

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History: Chapter NR 50 as it existed on March 31, 1975 was repealed and a new chapter NR 50 was created, effective April 1, 1975

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 need and which is granted by the secretary or deputy 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, 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.

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75; am. (8), Register, March, 1976, No. 243, eff. 4-1-76.

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 sections 23.09 (20) and 66.36, Wis. 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 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) Public access to water section 23.09 (9), Wis. 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, chapter 350, sections 23.09 (11) and (26), Wis. Stats.

(6) Law enforcement aids to counties, chapter 350 and section 23.09, Wis. Stats.

History: Cr. Register, March, 1975, No. 231, eff. 4-1-75; cr. (6), Register, March, 1977, No. 255, eff. 4-1-77.

NR 50.03 Planning requirements. (1) LAWCON AND LOCAL PARK AID PROGRAMS. Applicants are required to submit a comprehensive outdoor recreation plan for their area 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 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.

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. Unused county funds revert to a district fund on January 1 and unused district funds to a statewide fund on April 1 of each year. Swimming and wading pool applications will only be considered for funding after April 1 of each year.

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.

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 or to other outdoor recreation uses without approval of the department for all programs and the secretary of the interior for LAWCON projects. 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. Approval shall not be granted unless there is substitution of other public recreation properties of at least equal fair market value and of reasonably equivalent usefulness, quality and location. 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. With the exception of income derived from the sale of structures acquired with fund assistance, all income accruing after the project period including that from recreational use and that from land management may be disposed of at the participants' discretion. Such management practices must be compatible with and complementary to the outdoor recreational use of the area. Income from the sale of structures must be reimbursed to the appropriate aid program.

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

(4) Land acquisition—types of projects. (a) 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 lesser rights will insure the desired public use. The following types of acquisition that are eligible for assistance:

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 to 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 and tot lots, areas adjacent to school playgrounds, competitive nonprofessional sports facilities, as well as more generalized park lands.

6. Land for recreation trails.

7. Park land purchased adjacent to school sites above the following minimums for school purposes: elementary schools 10 acres, middle schools 20 acres, high schools 30 acres, or justified by school-park plan approved by the department.

8. Land for golf courses.

9. Sanitary landfill projects: Areas purchased for future use for recreation but to be used during an interim period for sanitary landfill, the interim use would be 3 years or less and the value of interim use would be credited towards the purchase of the lands.

(5) To assure fair and consistent treatment of owners under federal aid land acquisition programs, project sponsor shall be guided by the following:

(a) The head of a sponsoring agency shall make every reasonable effort to acquire real property by negotiation.

(b) Real property shall be appraised and appraisal report shall be approved by the department before the initiation of negotiations and the owner or his designated representative shall be given an opportunity to accompany the appraiser during his inspection of the property.

(c) Before the initiation of negotiations for real property, the head of the sponsoring agency shall establish an amount which he believes to be just compensation therefor and shall make a prompt offer to acquire the property for the full amount so established. In no event shall such offer be less than the approved appraisal of the fair market value of such property. Any decrease or increase in the fair market value of real property prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner, will be disregarded in determining the compensation for the property. The sponsor shall provide the owner of real property to be acquired with a written statement of, and summary of the basis for, the amount he established as just compensation. Where appropriate, the just compensation for the real property acquired and for damages to remaining real property shall be separately stated. The seller may accept less than appraised value, but shall furnish a written statement explaining the circumstances.

(d) No owner shall be required to surrender possession of real property before the sponsor pays the agreed purchase price or deposits with the court in accordance with section 1 of the Act of February 26, 1931 (46 Stat. 1421; 40 U.S.C. 258a), for the benefit of the owner, an amount not less than the agency's approved appraisal of the fair market value of such property, or the amount of the award of compensation in the condemnation proceeding for such property.

(e) The construction or development of a public improvement shall be so scheduled that, to the greatest extent practicable, no person lawfully occupying real property shall be required to move from a dwelling (assuming a replacement dwelling as required by title II will be available), or to move his business or farm operation, without at least 90 days' written notice from the sponsor of the date by which such move is required.

(f) If the sponsor permits an owner or tenant to occupy the real property acquired on a rental basis for a short term or for a period subject to termination by the sponsor on short notice, the amount of rent required shall not exceed the fair rental value of the property to a short term occupier.

(g) In no event shall the sponsor either advance the time of condemnation, or defer negotiations or condemnation and the deposit of funds in court for the use of the owner, or take any other action coercive in nature, in order to compel an agreement on the price to be paid for the property.

(h) If any interest in real property is to be acquired by exercise of the power of eminent domain, the sponsor concerned shall institute formal condemnation proceedings. No sponsor shall intentionally make it necessary for an owner to institute legal proceedings to prove the fact of the taking of his real property.

(i) If the acquisition of only part of a property would leave its owner with an uneconomic remnant, the sponsor shall offer to acquire the entire property.

(6) (a) For acquisitions with total cost of \$25,000 or more, a narrative appraisal report shall include appraiser qualifications; statement of limiting conditions; purpose of the appraisal; identification of the property; city and area data; property data; analyses of highest and district use; land value; value estimate by cost approach; value estimate by comparative approach; interpretation and correlation of estimates; history of conveyances; certification of appraiser and exhibits and addenda.

(b) For acquisitions of up to \$25,000 total cost, the appraisal report shall include property description; date of value; supporting data; statement of highest and best use; appraiser's qualifications; appraiser's certification and history of conveyance.

(7) Development projects—general. (a) Development may be on lands and water owned by or leased to the sponsoring agency.

1. Plans for the development of land and/or facilities should be based on the needs of the public, the expected use, and the type and character of the project area. Facilities should be attractive for public use and generally consistent with the natural setting and the topographic limitations. Improvements and structures should be so designed that they harmonize as much as possible with the natural environment. Emphasis should be given to public health and safety of users and to protection of the recreational value of the area. Development projects may consist of an improvement or group of related improvements designated to provide basic facilities required for the use of the area. A project may consist of the complete or partial development of one area such as a state park or forest or a city playground. The project must be a logical unit of work to be accomplished in a specified time.

2. Development project proposals may include, in addition to construction and renovation, site planning, demolition, site preparation, architectural services, and similar activities essential for the proper conduct of the project.

3. Only developments which have a well defined objective will be acceptable. Developments which do not contribute directly to outdoor recreation are not acceptable, such as supporting facilities not directly related to outdoor recreation activities, or facilities which contribute primarily to indoor recreation.

(b) Eligible types of developments. 1. Observation and sight-seeing 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, snowmobiling. Ice rinks may have sun shade or wind screens but not both. Skating rinks with both are not eligible.

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 recommended by local or state education agencies 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.

13. Shelter buildings that are completely open on at least 3 sides. Up to 10% of the enclosed portion of a shelter may be used for concessions, storage and kitchen areas. Offices are not eligible.

14. Fences for the protection of park users, tennis court fences and baseball backstops with baseline fencing.

15. 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. Dam repair and maintenance projects are not eligible items for cost sharing.

16. Fixed equipment for campgrounds, playground, picnic area and beach. Garbage cans are not eligible. Fixed garbage stations are eligible. Picnic tables as a part of an overall development project are eligible. Replacement picnic tables are not eligible.

17. Lighting for tennis courts, hockey rinks, games courts, multipurpose courts and safety lighting.

(c) Limitations on the development of leased property. Assistance may be given to develop real property that is leased to the participant provided that control and tenure of such property is commensurate with the proposed development. This control must be adequate in 2 regards:

1. Time. The time remaining on the lease will be a term sufficient, in the department's judgment, to insure a period of public use and enjoyment commensurate with the expenditure of money. The lease cannot be revocable at will by the lessor. The original lease must have been for 25 years if federal land is to be leased.

2. Control. The sponsor must provide evidence that the proposed development and its intended uses are consistent with and legally permissible under the conditions of the lease.

(d) Development projects which will not be assisted. Generally, assistance will not be made available for the following items:

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, "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).

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 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.

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.

9. Buildings primarily devoted to concessions, storage, kitchen facilities or indoor recreation.

10. Buildings which lend support to facilities not eligible for cost sharing, such as chalets for ski hills, clubhouses for golf courses.

11. Golf courses, marinas, downhill ski development and similar facilities.

12. Poles, lights and fixtures for sport fields.

13. Dredging, except for swimming beaches and boat launching ramps where it is necessary to dredge the first time to make the area usable. Eligible dredging will in such cases be restricted to the immediate area of the beach and boat launch facility.

(e) Swimming and wading pools. Outdoor pools are eligible for LAWCON or ORAP local park aids. Indoor pools are not eligible. Convertible outdoor-indoor pools are not eligible. Cost sharing is up to 50% of costs, but not to exceed 50 cents per gallon of pool capacity. For wading pools, cost sharing is up to 50% of costs, but not to exceed 75 cents per gallon of pool capacity.

(f) Acknowledgement of aids. Sponsors shall erect sign acknowledging state or federal assistance of land and water and state ORAP local park aid projects with symbols approved by the bureau of outdoor recreation and the department.

(8) Provisions for consideration of handicapped shall conform with the American National Standard Institute specifications (ANSI A117.1-1961 (R 1971)) (copies are available for inspection at the office of the department of natural resources, secretary of state's office and the office of the revisor of statutes, and may be obtained for personal use from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018) for making buildings and facilities accessible to, and desirable by, the physically handicapped shall be considered by project sponsors.

Note: The approval of the revisor of statutes and the attorney general does not extend to the secondary standards contained in sections 5.1.2, 5.4, 5.13.5 and 5.13.6 of ANSI 117-1-1961 (R 1971) and without approval, said secondary standards are unenforceable.

(9) Provisions of the federal office of management and budget, circular A-102 as published on October 19, 1971 and September 8, 1972, and circular A-87 as published May 9, 1968 shall apply to all federal grants.

(10) The sponsor shall agree to comply with the terms and intent of the flood disaster protection act of 1973 (PL 93-234) and all applicable regulations and procedures implementing the act.

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.

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,

school districts, soil and water conservation districts and state agencies, except that school districts are not eligible for local park aids.

(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.

(c) Agree to comply with the terms and interests of title IV 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.

(d) 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.

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

(f) Construction contract compliance with presidential executive order 11246 requiring contractors and subcontractors to provide equal employment opportunities in each of the trades on federally assisted projects. Local governments shall inform contractor and subcontractors of federal grants and send copies of the bid announcements to the federal government. The general provisions on form 8700-65A and form 8700-67A must be strictly adhered to.

(3) **CONTINGENCY FUND GRANTS:** Land acquisition projects have highest priority. Local government projects should have area of 100 acres or more with water access; state projects should have 500 acres or more with water access and be recommended by the outdoor recreation advisory council.

(4) **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.

(5) **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.

(6) **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 except that fringe benefits and donated labor materials and equipment shall not be allowable costs in force account projects.

(b) Billings may be submitted when deeds have been received for land acquisition and upon completion of a development project or a usable 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 3 years after final payment.

(d) The rental rate charged by project sponsors for use of their equipment will be determined in accordance with bureau of the budget circular no. A-87.

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

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.

NR 50.07 Administration of the artificial lake creation grants. (section 92.18, Wis. 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 section 59.971 Wis. 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. (section 23.09 (9), Wis. 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.