

Chapter NR 50

ADMINISTRATION OF OUTDOOR RECREATION PROGRAM GRANTS

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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 or facilities 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 portion 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 need and which is granted by the director upon the recommendation of the outdoor recreation advisory council.

(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 or state agency receiving assistance.

**History:** Cr. Register, January, 1972, No. 193, eff. 2-1-72.

NR 50.02 Grant programs. The provisions of this chapter apply to the following grant program: (1) The land and water conservation act of 1965, (PL-88-578) as amended by PL-91-485 (LAWCON) 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.

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

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

(4) Recreation—site planning sections 23.09 (24) and (11) (c), (d) and (e), Wis. Stats., to develop site plans for outdoor recreation facilities.

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

**History:** Cr. Register, January, 1972, No. 193, eff. 2-1-72.

**NR 50.03 Planning requirements.** (1) **LAWCON AND LOCAL PARK AID PROGRAMS.** Applicants are required to submit a comprehensive outdoor recreation plan to the department which conforms to the state outdoor recreation plan; or applicants may qualify for eligibility if proposed projects are identified in approved plans of higher units of government.

(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 these programs.

(3) **AIDS TO COUNTIES FOR THE DEVELOPMENT OF SNOWMOBILE TRAILS AND AREAS.** Either a separate county snowmobile plan or a snowmobile section of a comprehensive county outdoor recreation plan is required.

**History:** Cr. Register, January, 1972, No. 193, eff. 2-1-72.

**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 or state agencies.

(2) Both **LAWCON** and **ORAP** local park aids funds available to local governments shall be apportioned to counties on the basis of 70% based on each county's proportionate share of the state population and 30% 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.

**History:** Cr. Register, January, 1972, No. 193, eff. 2-1-72.

**NR 50.05 General provisions.** (1) 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.

(2) Recreational lands purchased or facilities developed under aid programs may not be converted to other uses without approval of the department and approval shall not be granted unless there is evidence that the new uses are essential to and in accordance with an approved comprehensive outdoor recreation plan for the area. Proceeds from disposal of land purchase or facilities developed shall be returned to the department or be used to further the objectives of the aid program.

(3) Reasonable entrance, service or user fees may be charged to pay for operation and maintenance costs.

**History:** Cr. Register, January, 1972, No. 193, eff. 2-1-72.

**NR 50.06 Administration of land and water conservation fund program (LAWCON).** (1) **ELIGIBLE UNITS OF GOVERNMENT.** Towns, counties, incorporated villages, cities, school districts, soil and water conservation districts and state agencies.

(2) **LEVEL OF ASSISTANCE.** Federal support shall be on a matching basis to a maximum 50% of total project allowable costs.

(3) **PROCEDURE FOR APPLICATION FOR GRANTS:**

(a) Meet planning requirement.

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

1. Formal request for a grant.
2. Naming the agency of local government authorized to act in behalf of sponsor and sign forms and claims.
3. That the local government will maintain the area or facility.
4. Indicate funds budgeted for the project or schedule of funding.
5. Agree to comply with the terms and interests of Title VI of the Civil Rights Act of 1964, PL 88-354 (1964) and to the regulations promulgated to such act by the Secretary of the Interior and contained in 43 CFR 17.

(c) Submit a letter to the Metropolitan and State Clearinghouse stating intention to apply for a federal grant as required under the Bureau of Management and Budget Circular A-95.

(d) Furnish land appraisals, relocation plans, and specifications for development proposals and other information as may be required.

(4) **TYPES OF PROJECTS.** (a) *Land acquisition.* Acquisition of lands for public outdoor recreation including new areas or additions to existing parks, forests, wildlife areas, beaches and other similar areas dedicated to outdoor recreation may be eligible for assistance. Acquisition can be by fee simple title or by whatever lessor rights will insure the desired public use.

(b) *Development projects.* Development projects may consist of improvements that contribute directly to outdoor recreation and provide basic facilities for outdoor recreation including access, 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, demolition, site preparation and architectural services.

(5) **PRIORITIES.** 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.

(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 matched project by project. To be eligible for matching assistance, costs must have been incurred within the project period or the period covered by the agreement, with specific exceptions described in the BOR Grant in Aid Manual. Basis for assistance in Part 670 of the BOR Grant in Aid Manual shall be used to determine allowable costs.

(b) Billings may be submitted when deeds have been received for land acquisition and upon completion of a development project or a useable portion of a large development project.

(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 representatives of the state, bureau of outdoor recreation, the department of the interior and the general accounting office. Such records shall be retained and available for inspection for a period of three years after final payment.

**History:** Cr. Register, January, 1972, No. 193, eff. 2-1-72.

**NR 50.07 Administration of ORAP 200 local park aids, sections 23.09 (20) and 66.36, Wis. Stats. (1) PROCEDURE FOR APPLICATION FOR GRANTS:** (a) Meet planning requirements.

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

1. Formal request for the grant.
2. Name the agency of local government to act in behalf of sponsor and sign forms and claims.
3. That the sponsor will maintain the area or facility.
4. Indicate funds budgeted for the project or schedule of funding.

(2) **TYPES OF PROJECTS.** (a) *Land acquisition:* Acquisition of lands for public outdoor recreation including new areas or additions to existing parks, forests, wildlife areas, beaches and other similar areas dedicated to outdoor recreation may be eligible for assistance. Acquisition can be by fee simple title or by whatever lessor rights will insure the desired public use.

(b) *Development projects:*

Development projects may consist of improvement that contributes directly to outdoor recreation and provide basic facilities for outdoor recreation including access, safety, health and protection of the area

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as well as the facilities required for the use of the area. Development project proposals may include construction or renovation, site planning, demolition, site preparation and architectural services.

(3) **PRIORITIES.** 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.

(4) **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.

(5) **ALLOWABLE COSTS—BILLINGS—AUDITS.** (a) Project costs will be matched project by project. To be eligible for matching assistance, costs must have been incurred within the project period or the period covered by the agreement, with specific exceptions described in the agreement.

(b) Billings may be submitted when deeds have been received for land acquisition and upon completion of a development project or a useable portion of a large development project.

(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 representatives of the department. Such records shall be retained and available for inspection for a period of 3 years after final payment.

**History:** Cr. Register, January, 1972, No. 193, eff. 2-1-72.

**NR 50.08 Administration of the artificial lake creation grants section 92.18, Wis. Stats.**

(1) **General provisions:**

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

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

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

(d) The depth of any proposed impoundment shall be at least 15 feet over at least one-third of the surface area.

(e) There shall be adequate flow to insure flushing of stored water within a period not to exceed 3 months based on base flow.

(f) In addition to the 300 foot owned horizontal buffer zone required around the recreational impoundment, an additional 700 foot strip of land shall be owned or zoned in accordance with state, county or local ordinances as conservancy district or recreational conservancy district.

(g) Improved public access shall include a minimum of 100 feet of shoreline per mile of lake frontage and public fishing shall be provided.

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

(i) Hunting privileges shall be provided except on intensively developed areas.

(j) Structures:

1. Cold water streams (containing trout or smallmouth bass or managed for trout or smallmouth bass)

a. Design of single purpose structures on cold water streams shall retain the natural stream channel except within 300 feet of the structure and shall not back up water during normal base flow.

b. Aids will not be approved where wet pools or impoundments back waters over a state class A or B trout stream. Approval of aids for impoundments on class C trout streams may be given only if alternate sites on warm water streams have been determined nonfeasible.

c. If a dam is constructed on a cold water stream, it shall have a dry sediment pool. The conduit through the dam shall be straight through without obstruction and designed to carry base flow with a velocity of not less than 1.5 fs. and not to exceed 4.0 fs. A cunette will be installed in the flume to maintain a minimum water depth of 4 inches. The fall from the flume outlet to the surface of the stilling basin shall not be less than 12 inches nor more than 24 inches.

2. Warm water streams. Wet sediment pools are desirable on warm water streams provided valuable wildlife habitat or aesthetic features are not destroyed.

3. Multiple use structures. The design shall provide for a full bottom drain to be utilized for management, and a cold water draw (variable if possible) to carry full base flow.

4. Damage to habitat. Any damages to the water, fish or game resources shall be mitigated and planned for in the project plan.

**History:** Cr. Register, January, 1972, No. 193, eff. 2-1-72.

**NR 50.09 Administration of recreation site planning grants.** Applications may be submitted by any county, town, city or village for grants of not more than 50% of the cost to develop site plans for outdoor recreation facilities and reimbursement will be after the plans are completed upon incorporation in an approved development agreement or program.

**History:** Cr. Register, January, 1972, No. 193, eff. 2-1-72.

**NR 50.10 Administration of aids for counties for snowmobile trails and areas.** Chapter 350, sections 23.09 (11) and (26) Wis. Stats.

(1) Eligible items:

(a) Trail construction including initial brushing, grading, signing, bridges, culverts, and erosion control measures.

(b) Support facilities including parking areas, toilets and warming buildings.

(2) Priorities:

Priorities are given to projects which meet the needs of the county or area; to basic over elaborate facilities; to trails which are a part of large network of trails, and for development of the following facilities in order of importance:

(a) Long trails

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- (b) Trail signing projects
- (c) Short trails
- (d) Toilet facilities
- (e) Multiple use trails
- (f) Warming shelters
- (3) Procedure for applying for grant:
  - (a) Meet planning requirement.
  - (b) Submit resolution from county board requesting aids; naming the agency or committee of the county authorized to act in behalf of the county; that the county will maintain the area or facility and indicate funds or personnel available for maintenance.
- (4) Snowmobile trail design and construction specifications:
  - (a) *Required specifications:*
    1. Minimum tread for one-way trails is 6 feet.
    2. Minimum tread for two-way trails is 12 feet.
    3. Minimum turning radius is 25 feet.
    4. Sustained grades and slopes will be a maximum of 25%.
    5. A height of 10 feet above the trail will be cleared.
    6. Brush will be cleared from the area 2 feet outside the trail edge.
  - (b) *Desirable specifications:*
    1. Trail length of 15-30 miles is desirable, 40-50 miles maximum, 5-10 miles minimum. Although two-way trails may be necessary under certain conditions, one-way loop trails with alternate shorter routes are recommended for safety and economy in construction and maintenance.
    2. Toilet facilities should be provided at about 15 mile intervals on trails and at heavily used recreation areas. Warming buildings should be considered for the longer trails and for heavily used recreation areas.
    3. Trail vertical and horizontal sight distance should be a minimum of 50 feet. Snowbanks at road crossings should be cut back to provide an adequate visibility in both directions on both sides. Snowbanks should be kept low at crossing points to permit easy exit from and entrance back on to the trail. Warning signs should be installed on both trail and road.
    4. Approaches and exits to grades and slopes should be straight, at least as long as the slope, grades and hill crossings should be wider than the normal trails.
    5. Access to trails should be controlled where possible. Caution signs should be used to indicate trail intersections. Trails should be routed away from areas that will attract undesirable traffic or uses. Emergency exits should be provided at about 5-mile intervals and shown by trail signing.
    6. Topography and land characteristics should be varied to maintain user interest, take advantage of outstanding scenic, historical, natural and educational features along the trail routes. Spur routes into interesting areas are recommended rather than running the main trail directly to the feature.
    7. Occasional open areas should be provided for frolic and rest.
    8. Trail maintenance is extremely important to improve trail usability and enjoyment. Constant dragging of the trail is needed to eliminate moguls (humps). Ideally, heavily used trails should be

dragged immediately after each new snowfall. Once-a-week maintenance is recommended.

9. Snowmobile trails should not be routed over lakes, streams, or other bodies of water. If stream crossings are necessary, provide bridges at least 6 feet wide, made of material capable of retaining snow cover.

10. Trails should cross contours at right angles where possible. Routing trails along side slopes should be avoided.

11. Route trails away from game preserves, winter browse areas, experimental stations, nurseries, plantations and other areas of anticipated conflict.

12. Trash barrels and picnic facilities should be provided at all rest and other use areas.

(5) Snowmobile trail sign standards:

(a) Snowmobile Trail, Regulatory, Warning, Guide and Informational Signs. Signs for use on snowmobile trails to regulate snowmobile traffic, warn snowmobile drivers or assist the snowmobile driver to reach his destination.

1. Trail blazer. The blazer delineates the trail and gives the user assurance that he is on the trail. The blazer is a 5" x 7" elongated diamond shaped reflectorized orange sign. A limited number of 9¼" x 12" trail blazers may be used where needed.

2. Directional arrow sign. The directional arrow sign supplements the trail blazer at intersections and other key locations. The directional arrow is elongated diamond shape size 9¼" x 12" with a black directional arrow on reflectorized orange.

3. Stop. The stop sign is a red reflectorized octagon with reflectorized white letters. The size is 12" x 12" or may be 18" x 18" if the location warrants a larger size. Use 4" upper case letters on the 12" x 12" sign and 6" upper case on the 18" x 18".

4. Regulatory. Informs snowmobile trail user of regulations. Examples are SNOWMOBILES PARK HERE and ONE WAY. The signs shall be black on white reflectorized background to conform with the Department of Transportation, Division of Highways, specification.

5. Warning. Alerts snowmobile trail user of existing or potentially hazardous conditions on or adjacent to the trail. Examples are STOP AHEAD or DEAD END. The signs shall be black lettering on yellow reflectorized background to conform with the Division of Highways specifications.

6. Guide signs. Directs a snowmobiler to his destination. Examples are signs directing traffic to a facility such as ROCK DAM—10 MILES, PICNIC AREA AND TOILETS—3 MILES. The signs shall be white reflectorized lettering on brown with 2½" upper case lettering.

7. Informational signs. The signs are informative only and not for the purpose of directing traffic. Examples are TOILETS or BRUCE MOUND RECREATION AREA. These signs are nonreflectorized and shall be painted or routed with white lettering on a stained or brown painted background.

8. Highway warning sign. Warns motorists of a snowmobile trail crossing.

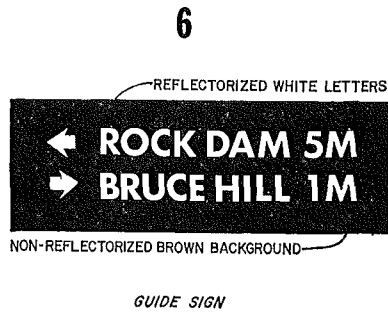
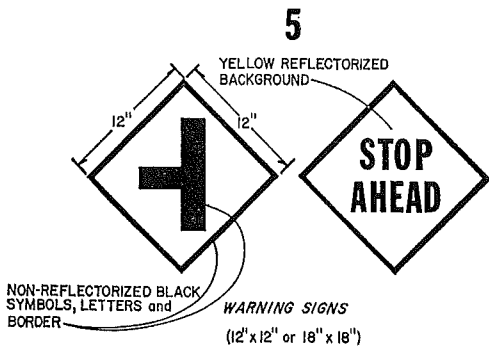
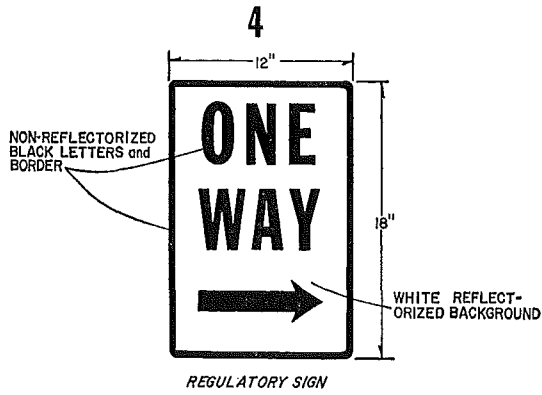
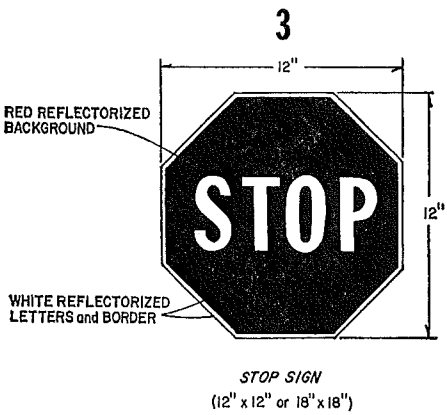
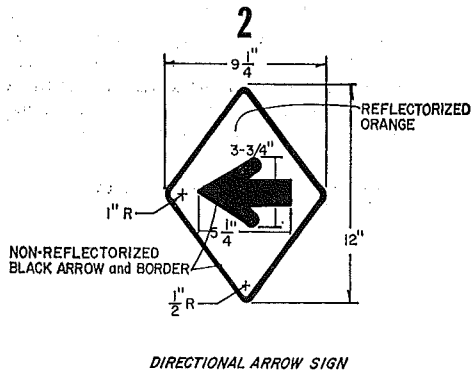
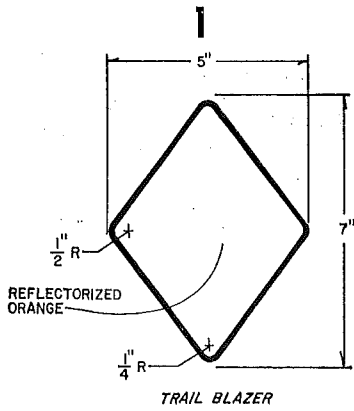


9. Snowmobile trail symbol. Used at beginning of trails or where trails intersect highways.

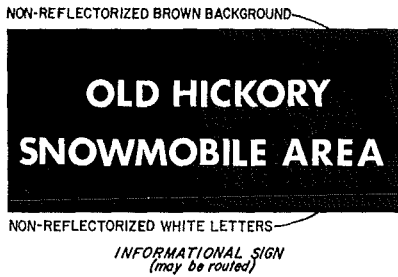
10. Sign placement. Example attached.

(6) Signs used on highways shall be reflectorized and constructed to the minimum specifications of standard intersection signing listed in the *Wisconsin Manual of Traffic Control Devices* with letters 2½" upper case. The reflective material for all reflectorized signs shall meet the specifications of the Wisconsin department of transportation for highway signs.

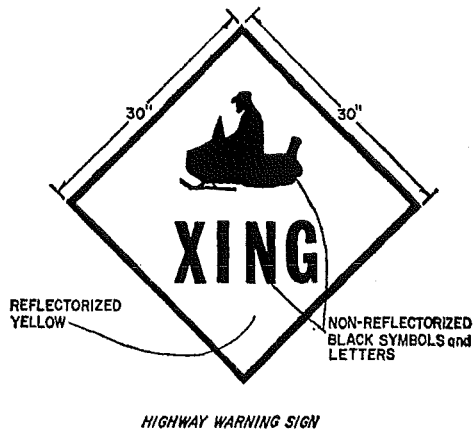
**Note:** The *Wisconsin Manual of Traffic Control Devices* is a publication of the Department of Transportation, Division of Highways, in effect on February 1, 1972.



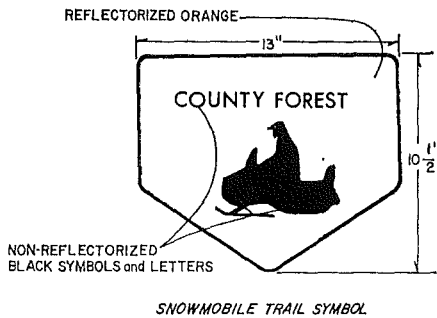
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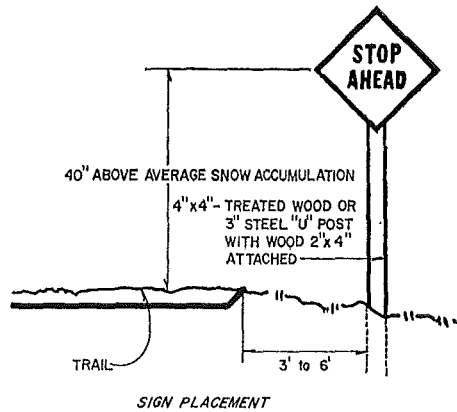
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**History:** Cr. Register, January, 1972, No. 193, eff. 2-1-72.

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