

NR 50



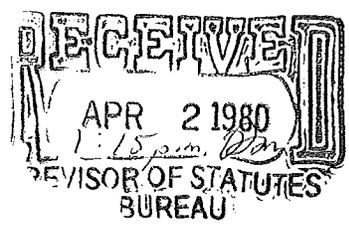
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Anthony S. Earl
Secretary

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: _____

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) SS



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Anthony S. Earl, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. FA-50-79 was duly approved and adopted by this Department on January 23, 1980. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at General Executive Facility #2 in the City of Madison, this 31ST day of March, 1980.

Anthony S. Earl

Anthony S. Earl, Secretary

(SEAL)

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
AMENDING, REPEALING AND RECREATING, AND CREATING RULES

.....
IN THE MATTER of amending sections NR 50.04 .
(4)(e) & NR 50.05; repealing and recreating .
sections NR 50.05(14)(m), NR 50.09, NR 50.10 .
& NR 50.11; and creating sections NR 50.01 .
(17), NR 50.02(7) & (8), NR 50.14 and NR . FA-50-79
50.15 of the Wisconsin Administrative Code .
pertaining to administration of outdoor .
recreation program grants .
.....

Analysis Prepared by Department of Natural Resources

Chapter NR 50, Wis. Adm. Code, pertains to the Department of Natural Resources' administration of the snowmobile aids, LAWCON and ORAP aids programs. Amendments regarding the administration of the snowmobile aids program are required to keep the program current with recent legislation and to streamline the rules. Revisions for the LAWCON-ORAP programs will increase the flexibility of utilizing funds and define non-allowable costs and force account. Creation of sections NR 50.14 (county fish and wildlife) and NR 50.15 (county habitat development) will permit enforcement of administrative procedures.

Pursuant to the authority vested in the State of Wisconsin Natural Resources Board by sections 23.09, 23.11, 23.30 and 227.014, and chapter 350, Wisconsin Statutes, the State of Wisconsin Natural Resources Board hereby amends, repeals and recreates, and creates rules interpreting sections 23.09 and 23.30 and chapter 350, Wisconsin Statutes, as follows:

SECTION 1 - Section NR 50.01 (17) is created to read:

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

SECTION 2 - Sections NR 50.02 (7) and (8) are created to read:

(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).

SECTION 3 - Section NR 50.04 (4) (e) is amended to read:

(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 February 1 and unused district funds to a statewide fund on May 1 of each year.~~ 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.

SECTION 4 - Section NR 50.05 (11) is amended to read:

(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.

SECTION 5 - Section NR 50.05 (14) (m) is repealed and recreated to read:

(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.

SECTION 6 - Sections NR 50.09, NR 50.10 and NR 50.11 are repealed and recreated to read:

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

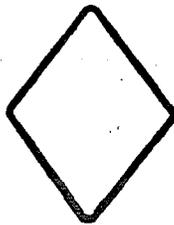
(b) Development of snowmobile trail. 1. Development shall begin the same year land is acquired.

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



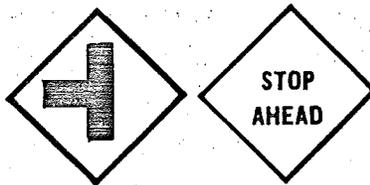
STOP SIGN

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.

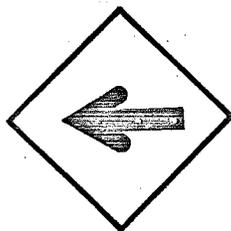


WARNING SIGNS

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.

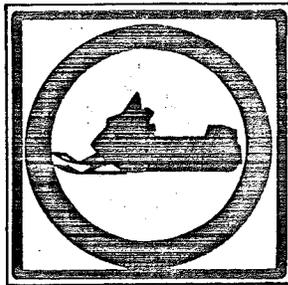


REGULATORY SIGN

Purpose: To inform snowmobile driver or regulations.

Minimum size: 12" x 18"

Color: Reflective white background and black letters and border.



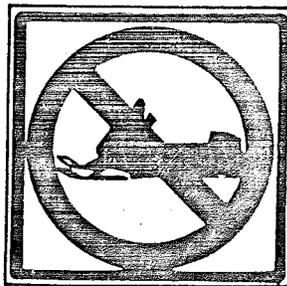
PERMISSIVE

Purpose: To indicate snowmobile trails and other areas where snowmobiling is permitted.

Minimum size: 12" x 12"

Background color: Reflective white.

Legend: Reflective green circle. 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.

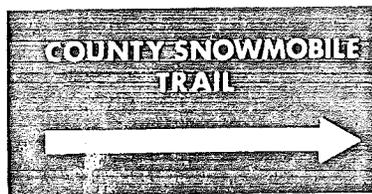


GUIDE SIGN

Purpose: Directs snowmobile driver to his or her destination.

Color: Brown background with reflective white letters and legend.

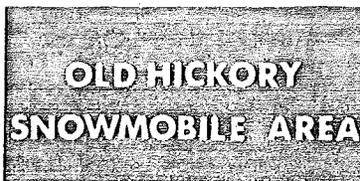
Legend: 2" upper case letters.



HIGHWAY GUIDE SIGN

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

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



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).

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 sheeting 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.

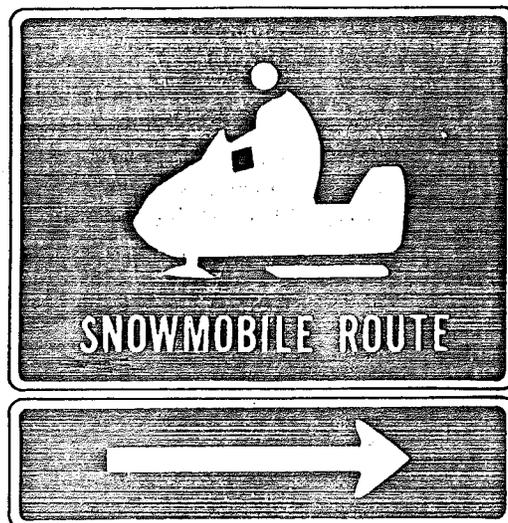
(c) Snowmobile crossing warning signs, route signs, posts and hardware are eligible for aid.

(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

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.

SECTION 7 - Section NR 50.14 is created to read:

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.

(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.

SECTION 8 - Section NR 50.15 is created to read:

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 employes 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.

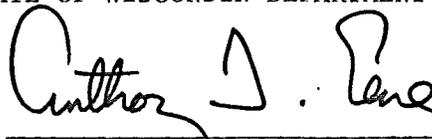
The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on January 23, 1980.

The foregoing rules will take effect upon publication as provided in section 227.026, Wisconsin Statutes.

Dated at Madison, Wisconsin 31 March 1980

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By



Anthony S. Earl, Secretary

(SEAL)



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

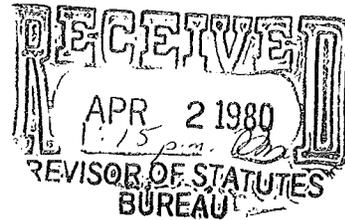
Anthony S. Earl
Secretary

March 31, 1980

BOX 7921
MADISON, WISCONSIN 53707

IN REPLY REFER TO: 1020

Mr. Orlan L. Prestegard
Revisor of Statutes
411 West
C A P I T O L



Dear Mr. Prestegard:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. FA-50-79. These rules were reviewed by the Assembly Committee on Tourism, Recreation and Economic Development and the Senate Committee on Natural Resources and Tourism, pursuant to section 227.018, Stats. There were no objections.

You will note that this order takes effect upon publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

Anthony S. Earl
Secretary

Enc.