in sub. (4), the general provisions of s. NR 50.05 also apply.

(6) APPLICATION PROCEDURE. (a) Applicants for local or state LAW-CON monies shall submit preapplications on the prescribed department form to the appropriate district office by October 1 of each year.

(b) Applicants for contingency funds shall submit preapplications on the prescribed department form to the bureau of aid programs, department of natural resources. Contingency fund preapplications shall be considered by the department in 3 time periods, ending February 1, June 1 and October 1 of each year.

(c) The department will evaluate completed preapplications utilizing a project rating sheet to determine which preapplications will be approved.

(d) Once the preapplication is approved, applicants shall submit formal applications on the prescribed department forms to the appropriate district office, along with resolutions adopted by the appropriate units of government.

Note: NR 50.06 requires 2 new forms: a preapplication and a project rating sheet.

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75; am. (2), cr. (6)(e), Register, March, 1976, No. 243, eff. 4-1-76; r. and recr. Register, October, 1978, No. 274, eff. 11-1-78; r. and recr. Register, May, 1983, No. 329, eff. 6-1-83; am. (1), (2), (3) (a) 2., (4) (a), (d), (e) and (f), r. and recr. (3) (b) and (c), (4) (b) and (6), Register, April, 1984, No. 340, eff. 5-1-84.

**NR 50.09 County snowmobile aids.** (1) **PURPOSE.** The purpose of this section is to establish standards for the implementation of the snowmobile aids program under ss. 23.09 (11) and (26) and 350.12 (4), Stats.

(2) **APPLICABILITY.** The provisions of this section are applicable to all counties participating in the snowmobile aids program.

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(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, acquisition, or insurance, the funds remaining to satisfy that priority ranked purpose shall be distributed on a proportional basis.

(4) **GENERAL PROVISIONS.** (a) *Planning requirements.* 1. Counties not previously participating in the snowmobile aids program and desiring to sponsor public snowmobile trails are required to have a comprehensive snowmobile plan approved by the county board of supervisors and the department.

(5) Counties that have previously met the comprehensive snowmobile plan requirement are required to maintain a current trail system map that describes trail locations, trail classifications and existing trail mileage by classification.

(b) *Acquisition of snowmobile trail rights-of-way.* 1. Value of short-term easement, lease or permit may be based on a rental rate of land. The fee value may be one percent per month of equalized or assessed valuation.

2. A minimum term of 4 months between December 1 and the following March 31 is required and the easement, lease or permit must be irrevocable during the term of the easement, lease or permit.

3. An annual fee of 10 cents per rod may be paid if the assessed valuation procedure is not used. When payment is made, the minimum payment for any one landowner shall be \$5.00.

4. The width of snowmobile rights-of-way shall not exceed one rod unless approved by the department. The easement or lease should contain as a minimum the right to sign, right of limited construction, right to maintain, and right of use by snowmobiles and grooming equipment only. Cost sharing is limited to the minimum land area necessary for the snowmobile trail.

5. The county shall submit a certification that all easements, leases or permits secured grant public access and use of the land for snowmobiling. The county shall maintain a current file of all easements, leases or permits which shall include the name of the property owner, description of the property, duration of the lease, easement or permit, date owner was contacted, amount to be paid for the easement, lease or permit, and name of the county or snowmobile club representative who obtained the lease, easement or permit.

(c) *Development of snowmobile trail.* 1. Development shall begin the same year land is acquired.

2. Snowmobile trail design and construction specifications. a. Minimum graded width for one-way trails is 6 feet and maximum 8 feet.

b. Minimum graded width for 2-way trails is 10 feet and maximum 12 feet.

c. Minimum turning radius is 25 feet.

d. A height of 10 feet above the trail will be cleared.

e. Sustained grades and slopes will be a maximum of 25%.

f. Snowmobile trails shall not be routed over bodies of water. If stream crossings make bridging necessary, bridging shall be at least 6 feet wide. The department shall determine the need for bridging or if ice crossings may be used.

g. Trails shall be routed away from areas designated in department wilderness policy, game preserves, winter browse areas, experimental stations, nurseries, plantations, residences and other areas of anticipated conflict, particularly areas which may be damaged by trail development or snowmobile use.

3. Snowmobile highway and trail sign specifications. a. Snowmobile highway signs shall conform with sign reflectorization, colors and legend listed in the Wisconsin manual of traffic control devices.

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 the letters and legend reflectorized. Informational signs do not need to be reflectorized. Trail signs shall also conform with the following specifications and illustrations:



TRAIL BLAZER

Purpose: To delineate the trail and to reassure the user that he or she is on the trail.

Size: 6" × 6"

Color: Reflective orange

**OLD HICKORY  
SNOWMOBILE AREA**

## INFORMATIONAL SIGN

**Purpose:** Furnish information about trails or facilities.

**Color:** Brown background with white letters.

**Legend:** 2" upper case letters.

c. Federal forest service sign specifications may be used on federal forest service lands.

(d) *Maintenance of snowmobile trail.* 1. Counties shall be required to groom and maintain snowmobile trails developed on lands receiving aids for acquisition and/or development.

2. Trails shall be groomed to a minimum width of 4 feet for one-way and 8 feet for 2-way trails. Maximum width for a 2-way trail to be groomed shall be 12 feet.

(5) **ALLOWABLE COSTS, BILLING AND AUDITS.** (a) County acquisition of right-of-way may be up to 100% of eligible acquisition expenses.

(b) **Development 1.** County development of snowmobile trails shall be on a 100% grant basis, 75% at the time of approval, but no later than January 1 and 25% upon completion of the project.

2. Development work cannot be started or project costs incurred until an agreement has been approved by the department and the sponsor.

(c) County maintenance of snowmobile trails shall be 100% of approved eligible project costs of maintaining the trail up to \$150 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 for approved trails shall be 100% of eligible costs.

(e) Aids for development of trail shelters or sanitary facilities shall not exceed \$5,000. Aids for a combination building including shelter and sanitary facilities shall not exceed \$10,000.

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

(g) The project period will not exceed one year. All maintenance agreements will terminate on June 30 of each year.

(h) Trail grooming rates, including operator, power unit and drag, shall be established by the department.

(i) Equipment rates for other maintenance activities and trail development performed by force account, snowmobile clubs or snowmobile club associations may not exceed the county machinery agreement rate established annually by the department of transportation.

(j) Labor rates for other maintenance activities and trail development performed by snowmobile clubs or snowmobile club associations shall be established by the department.

(k) Labor rates for other maintenance activities and trail development by county employes or others included in a labor contract shall be as established by the contract.

(6) In addition to conditions listed in sub. (5), the general provisions of s. NR 50.05 also apply.

(7) (3) PROCEDURE FOR APPLYING FOR GRANT. Contact appropriate department district office for prescribed application forms and instructions. Submit completed application to the district office by April 15.

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75; am. (1) (d), (2) (a) 2 b and c, (2) (b), (c) and (d), and (3), Register, March, 1976, No. 243, eff. 4-1-76; r. and recr. Register, June, 1980, No. 294, eff. 7-1-80; renum. (1) (a), (b), (c), (2) and (3) to be (4) (b), (c), (d), (5) and (7), renum. (5) (h) and (i) to be (5) (g) and (h), am. (4) (b) 5., (4) (c) 3.b., (5) (b) and (c), r. and recr. (5) (f) and (h), cr. (1), (2), (3), (4) (a), (5) (i), (j) and (k) and (6), r. (7) (b), Register, May, 1983, No. 329, eff. 6-1-83.

**NR 50.10 Aids to cities, villages or towns for route signs. (ch. 350, Stats.)**

(1) PURPOSE. The purpose of this section is to establish standards for the implementation of an aids program for cities, villages or towns for the initial purchase of snowmobile route signs 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. 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.

(3) GENERAL PROVISIONS: (a) Snowmobile route sign standards.

1. Snowmobile route signs. Signs for use on highways and sidewalks designated for use by snowmobile operators by the governmental agency having jurisdiction or authorized by s. 350.04, Stats., are as follows:

a. The snowmobile route (D11-6) sign shall have a reflectorized white symbol, margin and message on a reflectorized green background. The standard and minimum size of this sign is 24" x 18". The design of the stylized snowmobile symbol and the word message "SNOWMOBILE ROUTE" shall essentially conform to the standard design on file in the division of highways, department of transportation.

b. A directional arrow marker shall have a reflectorized white arrow and margin on a reflectorized green background. The standard and mini-Register, January, 1989, No. 397



(3) **ELIGIBLE PROJECTS.** (a) Counties may receive aids on a priority basis for:

1. Maintenance of intolerant forest types in danger of being replaced through natural conversion to forest types of lower value to wildlife; maintenance of existing forest openings.

2. Deer yard improvement; creation of forest openings.

3. Trail seeding and maintenance road and trail construction.

(4) **ALLOWABLE COSTS, BILLINGS AND AUDITS.** (a) One hundred percent of approved eligible project costs will be funded.

(b) Fifty percent advance payments may be made at the time of project approval if requested by sponsor.

(5) In addition to conditions listed in sub. (4), the general provisions of s. NR 50.05 also apply.

(6) **USEFUL LIFE.** (a) The maximum useful life of habitat development activities on lands withdrawn from s. 28.11, Stats., and the title to which is transferred by the county to other than a public agency, may not exceed the following guidelines:

ACTIVITY	MAXIMUM USEFUL LIFE IN YEARS
All weather roads	20
Openings	10
Hunter access trail construction	10
Aspen regeneration	10
Tree planting	10

(b) In the event a reimbursement is due the department, the calculation of such amount shall be based on a straight line depreciation of the original value of the development over its maximum useful life as specified in par. (a).

History: Cr. Register, June, 1980, No. 294, eff. 7-1-80; r. and recr. Register, May, 1983, No. 329, eff. 6-1-83.

**NR 50.16 Conservancy zone grant program.** (1) **REIMBURSEMENT.** Cities, villages and towns may receive up to 100% reimbursement of funds used for the protection and enhancement of the natural environment on trail development, wildlife habitat improvement, shelter facilities and similar projects on municipally owned conservancy zones or areas of 160 acres or more.

(2) **GENERAL PROVISION.** (a) A conservancy zone or area developed with funds from the program shall not be converted to any other use without prior consent of the department secretary or designee in writing. The department shall require the payback of all funds granted.

(b) Facilities developed with funds from the program shall be open to the general public.

(c) To be eligible the municipality must have an established nature study program under the supervision of a qualified naturalist.

(3) **ELIGIBLE PROJECTS.** Types of projects eligible for funds may include but are not limited to the following:

(a) Improvement of accessibility which includes materials and equipment to create or extend trails including bridges, shelters, observation platforms and trail markers.

(b) Identification and definition of boundaries including signing and surveying.

(c) Construction of structures for instruction, the storage of instructional equipment.

(d) Instructional equipment including display cabinets, cages, tanks and related furnishings.

(4) ALLOWABLE COSTS, BILLINGS, AND AUDITS. (a) To be eligible for reimbursement, costs must have been incurred within the project period unless written retroactivity has been granted by the department secretary or designee.

(b) Force account work is eligible for reimbursement. Fringe benefits, indirect costs, and donated labor, equipment and materials shall not be allowable costs in force account projects.

(c) Billings may be submitted upon completion of a project or an usable portion of a project.

(d) Final payment will be dependent on completion of the project in accordance with the conditions described in the approved project agreement.

(5) PROCEDURES FOR APPLICATION. (a) An application shall be submitted on prescribed department forms including a resolution officially adopted by the governing unit.

(b) Environmental assessment information, cost estimates, specifications, and other information shall be furnished to evaluate the application.

(c) If applications for aids exceed the funds available, the department shall prorate the funds available to the municipalities.

History: Cr. Register, September, 1980, No. 297, eff. 10-1-80.

**NR 50.17 Shooting range development.** (1) **PURPOSE.** The purpose of this section is to establish standards for the implementation of a grant-in-aid program for development of shooting ranges under 16 U.S.C. s. 669, *et seq.*

(2) **APPLICABILITY.** The provisions of this section are applicable to counties, cities, villages, townships, other governmental agencies or units, clubs or organizations, businesses or corporations and educational institutions.

(3) **ALLOWABLE COSTS.** Fifty percent of approved eligible project costs shall be funded.

(4) **GENERAL PROVISIONS.** (a) The following projects are eligible:

1. Outdoor range construction, including: backstops and berms, target holders, shooting benches, baffles, protective fencing, signs, trenches, gun racks, platforms, restrooms and other items considered essential for the project by the department.

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