

Clearinghouse Rule 11-050

Report to
Legislative Council Rules Clearinghouse
Chs. NR 50 and 64, Wis. Adm. Code
Natural Resources Board Order No. CF-16-11

Wisconsin Statutory Authority

ss. 20.370(5)(cr), (cs), (ct), (cu), 23.09(26), 23.33(8)(a), 23.33(9)(b)3--5, 350.12(4)(b), 350.12(4)(bm)2, and 227.11(2)(a), Wis. Stats.

Federal Authority

Not applicable

Court Decisions Directly Relevant

None.

Analysis of the Rule - Rule Effect - Reason for the Rule

- A. The Department proposes to revise ch. NR 50, Administration of Outdoor Recreation Program Grants and State Aids (County Snowmobile Aids), Wis. Adm. Code, as follows:
- Increase bridge design load requirements from 12,000 pounds to 14,000 pounds to better accommodate the weight of modern trail grooming equipment. This change was recommended by the Governor's Snowmobile Trail Council and the Department's Chief Engineer.
 - Clarify minimum duration for easements or lease agreements between the grant recipient and owners of private land on which a bridge will be located if up to \$50,000 of snowmobile trail aids funds are used for either bridge construction or rehabilitation. This change recognizes that higher-cost structures need to be maintained where placed in order for the greatest benefit to be realized for the funds awarded. This change was recommended by the Governor's Snowmobile Trail Council.
 - Identify a process by which the Governor's Snowmobile Trail Council can establish higher minimum year length for easements or lease agreements if the cost of a bridge receiving grant funding is more than \$50,000. This change was recommended by the Governor's Snowmobile Trail Council.
 - Increase from \$130 per mile to \$150 per mile the minimum expenditure needed before a county is eligible to apply for a supplemental snowmobile trail maintenance grant. Making this change will make ch. NR 50 consistent with s. 350.12(4)(bm)2, Wis. Stats.
- B. The Department proposes to revise ch. NR 64, All-Terrain Vehicles, Wis. Adm. Code, as follows:
- Include first-ever guidelines for bridge design load requirements and modify method for calculating load conditions. This change would make all-terrain vehicle (ATV) grant provisions identical to snowmobile grant conditions in this regard and would better accommodate the weight of modern trail grooming equipment as some ATV trails are used by snowmobiles during the winter.
 - Include a minimum three-year length for easements or lease agreements between the grant recipient and owners of land on which bridge construction or rehabilitation is funded with ATV trail aids funds.
 - Increase per-mile ATV trail summer maintenance reimbursement rates from \$450 per mile to \$600 per mile. Existing per-mile reimbursement rate for local governments for summer ATV trail maintenance is not compatible with current costs and county funds are used to fill the funding gap. This change was recommended by the Off Road Vehicle Advisory Council.
 - Identify changes for seasonal signage to make trails safer.
 - Create a new trail + route (referred to as a "troute") category that is eligible for ATV grant funding. These hybrid trails have been in use in WI for several years.

Agency Procedures for Promulgation

Public hearing, Natural Resources Board final adoption, Governor's Office of Regulatory Compliance final approval, followed by legislative review.

Description of any Forms (attach copies if available)

None.

Name and Telephone Number of Agency Contacts

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