

Chapter NR 50

ADMINISTRATION OF OUTDOOR RECREATION PROGRAM GRANTS AND STATE AIDS

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History: Chapter NR 50 as it existed on March 31, 1975 was repealed and a new chapter NR 50 was created, effective April 1, 1976.

NR 50.01 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 program.

(5) "Project" (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 his deputy 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 specific project.

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

(11) "Snowmobile trail" means a marked route 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 sections NR 50.12 and NR 50.13, Wis. Adm. Code, 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 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.

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.

NR 50.02 Grant programs. The provisions of this chapter apply to the following grant programs:

(1) The Land and Water Conservation Act of 1965, (PL-88-578) as amended by PL-91-485 (LAWCON) which was established to assist the state and federal agencies in meeting present and future recreation demands and needs of the American people and for other purposes.

(2) ORAP local park aids ss. 23.09 (20) and 66.36, Stats., which provides for not more than 50% of the cost of acquiring and developing recreation lands and other outdoor recreation facilities.

(3) Creation of new lakes ss. 23.09 (21) and 92.18, Stats., to provide for the creation of new lakes and assist in providing a continuing, comprehensive outdoor recreation program.

(4) Public access to water s. 23.09 (9), Stats., which provides aids for purchase and development of lands for public access to water.

(5) Aids for counties for the development of snowmobile trails and areas, ch. 350, ss. 23.09 (11) and (26), Stats.

(6) Law enforcement aids to counties, ch. 350 and s. 23.09, Stats.

(7) County fish and wildlife aids, s. 23.09 (12), Stats., authorizes payment of state aids to counties for fish and game improvement projects.

(8) Grants to counties for development of habitat on county forests, s. 23.09 (17m), Stats., authorizes grants to counties "to improve the natural environment for game and nongame species on county lands entered under s. 23.11" (county forests).

(9) Conservancy zone grant program, s. 2939 (9), chapter 34, laws of 1979, which provides aids to municipalities for the protection and enhancement of the the natural environment on municipally owned conservancy zones of 160 acres or more.

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.

NR 50.03 Planning requirements. (1) **LAWCON AND LOCAL PARK AID PROGRAMS.** Applicants are required to submit a comprehensive outdoor recreation plan and has been formally approved by the local governing body; or applicants may qualify for eligibility if proposed projects are identified in approved plans of higher 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.

(2) **STATE AIDS FOR LAKE CREATION.** Soil and water conservation district applications for grants shall be in conformance with department recommendations in an approved watershed work plan. Applications for aids for watershed development programs under other grant programs administered by the department shall be based on planning requirements of those programs.

(3) **AIDS TO COUNTIES FOR THE DEVELOPMENT OF SNOWMOBILE TRAILS AND AREAS.** Applicants shall provide either a separate county snowmobile plan or a snowmobile section of a comprehensive county outdoor recreation plan. The county plan must be approved by the county board.

(4) **PUBLIC ACCESS TO WATERS.** Projects for which applications are submitted must conform to the state outdoor recreation plan.

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.

NR 50.04 Allocation of grant funds. (1) **LAWCON** funds apportioned to Wisconsin each fiscal year shall be allocated as follows:

- (a) 40% to local governments;
- (b) 40% to state agencies;

(c) 20% to a contingency fund for use by local governments and state agencies.

(2) Both LAWCON and ORAP local park aids 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.

(3) Two-thirds of the artificial lake creation funds shall be available to soil and water conservation districts and one-third available to the department.

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

(a) State aids shall not exceed local contributions.

(b) 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.

(c) Exceptions to the above require approval of the natural resources board.

(d) Allocation of funds to a sponsor is made at the time the project agreement is approved by the secretary or deputy secretary.

(e) Local government's share of LAWCON and ORAP funds will be allocated for countywide use as soon after July 1 of each year as they become available. Unencumbered ORAP-LPA funds shall revert to a district fund on October 1 and unencumbered LAWCON funds shall revert to a district fund on February 1 of each year. Unencumbered district funds shall revert to a statewide fund on May 1 of each year for ORAP and July 1 of each year for LAWCON.

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.

NR 50.05 General provisions. (1) 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.

(2) Environmental quality is essential and shall be preserved and enhanced. Local governments shall agree to operate and provide adequate maintenance of areas or developments where state and federal aids are granted.

(3) Recreational lands purchased or facilities developed under aid programs 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. Income accruing to an area receiving assistance during the project period from source other than the intended recreational use will be used to reduce the total cost of

the project. Income from the sale of structures must be reimbursed to the appropriate aid program.

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

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

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

(7) Compliance with applicable state or federal regulations concerning bidding and awarding contracts, wage and labor rates, access for the physically handicapped, flood disaster protection, environmental quality, and historical preservation shall be required.

(8) Compliance to Title IV of the Civil Rights Act of 1964, P. 88-354 (1964) and to the regulations promulgated to such act by the secretary of the interior.

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

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

(11) All payments are contingent upon final audit. Financial records to substantiate charges for each project must be kept available for review by state and federal officials for a period of 3 years after final payment. Fringe benefits, indirect costs and donated labor, equipment and materials shall not be allowable costs in force account projects.

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

(13) Land acquisition — eligible types of projects. (a) Areas with frontage on rivers, streams, lakes, estuaries and reservoirs that will provide water-based public recreation opportunities.

(b) Land for creating water impoundments to provide water-based public outdoor recreation.

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

(d) 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.

(e) Land within urban areas for day-use picnic areas, neighborhood playgrounds and tot lots, areas adjacent to school playgrounds, competitive nonprofessional sports facilities, as well as more generalized park lands.

(f) Land for recreation trails.

(g) Land for golf courses.

(14) Land development — eligible types of projects. (a) Observation and sightseeing facilities such as overlooks, turnouts and trails.

(b) Boating facilities, such as launching ramps and docks.

(c) Picnic facilities, including tables, fireplaces, shelters and paths.

(d) Camping facilities, including tent and trailer sites, tables and fireplaces.

(e) Swimming, bathing and water sports facilities, including beaches, swimming areas and swimming pools, guard towers and bathhouses.

(f) Fishing and hunting facilities, such as trails and fishing piers.

(g) Winter sports facilities, such as slopes and trails for sledding and tobogganing, cross-country ski trails, facilities for skating, snowmobiling. Ice rinks may have sun shade or wind screens but not both. Skating rinks with both are not eligible.

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

(i) 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.

(j) 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.

(k) 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.

(l) 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 will be required.

(m) 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.

(n) Fences for the protection of park users, tennis court fences and ballfield fencing.

(o) Dams where the entire shoreline is public and there is sufficient public backup land to insure a good recreation facility. The standards for the artificial lakes program will apply to ORAP and LAWCON.

(p) Lighting for tennis courts, hockey rinks, games courts, ballfields, sports fields, multipurpose courts and safety lighting.

(q) Outdoor swimming and wading pools. Cost sharing for swimming pools is up to 50% of costs but not to exceed 75 cents per gallon of pool capacity. For wading pools, cost sharing is up to 50% of costs, but not to exceed \$1.00 per gallon of pool capacity.

(15) Development projects which will generally not be assisted. (a) Restoration or preservation of historic structures.

(b) Development of areas and facilities to be used primarily for semiprofessional and professional arts and athletics.

(c) Development of amusement facilities (such as merry-go-rounds, ferris wheels, children's railroads, "pioneer towns" and allied exhibit type developments, etc.), 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).

(d) Construction of, and furnishings for, employe residences.

(e) Development of areas and facilities to be used solely for game refuges or fish production purposes. However, such developments are eligible if they will open to the public for general compatible recreation use, or if they directly serve priority public outdoor recreation needs identified in the state plan.

(f) Construction of lodges, motels, luxury cabins, or similar elaborate facilities.

(g) 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.

(h) Buildings primarily devoted to operation and maintenance.

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.

NR 50.06 Administration of land and water conservation fund (LAWCON) and ORAP local park aid programs. (1) **ELIGIBLE UNITS OF GOVERNMENT.** Towns, counties, incorporated villages, cities, Indian tribes, school districts, soil and water conservation districts and state agencies, except that school districts are not eligible for local park aids, are eligible units of government.

(2) **PROCEDURE FOR APPLICATION FOR GRANTS.** (a) Meet planning requirement.

(b) Submit application on prescribed department form including a resolution officially adopted by the governing unit.

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.

NR 50.07 Administration of the artificial lake creation grants. (s. 92.18, Stats.) (1) **ELIGIBLE UNIT OF GOVERNMENT.** Soil and water conservation districts.

(2) **SPECIAL PROVISIONS.** (a) Aids will not be approved where impoundments will flow trout streams or adversely effect trout streams.

(b) Aids for land acquisition are limited to the same acreage eligible for full cost sharing assistance under the federal PL-566 program.

(c) Priorities for approval of grants shall be based on the watershed work plan, demonstrated needs, and the environmental report.

(d) Land appraisals shall be based on standards used by the department and land appraisal reports shall be approved by the department.

(e) The location of dams will take into consideration the least possible adverse environmental effect. Areas of significant wildlife habitat, esthetic quality, geologic or archaeological features and natural plant and animal communities valuable for scientific research or educational purposes shall be avoided.

1. Impoundments intended for "multi-recreation activities" shall offer reasonable assurance of achieving and maintaining adequate water quantity and quality in accordance with the standards and goals prescribed in Wis. Adm. Code NR 102.02 for (3) fish and aquatic and (4) recreation. When the department so requires dams shall provide for a full bottom drain and a cold water draw (variable where possible) to carry full base flow.

2. Impoundments intended for "wildlife purposes" shall have a depth and flow sufficient to meet the wildlife management objective. Associated recreational development shall be limited to public access, day-use activities and supporting facilities thereto. Dams shall provide for a full bottom drain.

(f) In addition to the 300 foot publicly owned horizontal buffer zone required around the multi-purpose impoundment, an additional 700 foot strip of land shall be owned or zoned in accordance with s. 59.971, Stats., chapter NR 115, county or local ordinances as conservancy district or recreational conservancy district. Any proposed change in land use which would be covered by granting a zoning variance in the 700 foot conservancy strip will be subject to department approval.

(g) Public hunting and fishing shall be permitted except where safety may require designated areas to be closed.

(h) Recreational development plans and forestry, game and open space management practices on all public lands surrounding impoundments shall be approved by the department.

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75; am. (2) (e), Register, March, 1976, No. 243, eff. 4-1-76.

NR 50.08 Administration of public access to waters. (s. 23.09 (9), Stats.) (1) **ELIGIBLE UNITS OF GOVERNMENT.** Towns, counties, cities and villages.

(2) **LEVEL OF ASSISTANCE.** State support equal to one-half of the approved cost estimate of such project or an amount not greater than one-half of the actual cost of such project, whichever is the lesser.

(3) **PROCEDURE FOR APPLICATION FOR AID.** (a) Meet department of natural resources guidelines for public access.

(b) Submit a resolution officially adopted by the governing unit containing the following:

1. Formal request for aid.
2. Name the sponsor of local government requesting aid and the representative authorized to sign forms and claims.
3. Statement that the sponsor will maintain the area or facility.

4. Furnish land appraisals, options, relocation plans, description, estimated cost, and other information as may be required for the project for which funds are budgeted.

(4) **TYPES OF PROJECTS.** (a) Land acquisition: Acquisition of lands which provide public access to navigable waters by means of water, road, trail or otherwise through the privilege of crossing public or private lands without involving trespass. Acquisition can be by fee simple title or by whatever lesser rights will insure the desired public use for long periods of time.

(b) Development projects: Site development project proposals will generally include parking areas, boat launching ramps and may include safety, health and protection of the area as well as the facilities required for the use of the area. Development project proposals may include construction or renovation, site planning, site preparation and engineering services.

(5) **PRIORITIES.** Priorities are given on large lakes having more than 1,000 acres of surface water and to important stream systems. Department of natural resources assistance to acquire and develop access to other bodies of water will be based on need and public interest.

(a) Justification for the proposed project is to be supported by information developed through an inspection conducted by authorized agents of the department of natural resources which will include the following:

1. Characteristics of water body
2. Use and levels of use
3. Present use of facilities
4. Adequacy of proposed site

(6) **OTHER GOVERNMENT REGULATORY REQUIREMENTS.** Before construction or development of certain public facilities may be undertaken, formal approval may be required from other state agencies concerning health, safety or sanitation requirements.

(7) **ALLOWABLE COSTS—BILLINGS—AUDITS.** (a) Project costs will be honored from the date the project receives department approval. Project approval is consummated with notification to the applicant and encumbrance of funds.

(b) Billings may be submitted for partial payment or upon completion of the project. Donated labor, materials, land, etc., which do not result in an actual expenditure by the sponsor are not allowable in the claim.

(c) 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 3 years for representatives of the department or until final audit is made and the project is closed.

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75.

NR 50.09 Administration of aids for counties for snowmobile trails and areas. (ss. 23.09 (11) and (26) and ch. 350, Stats.) (1) GEN-

ERAL PROVISIONS. (a) *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 notarized certification that all oral easements, leases or permits secured grant public access and use of the land for snowmobiling. The county shall maintain a current file of all oral 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 permit, and name of the county or snowmobile club representative who obtained the lease, easement or permit.

(b) *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, warn snowmobile drivers or assist the snowmobile driver to reach his or her destination must be in conformance 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" x 5" x 7"

Color: Reflective orange



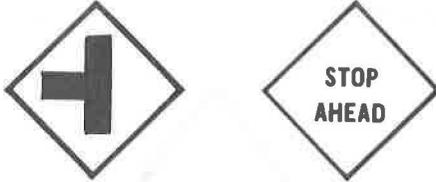
STOP SIGN

Purpose: Halt users on a snowmobile trail at 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.



WARNING SIGNS

Purpose: To warn snowmobile driver of hazard.

Minimum size: 12" x 12"

Color: Reflective yellow background and black letters or legend.



DIRECTIONAL ARROW SIGN

Purpose: Indicates trail direction or change in trail direction.

Size: 9" x 9" or 9" x 12"

Color: Reflective orange background with black arrow and border.

Legend: 5" directional arrow.



REGULATORY SIGN

Purpose: To inform snowmobile driver of regulations.

Minimum size: 12" x 18"

Color: Reflective white background and black letters and border.

Register, September, 1980, No. 297

**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. 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. 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 his or her destination.

Color: Brown background with reflective white letters and legend.

Legend: 2" upper case letters.



HIGHWAY GUIDE SIGN

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

Color: Brown background with painted reflective white letters and legend.



**OLD HICKORY
SNOWMOBILE AREA**

INFORMATIONAL SIGN

Purpose: Furnish information about trails or facilities.

Color: Painted or stained brown background with painted or routed white letters.

Legend: Maps.

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

(c) *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.

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

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

(c) County maintenance of snowmobile trails shall be 100% of the actual cost of maintaining the trail up to \$100 per mile per year maximum.

(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 for payment.** 1. Claims will be on a reimbursement basis, except for development project advances. A project agreement must be approved by department and the sponsor before project costs can be incurred. The normal financial records of the county will be used to determine reimbursable costs and county records will be audited before final claims are paid.

2. Claims must be within the scope of work, project period and encumbered amount as shown on the project agreement.

3. Claims must be submitted within one year of the project termination date to be eligible.

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

(i) Equipment and labor rates for trail grooming shall be as established by the department. Equipment rates for other maintenance work and trail development shall be the department of transportation schedule. Labor rates for county employes and others included in labor contracts will be as established by the contract.

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

(b) Meeting planning requirements as set forth in section NR 50.03 (3).

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.

NR 50.10 Aids to cities, villages or towns for route signs. (ch. 350, Stats.) (1) ELIGIBLE ITEMS. Aids are available to cities, villages or towns of up to 100% of the cost of initial signing of snowmobile routes which connect authorized trails or which offer entrance to or exit from trails leading to such municipalities.

(2) 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 work 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 sheet-

ing in the state of Wisconsin division of highways standard specifications for road and bridge construction, edition of 1969.

(3) **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.

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

(b) Procedure shall follow ss. 23.09 (11) (d), (e) and (f), Stats., except that reimbursement shall be 100% of cost.



GREEN-REFLECTORIZED BACKGROUND WITH WHITE-REFLECTORIZED LETTERS AND SYMBOLS

SNOWMOBILE ROUTE SIGN

History: Cr. Register, March, 1975, 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.

NR 50.11 Aids to snowmobile clubs. (ch. 350, Stats.) (1) **ELIGIBLE ITEMS.** Free cardboard signs and reflectORIZED material are available to snowmobile clubs.

(2) **GENERAL PROVISIONS.** (a) Trails signed must meet standards set out in section NR 50.09 (2) (c).

- (b) Trails must be open to the public.
 - (c) Signs will be limited to directional arrows, trail blazers, stop and caution signs.
- (3) 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.

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 February 1 of the year following the year for which the claim is made. Claims are to be made for the calendar year 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 October 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, 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 December 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 February 1, 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 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 except snowmobiles, which shall be figured at the rate of 33⅓% 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 April 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 his or her 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.

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.

(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 Administration of county fish and wildlife aid. (s. 23.09 (12), Stats.). (1) **ALLOCATION OF FUNDS.** (a) County fish and wildlife will be allocated for use as soon after July 1 of each year as they become available. Unused county funds revert to a district fund on October 1 and unused district funds revert to a statewide fund on May 1 of each year.

(2) **ALLOWABLE COSTS, BILLING AND AUDITS.** (a) Cost sharing shall be 50% of approved eligible project costs.

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(b) Except for specialized equipment useful for fish and wildlife purposes solely, aids under this program may not be used for the purchase of equipment.

(c) Donated labor, materials, land, etc., which do not result in an actual expenditure by the county are not eligible project costs.

(d) A project must receive department approval before project costs can be incurred. Project expenditures must be made within the project period, scope and amount.

(e) Claims for payment will be on a reimbursement basis.

History: Cr. Register, June, 1980, No. 294, eff. 7-1-80.

NR 50.15 Administration of development of habitat on county forests. (s. 23.09 (17m), Stats.) (1) Counties may receive aids on a priority basis for (highest priority listed first):

(a) 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.

(b) Deer yard improvement; creation of forest openings.

(c) Road and trail construction; trail seeding and maintenance. (Road construction should be funded by other programs wherever feasible.)

(2) General provisions. Management operations shall be limited to approved projects designed to benefit both game and nongame species and the natural environment.

(3) Types of projects which may be eligible. (a) Timber management, such as discing, dragging, to prepare seed beds for natural forest regeneration to develop and expand wildlife wintering areas.

(b) Firebreaks constructed in areas where it is feasible to use controlled burning to establish cover and browse for deer.

(c) Vegetation designed to revert forest areas to young stages of succession.

(d) Clearing areas in heavily forested areas that have inadequate numbers of natural openings for deer.

(e) The establishment of roads and trails to provide access to large stands of mature aspen to encourage logging and to permit hunter access to these areas.

(4) Allowable costs, billing and audits. (a) One hundred percent of approved eligible project costs will be funded. Fifty percent advance payments may be made at the time of project approval if formally requested by the sponsor.

(b) Actual cost of county labor and equipment is allowable. Equipment rental rates shall not exceed the established county rate. Labor rates for county employees included in labor contracts will be as established by contract. Allowable materials must be measurable.

(c) Donated labor and materials which do not result in an actual expenditure by the county are not allowable in the claim.

(d) A project must receive department approval before project costs can be incurred. Project expenditures must be made within the project period, scope and amount.

(e) Claims for payment will be on a reimbursement basis.

History: Cr. Register, June, 1980, No. 294, eff. 7-1-80.

NR 50.16 Conservancy zone grant program. (1) 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.