

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History: Chapter NR 50 as it existed on March 31, 1975 was repealed and a new chapter NR 50 was created, effective April 1, 1975.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. 23.09 (11), (12), (17m), (20) and (26), 66.36 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.

NR 50.02 Applicability. The provisions of this chapter are applicable to all sponsors of recreational aid programs under ss. 23.09 (11), (12), (17m), (20) and (26), 66.36 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.

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" means the acquisition of land or rights thereto for a well defined outdoor recreation area or purpose.

(b) "Development project" means 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.

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(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, employe's life and health insurance plans, unemployment insurance coverage, worker's compensation insurance, pension retirement plans, and employe benefits in the form of regular compensation during authorized absences from the job (i.e. annual, sick, court or military). Register, May, 1983, No. 329

tary leave). These contributions and expenses must be equitably distributed to all employe labor activities.

(21) "Indirect costs" are those costs not directly assignable to a grant, program or project. Such costs are generally administrative in nature, are incurred for a common or joint purpose, or are not readily assignable to a project or program.

Note: Examples of indirect costs include central office heat, light, utilities, administrative salaries, secretarial services, postage, etc., which are not supported by time reports or other documentation which identifies the expenditure to a particular project or program.

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75; am. (8), Register, March, 1976, No. 243, eff. 4-1-76; am. (8), Register, October, 1978, No. 274, eff. 11-1-78; cr. (16), Register, May, 1979, No. 281, eff. 6-1-79; cr. (17), Register, June, 1980, No. 294, eff. 7-1-80; cr. (18) and (19), Register, September, 1980, No. 297, eff. 10-1-80; renum. from NR 50.01 and am. (4), (6), (9), (10), (11) and (17), cr. (20) and (21), Register, May, 1983, No. 329, eff. 6-1-83.

NR 50.03 Planning requirements. History: Cr. Register, March, 1975, No. 231, eff. 4-1-75; am. (3), Register, March, 1976, No. 243, eff. 4-1-76; am. (1), Register, October, 1978, No. 274, eff. 11-1-78; r. Register, May, 1983, No. 329, eff. 6-1-83.

NR 50.04 Severability. Should any section, paragraph, phrase, sentence or clause of this chapter be declared invalid or unconstitutional for any reason, the remainder of this chapter shall not be affected.

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75; r. (4) (e), renum. (4) (f) to be (4) (e), Register, March, 1976, No. 243, eff. 4-1-76; am. (4)(e), Register, October, 1978, No. 274, eff. 11-1-78; am. (4) (e), Register, June, 1980, No. 294, eff. 7-1-80; r. and recr. Register, May, 1983, No. 329, eff. 6-1-83.

NR 50.05 General provisions. (1) This section applies to all grant programs governed by this chapter.

(2) Environmental quality is essential and shall be preserved and enhanced.

(3) Local governments shall agree to operate and provide adequate maintenance of recreational areas or facilities purchased or developed with state or federal aids.

(4) Recreational lands purchased or facilities developed under this chapter may not be converted to other uses or to other outdoor recreation uses without approval of the department for all programs and the secretary of the interior for LAWCON projects.

(5) Income accruing to an area receiving assistance during the project period from a source other than the intended recreational use shall be used to reduce the total costs of the project.

(6) Income from the sale of structures must be reimbursed to the appropriate aid program.

(7) Reasonable entrance, service or user fees may be charged to pay for operation and maintenance costs and are subject to department review.

(8) Acquisition of real property shall be in accordance with state and federal guidelines for preparation of appraisals and relocation assistance.

(9) Before development of certain public facilities begins, formal approval may be required from state or federal agencies concerning health, safety or sanitation requirements.

(10) Sponsors shall comply with applicable state or federal regulations concerning bidding and awarding contracts, wage and labor rates, access

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for the physically handicapped, flood disaster protection, environmental quality and historical preservation.

(11) Sponsors shall comply with Title VI of the civil rights act of 1964, 42 U.S.C. s. 2000d, et seq. and with the regulations promulgated under such act by the secretary of the interior.

(12) Assistance may be given to develop leased real property provided control and tenure of such property is commensurate with the proposed development.

(13) Project expenditures must be within the project period, project scope and project amount as shown on the project agreement.

(14) Billings may be submitted for partial payment or upon completion of the project.

(15) Donated labor, materials, land, or other activities which do not result in an actual expenditure by the sponsor and indirect costs are not allowable in the claim.

(16) Direct costs which are supported by time sheets, vouchers or similar documentation reflecting specific assignment to a project are eligible project costs.

(17) Actual cost of force account labor and equipment is allowable. Equipment rental rates may not exceed the county machinery rates established annually by the department of transportation.

(18) Actual fringe benefits not exceeding 20% of the direct labor costs claimed are eligible project costs.

(19) Claims for payment must be submitted within one year of the project termination date.

(20) A request for a project extension must be submitted prior to the project termination date.

(21) All payments are contingent upon final audit. Financial records including all documentation to support entries in the accounting records to substantiate charges for each project must be kept available for review by state or federal officials for a period of 3 years after final payment.

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75; am. (4)(a) 4. and 6., (7)(b) 7, 13, 14 and 17, (7)(c) 1 and 12, (7)(e) and (9), Register, March, 1976, No. 243, eff. 4-1-76; r. and recr. Register, October, 1978, No. 274, eff. 11-1-78; am. (11) and (14) (m), Register, June, 1980, No. 294, eff. 7-1-80; r. and recr. Register, May, 1983, No. 329, eff. 6-1-83.

NR 50.06 Lawcon and orap programs. (1) **PURPOSE.** The purpose of this section is to establish standards for the administration of the land and water conservation fund act of 1965 (LAWCON), and the outdoor recreation action program - local park aids (ORAP-LPA), under ss. 23.09 (20) and 66.36, Stats.

(2) **APPLICABILITY.** The provisions of this section are applicable to all towns, counties, villages, cities, Indian tribes, school districts, soil and water conservation districts and state agencies participating in either the LAWCON or ORAP-LPA aids programs.

Note: School districts are not eligible for ORAP-LPA aids.

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(3) ALLOCATION OF FUNDS. (a) LAWCON funds apportioned to Wisconsin each fiscal year shall be allocated as follows:

1. 40% to local governments;
2. 40% to state agencies;
3. 20% to a contingency fund for use by local governments and state agencies.

(b) Both LAWCON and ORAP-LPA funds available to local governments shall be apportioned to counties with 70% of the funds distributed on the basis of each county's proportionate share of the state population and 30% distributed equally to each county.

(c) Cost sharing rates shall be as follows unless otherwise specified by statute:

1. State aids may not exceed local contributions.
2. A combination of federal and state aids may not exceed 75% of the total cost of land acquisition projects. Cost sharing for development projects may be up to 50% state or federal aids and not less than 50% local funds unless otherwise specified by law.
3. Exceptions to the above require approval of the natural resources board.
4. Local government's share of LAWCON and ORAP-LPA funds are allocated to counties for local government use as soon after July 1 of each year as they become available. Unencumbered funds from the counties shall revert to 6 district funds on October 1 of each year for ORAP-LPA and February 1 of each year for LAWCON. These district funds are available to local units of government within district boundaries. Unencumbered funds from the 6 districts shall revert to a statewide fund on May 1 of each year for ORAP-LPA and July 1 for LAWCON.

(4) GENERAL PROVISIONS. (a) Applicants are required to submit a comprehensive outdoor recreation plan that has been formally approved by resolution of the local governing body; or applicants may qualify for eligibility if proposed projects are identified in approved plans of other units of government. Applications received from the university of Wisconsin system must be supported by department approved plans of the communities in which the schools are located. The system and the communities are required to coordinate their respective programs through the comprehensive planning process and the plans must be approved by the local governing bodies.

(b) Priorities are given to projects which meet urban needs, to activities of the general public over those for a limited group, to basic over elaborate facilities, to participant over spectator type facilities, to projects not having other public or private funds available to them, where a scarcity of recreation land exists and to acquisition over development. Projects which may enhance or preserve natural beauty are encouraged.

(c) Sponsors shall be required to acknowledge federal (LAWCON) assistance by placement of signs approved by the department and the department of interior.

(d) Land acquisition - eligible types of projects. Eligible types of projects for land acquisition are:

1. Areas with frontage on rivers, streams, lakes, estuaries and reservoirs that will provide water-based public recreation opportunities.

2. Land for creating water impoundments or provide water-based public outdoor recreation.

3. Areas that provide special recreation opportunities, such as floodplains, wetlands and areas adjacent to scenic highways.

4. Natural areas and preserves and outstanding scenic areas where the objective is to preserve the scenic or natural values, including areas of physical or biological importance and wildlife areas. These areas must be open to the general public for outdoor recreation use to the extent that the natural attributes of the areas will not be seriously impaired or lost.

5. Land within urban areas for day-use picnic areas, neighborhood playgrounds, play areas for small children, areas adjacent to school playgrounds, and competitive nonprofessional sports facilities.

6. Land for recreation trails.

7. Land for golf courses.

(e) Land development - eligible types of projects. Eligible types of projects for land development are:

1. Observation and sightseeing facilities such as overlooks, turnouts and trails.

2. Boating facilities, such as launching ramps and docks.

3. Picnic facilities, including tables, fireplaces, shelters and paths.

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 an existing facility. When a facility or area has received adequate and regular maintenance attention, yet has deteriorated to the point where its usefulness is impaired, or has become outmoded, renovation may be undertaken to bring the facilities up

to standards of quality and attractiveness suitable for public use or redevelopment to a more useful form may be undertaken.

11. Beautification of an area, such as landscaping to provide a more attractive environment, the cleaning and restoration of areas which have been exploited, polluted, littered, etc., and the 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 multi-purpose shelter buildings which support an outdoor recreation activity. Buildings devoted primarily to operation, maintenance, concession or control activities are not eligible.

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, ballfields, sports fields, multipurpose courts and safety lighting.

17. Outdoor swimming and wading pools.

(f) Development projects which will generally not be assisted are:

1. Restoration or preservation of historic structures.
2. Development of areas and facilities to be used primarily for semiprofessional and professional arts and athletics.
3. 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. However, such developments are eligible if 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 recreation use of the area.
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.** Applicants shall submit an application on the prescribed department form to the appropriate district office. A resolution officially adopted by the unit of government must also accompany the application form.

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.

NR 50.07 Administration of the artificial lake creation grants. (s. 92.18, Stats.) History: Cr. Register, March, 1975, No. 231, eff. 4-1-75; am. (2)(e), Register, March, 1976, No. 243, eff. 4-1-76; r. Register, May, 1983, No. 329, eff. 6-1-83.

NR 50.08 Administration of public access to waters. (s. 23.09 (9), Stats.) History: Cr. Register, March, 1975, No. 231, eff. 4-1-75; r. Register, May, 1983, No. 329, eff. 6-1-83.

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.

(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 per-

mits 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.

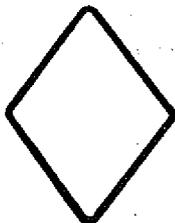
e. Sustained grades and slopes will be a maximum of 25%.

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 legends 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" x 6"

Color: Reflective orange



STOP SIGN

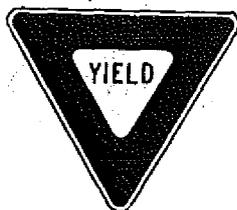
Purpose: Halt users on a snowmobile trail at a road crossing, railroad crossing or trail intersection.

Minimum size: 12" x 12"

Color: Reflective red background and reflective white letters and border.

Legend: 12" x 12" size—4" upper case letter.

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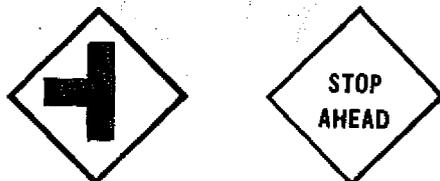


YIELD SIGN

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.



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.

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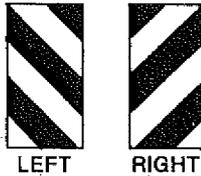
DIRECTIONAL ARROW

Purpose: Indicates a change in trail direction.

Size: 9" x 9"

Color: Reflective orange background with black arrow and border.

Legend: 5" directional arrow.



LEFT

RIGHT

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.



REGULATORY SIGN

Purpose: To inform snowmobile driver of regulations.

Minimum size: 12" x 18"

Color: Reflective white background and black letters and border.



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.



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.



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.



GUIDE SIGN

Purpose: Directs snowmobile driver to a destination.

Color: Brown background with reflective white letters and legend.

Legend: 2" upper case letters.



LEFT



RIGHT

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.

**HIGHWAY GUIDE SIGN**

Purpose: Inform auto driver of location of snowmobile trail or route.

Color: Reflective brown background with reflective white letters and legend.

**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 employees 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.

(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 minimum size of a directional arrow marker is 24" x 6", and the arrow shall have a length of 15½" and a stem 1½" wide.

c. A snowmobile route sign with appropriate directional arrow shall be placed at the beginning of a snowmobile route and at such locations and intervals as necessary to enable snowmobile operators to follow the route.

d. All snowmobile route signing shall be done by or under the direction of and is the responsibility of the unit of government which designates the snowmobile routes. The department of transportation reserves the right to require such changes in the signing of snowmobile routes marked over the state trunk highway system as it deems necessary in the interest of efficient and safe operation of the highway.

2. **Reflectorization.** The reflective material for all reflectorized signs shall meet the specifications of paragraph 637.2.2.1 on reflective sheeting in the state of Wisconsin division of highways standard specifications for road and bridge construction, edition of 1981.

(4) **PROCEDURE FOR APPLICATION.** (a) Submit department application form including snowmobile ordinance in accordance with s. 350.04 (2), Stats., and map of municipality showing routes and trails.

(b) Submit application by April 15 of each year to the proper department district office.

(c) Snowmobile crossing warning signs, route signs, posts and hardware are eligible for aid.

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

(e) Labor costs are not eligible.

(5) **BILLING PROCEDURES.** Submit billing upon placement of signs.



GREEN-REFLECTORIZED BACKGROUND WITH WHITE-REFLECTORIZED LETTERS AND SYMBOLS

SNOWMOBILE ROUTE SIGN

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

NR 50.11 Aids to snowmobile clubs. (ch. 350, Stats.) (1) **PURPOSE.** The purpose of this section is to establish standards for the implementation of the cooperative sign program under to ss. 23.09 (26) and 350.12 (4), Stats.

(2) **APPLICABILITY.** The provisions of this section are applicable to all snowmobile clubs participating in the cooperative sign program. Free cardboard signs and reflectorized material are available to snowmobile clubs.

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(3) GENERAL PROVISIONS. (a) Trails signed must meet standards under s. NR 50.09 (4) (d) 2.

(b) Trails must be open to the public.

(c) Signs will be limited to directional arrows, trail blazers, stop and caution signs.

(4) PROCEDURES FOR APPLICATION. (a) Submit department application to the proper district office by October 1. Application shall include:

1. Certification that the trail meets standards set out in department guidelines and that landowners on whose property the trail traverses have given their permission for trail use.

2. A map of the trail.

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

NR 50.12 Law enforcement aids to counties (ch. 350, Stats.). (1) Counties may receive up to 100% reimbursement of monies spent on the enforcement of ch. 350, Stats.

(2) Claim forms shall be filed with the bureau of law enforcement, department of natural resources, on or before June 1 of the year following the 12-month period for which the claim is made. Claims shall be made for the May 1 to April 30 period immediately preceding the filing date.

(3) The following forms will be used in the snowmobile enforcement aid program:

(a) Form 8700-59 — Notice of intent to patrol. In order to be eligible for the state aids, a snowmobile patrol must function as an enforcement unit and file an intent to patrol form with the department of natural resources listing the authority under which the snowmobile patrol will operate. On or before July 1 of each year a county must file an intent to patrol form with the department, sent to the attention of the Office of the Coordinator of Snowmobile Safety, P.O. Box 7921, Madison, Wisconsin.

(b) Form 8700-89 — Daily log. This form is to be used in compiling a summary of the snowmobile patrol's daily activities and expenses. It is not to be filed with the department, but is to be used for assembling information necessary to complete form 8700-90. This form must be kept on file by the snowmobile patrol to augment its records and must be available in chronological order for periodic checks by representatives of the department during normal business hours and at the time of the annual audit.

(c) Form 8700-90 — Monthly report. This form is to be completed and filed with the department no later than the tenth day following the month covered. The information shown on this form will be a computation of the information taken from the daily logs (form 8700-89).

(d) On or about April 1 of each year, 3 sets of the following forms will be sent by the department to each county which has an intent to patrol form on file. The appropriate official fills out all of the forms, retains one set for the county's records, and files 2 sets with the bureau of law enforcement on or before June 1, covering the patrol expense for the preced-

ing 12-month period of May 1 to April 30. Claims which are received by the department after this date will not be processed for payment.

1. Form 8700-60 — Application for state aid. This form is to be completed by the appropriate county official, who shall list the total net cost of the snowmobile patrol claimed by the county.

2. Form 8700-61 — Salary schedule. This form is to be completed by the appropriate county official who shall list the names and salaries of persons engaged in the enforcement of ch. 350, Stats. Salary rate is restricted to no more than the regular straight time rate which the officer normally receives. Fringe benefits cannot exceed 20% of the gross salary.

3. Form 8700-62 — Travel, materials and supplies schedule. This form is to be completed by the appropriate county official, who shall list all reimbursable expenditures other than salaries and depreciable items.

4. Form 8700-63 — Depreciation schedule - straight line method. This form is to be completed by the appropriate county official, who shall list all capital outlay equipment and the resulting depreciation. Depreciation shall be calculated at the rate of 12½% annually on all equipment (over \$100.00) except snowmobiles, which shall be figured at the rate of 20% annually.

5. Form 8700-64 — Record of court cases for violations of ch. 350, Stats. This form is to be completed by the appropriate county official, who shall list all violations and court actions for the calendar year.

(e) Each claim shall be audited by the department as soon as possible after the claim has been received. Payment of claims shall be made no later than October 1. Reimbursement of the actual cost and maintenance of snowmobile enforcement patrols is authorized. Travel expenses and salaries for training purposes are authorized only for attendance at snowmobile enforcement training sessions conducted by the department. The person in charge of the patrol, or designee, is required to attend all designated department snowmobile enforcement patrol training sessions as a condition of receiving aids under this section and s. 350.12 (4) (a) 4., Stats.

History: Cr. Register, March, 1977, No. 255, eff. 4-1-77; am. (2), (3) (a), (d) (intro.), 4. and (e), Register, May, 1983, No. 329, eff. 6-1-83.

NR 50.13 Law enforcement aids to municipalities. (s. 30.79, Stats.). (1) Municipalities may receive law enforcement aids for up to 75% of the net costs (determined by deducting all fines and forfeitures imposed upon persons convicted of violations of ordinances enacted pursuant to s. 30.77, Stats.) which are directly attributable to the operation and maintenance of the water safety patrol unit. State aid is available only for those activities associated with the local enforcement of ss. 30.50 to 30.80, Stats., and any administrative rules and ordinances enacted pursuant thereto. No municipality shall receive state aid in excess of 20% of the funds available.

(2) Search and rescue guidelines. For the purpose of administering the aids to municipalities provided in s. 30.79, Stats., search and rescue is defined as the activity of looking for a person or persons who are, or who are believed to be alive, in distress and have a need for assistance.

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(a) Search and rescue aids may be provided to authorized municipal water safety patrol units operating under the following circumstances:

1. Enforcing the provisions of ss. 30.50 to 30.80, Stats.;
2. Requesting outside assistance when circumstances exist which justify employing such assistance, on a case-by-case basis. The basis for requesting outside assistance must be justifiable from a cost and effectiveness standpoint.

(3) Claim forms shall be filed with the appropriate district office of the department of natural resources, as specified in s. 30.79, Stats. Claims are to be made for the calendar year immediately preceding the filing date.

(4) The following forms shall be used by each water safety patrol unit to qualify it for state aid:

(a) Form 8700-59 — Notice of intent to patrol. In order to be eligible for state aids, a water safety patrol must function as a law enforcement unit and file an intent to patrol form with the department, listing the authority under which the water safety patrol will operate. On or before March 1 of each year the municipality shall file an intent to patrol form with the department, sent to the attention of the coordinator of boating safety, Madison, Wisconsin.

(b) Form 8700-89 — Daily log. This form is to be used in compiling a summary of the water safety patrol's daily activities and expenses. It is not to be filed with the department, but is to be used for assembling information necessary to complete form 8700-90. The form must be kept on file by the water safety patrol to augment its records and must be available in chronological order for periodic checks by representatives of the department during normal business hours and at the time of the annual audit.

(c) Form 8700-90 — Monthly report. This form is to be completed and filed with the appropriate district office no later than the tenth day following the month covered. The information shown on this form will be a computation of the information taken from the daily logs (form 8700-89).

(d) On or about September 1 of each year, 3 sets of the following forms will be sent by the department to each municipality which has an active intent to patrol form on file. The appropriate official fills out all of the forms, retains one set for the municipality's records, and files 2 sets with the appropriate district office as specified in s. 30.79, Stats., covering the patrol expense for the preceding calendar year. Claims which are received by the department after this date cannot and will not be processed for payment.

1. Form 8700-60 — Application for state aid. This form is to be completed by the appropriate municipal official, who shall list the total net cost of the water safety patrol claimed by the municipality.

2. Form 8700-61 — Salary schedule. This form is to be completed by the appropriate municipal official, who shall list the names and salaries of persons engaged in the local enforcement of ss. 30.50 to 30.80, Stats., and any administrative rules and ordinances enacted pursuant thereto. Salary rate is restricted to no more than the regular straight time rate which

the officer normally receives. Fringe benefits cannot exceed 20% of the gross salary.

3. Form 8700-62 — Travel, materials and supplies schedule. This form is to be completed by the appropriate municipal official, who shall list all reimbursable expenditures other than salaries and depreciable items.

4. Form 8700-63 — Depreciation schedule - straight line method. This form is to be completed by the appropriate municipal official, who shall list all capital outlay equipment and the resulting depreciation. Depreciation shall be calculated at the rate of 12½% annually on all capital equipment (over \$100.00).

5. Form 8700-64 — Record of court cases for violations of ss. 30.50 to 30.80, Stats., and any administrative rules and ordinances enacted pursuant thereto. This form is to be completed by the appropriate municipal official, who shall list all violations and court actions for the calendar year.

(5) Travel expenses and salaries for training purposes are authorized only for attendance at boating safety enforcement training sessions conducted by the department. The person in charge of the patrol, or his/her designee, is required to attend all designated department boating safety enforcement patrol training sessions as a condition of receiving aids under this rule and s. 30.79, Stats.

History: Cr. Register, October, 1977, No. 262, eff. 11-1-77; renum. (2) to (4) to be (3) to (5), cr. (2), Register, May, 1979, No. 281, eff. 6-1-79.

NR 50.14 County fish and wildlife aid. (1) PURPOSE. The purpose of this section is to establish standards for the implementation of a grant-in-aid program for county fish and wildlife projects under s. 23.09 (12), Stats.

(2) **APPLICABILITY.** Provisions of this section are applicable to counties and tribal governing bodies participating in the county fish and wildlife program.

(3) **ALLOCATION OF FUNDS.** (a) County fish and wildlife aids will be allocated for use as soon after July 1 of each year as they become available.

(b) Funds will be allocated to each county and Indian tribe until October 1. Unused county and tribal funds revert to 6 district funds on October 1. These district funds are available to counties and tribes within district boundaries. Unused district funds revert to a statewide fund on May 1 of each year. These statewide funds are available to counties and tribes anywhere in the state.

(c) State aid allocated to any county or tribe for the enhancement of fish and wildlife habitat shall be based on the ratio of the area of the county (less reservation lands) or reservation to the total area of the state (excluding outlying waters and interstate boundary waters of the Mississippi river and Lake Pepin).

(2) **ALLOWABLE COSTS, BILLING AND AUDITS.** (a) The state share may not exceed one-half of the actual project cost.

(b) Except for specialized equipment useful solely for fish or wildlife management purposes, aids under this program may not be used to purchase equipment.

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

History: Cr. Register, June, 1980, No. 294, eff. 7-1-80; emerg. cr. (1) (b), eff. 10-15-80; r. and recr. Register, May, 1983, No. 329, eff. 6-1-83.

NR 50.15 Wildlife habitat development on county forests. (1) PURPOSE. The purpose of this section is to establish standards for the implementation of a grant-in-aid program for forest wildlife habitat improvement on county forest lands entered under s. 28.11, Stats., pursuant to s. 23.09 (17m), Stats.

(2) **APPLICABILITY.** Provisions of this section are applicable only to counties having county lands entered under s. 28.11, Stats.

(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.