

2. Projects which continue eligible acquisition projects previously started.

3. Projects which implement the approved master plans of 2 or more units of government or regional planning agencies.

(8) GARDEN PROJECT SELECTION. In selecting garden projects, the department shall consider:

(a) Land located in areas with a high percentage of land developed.

(b) Land adjacent to high density housing with residents with demonstrated special needs.

(c) Land in areas where there is a consistent demand or oversubscription for existing space.

(d) Land that provides for expanding or replacing temporary garden plots.

History: Cr. Register, October, 1990, No. 418, eff. 11-1-90.

**NR 50.17 Shooting range development.** (1) PURPOSE. The purpose of this section is to establish standards for the implementation of a grant-in-aid program for development of shooting ranges under 16 USC 669, et seq.

(2) APPLICABILITY. The provisions of this section are applicable to counties, cities, villages, townships, other governmental agencies or units, clubs or organizations, businesses or corporations and educational institutions.

(3) BIENNIAL ALLOTMENT. (a) On July 1 of each odd-numbered year, the secretary shall establish an allotment available as matching funds for shooting range construction. Funding shall be a portion of 16 USC 669, et seq. money returned to the state allocated for hunter education. This allotment shall be separate from funding used to construct shooting ranges on land owned by the state of Wisconsin.

(b) Fifty percent of approved eligible project costs may be funded.

(c) Twenty percent of the established allotment may be exempted from the provisions of sub. (4) (c) 1 if used to fund range projects which can be developed with not more than 10% of the total established allotment.

(4) GENERAL PROVISIONS. (a) The following projects are eligible:

1. Outdoor range construction, including: backstops and berms, target holders, shooting benches, baffles, protective fencing, signs, trenches, gun racks, platforms, restrooms and other items considered essential for the project by the department.

2. Indoor ranges, when it is determined by the department they are needed, including classroom, storage and restroom facilities.

(b) The following projects are not eligible:

1. Construction of clubhouses and facilities not essential to the operation of the shooting range.

2. Operation and maintenance of the range.

(c) Applications will be ranked based on a comparative basis considering the following criteria:

1. First consideration will be given projects in major metropolitan areas where ranges are not available for hunter education training.
2. Second consideration will be given projects in locations where ranges are not available within 20 miles for hunter education training.
3. More consideration will be given projects to improve an existing range than to develop new ranges in the same locality.
4. The potential of the project to meet the needs of hunter education programs and public shooting in the locality.
5. Zoning requirements.

(d) Sponsors shall demonstrate an ability to operate the range for at least 20 years and shall contract with the state of Wisconsin for use by the hunter education program during this period.

(e) Applicants shall submit an application on the prescribed department form.

Note: The forms may be obtained from Hunter Education Administrator, Department of Natural Resources, Box 7201, Madison, Madison, WI 53791.

History: Cr. Register, August, 1985, No. 356, eff. 9-1-85; r. and recr. (3), am. (4) (d), Register, May, 1994, No. 461, eff. 6-1-94.

**NR 50.18 Local park aid program.** (1) **PURPOSE.** The purpose of this section is to establish standards for the implementation of a grant program to develop public outdoor recreational facilities under s. 23.09 (25) (e), Stats.

(2) **APPLICABILITY.** This section is applicable to towns, villages, cities, counties and Indian tribes applying for local park aid grants under s. 23.09 (25) (e), Stats.

(3) **DEFINITIONS.** (a) "Department" means department of natural resources.

(b) "Local park aid program" means the program created under s. 23.09 (25) (e), Stats., with funds appropriated under s. 20.370 (4) (bw), Stats.

(c) "Water based public recreation" means public outdoor recreational facilities or support facilities for activities such as swimming, fishing and boating.

(4) **GENERAL PROVISIONS.** (a) Eligible sponsors (towns, villages, cities, counties and Indian tribes) may receive a state grant of up to 50% of the total project costs for the development of a local park. Projects involving the acquisition of land are not eligible.

(b) The maximum grant amount under this program for any project is limited to 30% of the s. 20.370 (4) (bw), Stats., biennial appropriation amount.

(c) Grants shall be awarded on a statewide priority basis.

(d) An approved local comprehensive outdoor recreation plan is required to be eligible to submit applications to the local park aid program.

- (e) Only one application will be accepted per eligible sponsor.
- (f) Cost overruns beyond the original grant award may not be allowed.

(5) **PRIORITIES.** Priorities in ranking are given to projects based on the following project criteria. The department shall determine the eligibility for each project by reviewing each project according to the following criteria (criteria not in order of priority):

(a) Highest priority shall be given to projects to develop a local park that provides water-based public recreation opportunities.

(b) Projects which meet urban park needs.

(c) Activities for the general public have higher priority than those for a limited group.

(d) Basic facilities have priority over elaborate facilities such as covered ice rinks and indoor swimming pools.

(e) Participant facilities have priority over spectator facilities.

(f) Projects not having other public or private funds available to them.

(g) Projects for sites where a scarcity of water-based recreational activities exist.

(h) Projects that provide opportunities for water-based recreation activities rather than support them.

(i) Projects which may enhance or preserve natural beauty.

(j) Completion of projects already started where the sponsor has shown the ability to provide quality outdoor recreation facilities for its citizens without grant assistance.

(k) Projects to develop areas previously acquired.

(l) Projects to renovate existing facilities which are in danger of being lost for public use.

(m) Priority to applicants who have not received LAWCON or outdoor recreation action program — local park aids (ORAP-LPA) funds in the past.

(n) Priority to applicants who have good performance records on prior LAWCON, ORAP-LPA or other recreational projects.

(o) Priority to applicants who are financially able to adequately maintain and operate the area or facility.

(q) Projects which offer safe, rapid and convenient access by all types of transportation modes appropriate for that type of facility.

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