

APPENDIX D:

**Memorandum of Understanding Between the
National Park Service,
Wisconsin Department of Natural Resources,
and Ice Age Park and Trail Foundation
and Vision Statement**

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
NATIONAL PARK SERVICE
AND THE
WISCONSIN DEPARTMENT OF NATURAL RESOURCES
AND THE
ICE AGE PARK AND TRAIL FOUNDATION, INC.
CONCERNING THE
ICE AGE NATIONAL AND STATE SCENIC TRAIL

This agreement is made and entered into, by and between the National Park Service, hereinafter referred to as the “NPS,” and the Wisconsin Department of Natural Resources, hereinafter referred to as the “DNR,” and the Ice Age Park and Trail Foundation, Inc., hereinafter referred to as the “IAPTF,” in furtherance of the purposes of and pursuant to the powers and authorities contained in the National Trails System Act of October 2, 1968, as amended [16 U.S.C. 1241 et seq.], hereinafter referred to as the “Act,” and in Wisconsin Statutes 23.17, 23.09(2)(d)10, 23.293, and 23.295.

Article I – BACKGROUND AND OBJECTIVES

This agreement is for the purpose of cooperating in the completion and long-term management of the Ice Age National Scenic Trail, hereinafter referred to as the “Trail,” clarifying the responsibilities of each party for the Trail, and establishing specific responsibilities each party may have for Trail lands acquired with Wisconsin Stewardship grants and Ice Age Trail dedication, pursuant to the Act and s. 20.866(2)(tz), 23.17, 23.175, and 23.293(11) Wis. Stats. This agreement supersedes the 1998 agreement between the NPS, DNR, and IAPTF.

On October 3, 1980, Congress amended the Act to authorize and establish the Ice Age National Scenic Trail as a component of the National Trails System [94 Stat. 1360; 16 U.S.C. 1244(a)(10)]. The Trail meanders through Wisconsin for approximately 1,200 miles from Potawatomi State Park in Door County to Interstate State Park in Polk County, generally following the terminal moraine and other glacial landscape features. The Secretary of the Interior was assigned administrative responsibility for the Trail.

The Act provides, in Section 7(h) [16 U.S.C. 1246(h)], that when determined to be in the public interest, the Secretary of the Interior may enter into written cooperative agreements with States or their political subdivisions, landowners, private organizations, or individuals to operate, develop, and maintain any portion of a national scenic trail either within or outside a Federally-administered area. Such agreements may include provisions for limited financial assistance to encourage participation in the acquisition, protection, operation, development, or maintenance of such a trail, provisions providing volunteer in the park status (in accordance with the Volunteers in the Parks Act of 1969) to individuals, private organizations, or landowners participating in such activities, or provisions of both types.

Because the Trail involves only a small portion of Federal lands and the Act provides that the development, operation, and maintenance of the Trail shall be a cooperative venture, with special emphasis on the participation of private volunteer trail organizations, the Secretary of the Interior has determined it to be in the public interest to enter into this agreement.

The Secretary of the Interior has delegated overall administrative responsibility for the Trail to the NPS. The NPS, in cooperation with the other parties to this agreement, completed a Comprehensive Plan for

Management and Use of the Trail in September 1983. The NPS is responsible at the Federal level for carrying out the provisions of the Act as they relate to the Trail. The NPS carries out or facilitates trail planning, environmental compliance, and land protection activities. The NPS assists other public and private partners by coordinating, guiding, and assisting their efforts to acquire, develop, operate, protect, and maintain the Trail in accordance with the comprehensive plan and any supplemental plans. The comprehensive plan identifies the DNR and the IAPTF as cooperators in the long-term effort to develop and manage the Trail. The NPS serves as the primary liaison with other Federal agencies in matters relating to the Trail. In carrying out this role, the NPS reviews and comments on Federal or Federally-assisted/permitted projects and activities that may affect trail segments, such as highway, utility, and other development proposals.

The DNR is the State agency responsible for providing and maintaining outdoor recreation resources of Statewide significance, including trails, in Wisconsin. The Statewide significance of the Trail, the involvement of State recreation facilities in the route of the Trail, and the relationship of the Trail to the State-administered Ice Age National Scientific Reserve form the basis for the DNR's participation in development and management of the Trail. In 1987, the State legislature formalized this role by passing legislation designating the Trail as a State Scenic Trail and assigning the DNR responsibility for coordinating the involvement of State agencies in the Trail project and cooperating with the NPS and private interests in planning, acquiring, developing, and maintaining the Trail. Other legislation has made the DNR responsible for administering financial aids to assist the IAPTF and others to acquire lands for the Trail. In 2001, the Natural Resources Board approved an acreage goal increase for the Ice Age State Scenic Trail and included the Trail in the Wisconsin Trails Network Plan. The DNR serves as the primary liaison with other State agencies in matters relating to the Trail. In carrying out this role, the DNR works with other State agencies to ensure that the trail is accommodated within the lands and programs such agencies may manage.

The IAPTF is a private, nontoxic, nonprofit corporation composed of individual members and county chapters. The IAPTF was incorporated in 1958 and it then and now exists under the Wisconsin Nonstock Corporation Law. The IAPTF is exempt from Federal income taxation under sec. 501(c)(3) of the Internal Revenue Code, and is classified under sec. 509(a) as other than a private foundation. The mission of the IAPTF is to create, support, and protect a thousand-mile foot trail tracing Ice Age formations across Wisconsin. It does this primarily by organizing and coordinating local government and private sector involvement in such efforts, including fund raising and the recruitment and training of volunteer trail builders/maintainers. It has the primary responsibility to develop and encourage the growth of strong and active local volunteer chapters. The IAPTF serves as the primary liaison with local governmental agencies and other nonprofit conservation organizations in matters relating to the Trail. In carrying out this role, the IAPTF works to secure and coordinate the involvement of local government, private interests, and private sector resources in the planning, acquisition, development, operation, maintenance, and protection of the Trail.

Article II – STATEMENT OF WORK

The NPS, DNR, and IAPTF agree to coordinate their work to establish and manage the Trail in accordance with the attached Vision Statement and Attributes, and commit to carrying out various tasks relating thereto, according to the following tables:

TRIAD ROLES

PLANNING THE ICE AGE TRAIL

Wisconsin DNR	National Park Service	Ice Age Park & Trail Foundation
<ol style="list-style-type: none"> 1. Commit central office and regional staff to: <ol style="list-style-type: none"> a. lead trailway planning process in selected counties b. participate on the trailway planning core teams in other counties c. advise real estate staff on acquisition decisions to implement plans d. provide technical assistance for site planning on protected lands 2. Interface the Trail with Land Legacy Report, Feasibility Studies, and Master Plans for DNR properties. 3. Ensure that all DNR-led trailway planning complies with federal and state laws and regulations. Coordinate with NPS to ensure it complies with Federal requirements. 4. Act as primary liaison with the Wisconsin Department of Transportation, especially to ensure safe highway and road crossings and access points at appropriate safe locations. 5. Participate in the study area identification process for counties that have not yet had trailway planning. 	<ol style="list-style-type: none"> 1. Coordinate the IAT Corridor Planning Process <ol style="list-style-type: none"> a. coordinate assignment of lead responsibility and timing for each county b. monitor progress in each county 2. Commit staff to: <ol style="list-style-type: none"> a. lead trailway planning process in selected counties b. participate on the trailway planning core teams in other counties c. manage planning contracts in counties where a contract agency leads the process 3. Ensure that all NPS-led trailway planning complies with federal and state laws and regulations. Coordinate with DNR to ensure it complies with Wisconsin requirements. 4. Coordinate the study area identification process for counties that have not yet had trailway planning. 5. Use all appropriate opportunities to help ensure that the Trail is integrated into “Smart Growth” planning at the local level. 	<ol style="list-style-type: none"> 1. Commit staff to participate on trailway planning process core teams. 2. Recruit volunteers to participate on trailway planning process core teams. 3. Contact landowners as part of the planning process with the guidance of the core team. 4. Participate in the study area identification process for counties that have not yet had trailway planning. Provide GIS and/or mapping support, as appropriate. 5. Develop chapters/constituencies where needed to support the planning process. 6. Advocate for and support the integration of the Trail into “Smart Growth” planning at the local level.

- | | | |
|--|--|--|
| <ol style="list-style-type: none">6. Use all appropriate opportunities to help ensure that the Trail is integrated into “Smart Growth” planning at the local level.7. Use every available opportunity to ensure that the Trail is incorporated into all appropriate long range County Forest plans. | | |
|--|--|--|

\

TRIAD ROLES

FUNDING THE ICE AGE TRAIL

Wisconsin DNR	National Park Service	Ice Age Park & Trail Foundation
<p>1. Provide DNR staff support:</p> <ul style="list-style-type: none"> a. dedicated Ice Age Trail manager b. regional staff <ul style="list-style-type: none"> - trailway planning - trail implementation - land acquisition c. state trails coordinator assistance, including determining and disseminating policy guidance department-wide <p>2. Utilize DNR project funds for:</p> <ul style="list-style-type: none"> a. trail development b. ancillary facilities <p>3. Provide land acquisition funding (Stewardship Program and Federal LWCF grant funds)</p> <ul style="list-style-type: none"> a. For DNR acquisitions b. For grants to local governments c. For grants to NCOs <p>4. Provide grants through the Special Maintenance Program.</p> <p>5. Seek inclusion of Ice Age Trail in other state or state-assisted projects and</p>	<p>1. Provide NPS operational appropriations:</p> <ul style="list-style-type: none"> a. Madison NPS staff and office b. financial support to IAPTF for operational needs via cooperative agreement c. signing, brochures, etc. <p>2. Fund Challenge Cost Share projects.</p> <p>3. Fund Volunteers in Parks (VIP) Program activities</p> <ul style="list-style-type: none"> - volunteer training - awards and recognition - tools and equipment <p>4. Utilize NPS project funds for development and maintenance projects.</p> <p>5. Administer Land and Water Conservation Fund appropriations for Ice Age Trail land protection.</p> <p>6. Seek increased funding through Operations Formulation System (OFS) and Project Management Information System (PMIS).</p>	<p>1. Provide funding for foundation operations:</p> <ul style="list-style-type: none"> a. administration b. volunteer and chapter support c. programs <ul style="list-style-type: none"> - newsletter - website - GIS <p>2. Seek congressional and legislative appropriations and private grants.</p> <p>3. Provide funding for selected key acquisitions, as available.</p>

programs.	7. Seek inclusion of Ice Age Trail in other federal or federally-assisted projects and programs.	
-----------	--	--

TRIAD ROLES

DEVELOPING, MAINTAINING, AND MANAGING THE ICE AGE TRAIL

Wisconsin DNR	National Park Service	Ice Age Park & Trail Foundation
<ol style="list-style-type: none"> 1. Coordinate development, maintenance, and management of the Ice Age Trail on DNR owned properties. This should be done in accordance with Triad approved Ice Age NST Standards Handbook, unless the Trail is using other DNR trails established for other purposes where other standards apply. 2. Provide technical assistance and materials for development, maintenance, and management on DNR owned properties where the IAPTF or others will develop and maintain the trail. 3. Develop a policy and process that addresses the long term management of State Ice Age Trail Areas. 4. Allow for the development of the Ice Age Trail on State Ice Age Trail Areas in advance of a master plan for the State Ice Age Trail Area, or allow an amendment to an existing master plan that specifically addresses the Ice Age Trail on the property. The location of the Trail and the specifications for trail development shall be agreed to by the Trail Development (Review) Committee. 5. Participate in the development of a policy 	<ol style="list-style-type: none"> 1. Provide technical assistance to public and private partners in all aspects of trail planning, acquisition, development, operation, maintenance, and protection 2. Participate in the development of a policy that addresses long-term management of the trailway on public and private lands. Develop a mutually agreed upon format for a Management Plan. Depending on resources and priority, provide a Resources Management staff position. 3. Assist with the development of a policy that addresses the long-term management of State Ice Age Trail Areas. 4. Certify Trail segments and provide official Ice Age NST markers. 5. Provide tools, materials, and other use, regulatory, directional, and trailhead signage as resources allow. 6. Develop and maintain trail management databases and other information about the trail in various formats required by NPS management systems (FMSS, etc.). 	<ol style="list-style-type: none"> 1. Provide volunteer labor for trail development and maintenance. 2. Build the trail in accordance with Triad approved Ice Age NST Standards Handbook. 3. Identify other support for trail building and maintenance where volunteer support is lacking. 4. Assist with the development of a policy that addresses the long-term management of State Ice Age Trail Areas. 5. Participate in the development of a policy that addresses long-term management of the trailway on public and private lands. Develop a mutually agreed upon format for a Management Plan. 6. Submit certification applications to NPS for Trail segments on IAPTF properties and other private property. Assist with the submission of applications from local units of government.

<p>that addresses long-term management of the trailway on public and private lands. Develop a mutually agreed upon format for a Management Plan.</p> <p>6. Submit certification applications to NPS for Trail segments on state property.</p> <p>7. Host and provide GIS support facilities for the Ice Age Trail GIS function.</p> <p>8. Participate in the Trail Development (Review) Committee.</p> <p>9. Appoint a representative in each region to act as an Ice Age Trail clearinghouse for dissemination of Trail information and to help identify and coordinate additional staff resources.</p> <p>10. Complete DNR required reviews and documentation for Ice Age Trail development projects on DNR lands.</p>	<p>7. Participate in the Trail Development (Review) Committee.</p> <p>8. Recognize the IAPTF and its members as Volunteers-in Parks through an Agreement for Sponsored Voluntary Services, for purposes of injury compensation and protection from tort liability.</p> <p>9. Complete NPS required reviews and documentation for Ice Age Trail development projects.</p>	<p>7. Develop, operate, and maintain a GIS system and support trail planning, management, and use through production of needed maps and other appropriate information.</p> <p>8. Participate in the Trail Development (Review) Committee.</p> <p>9. Assist the DNR and NPS with completion of necessary reviews and documentation for Ice Age Trail development projects.</p>
--	--	---

TRIAD ROLES
PROTECTING LANDS FOR THE ICE AGE TRAIL

Wisconsin DNR	National Park Service	Ice Age Park & Trail Foundation
<ol style="list-style-type: none"> 1. Lead the acquisition process. Semi-annually, meet with NPS and IAPTF to discuss the status of Trail land acquisition efforts and to set or confirm priority areas. 2. Participate in the prioritization of lands to be acquired. 3. Directly acquire lands in agreed upon prioritized areas. 4. Dedicate lands under ss.23.293. 5. Acquisition for the Ice Age Trail is a priority. 6. As requested or needed, exchange information with NPS staff concerning lands that have been or may be acquired in agreed upon priority areas or elsewhere. 	<ol style="list-style-type: none"> 1. Maintain a current list showing the utilization and planned utilization of all Federal funds appropriated for Trail land acquisition, including funds to be spent by NPS and funds that have been or will be granted to others. 2. Participate in the prioritization of lands to be acquired. 3. Acquire and protect lands for the Trail to the extent it has authority to do so. 4. Provide technical and financial support to partners for land acquisition activities. 6. Periodically, as the need and opportunity arise, contact or meet with and exchange information with DNR lands staff in central and regional offices concerning lands that have been or may be acquired in agreed upon priority areas or elsewhere. 	<ol style="list-style-type: none"> 1. Participate in the prioritization of lands to be acquired. 2. Serve as primary advocate at local level for trail protection. <ol style="list-style-type: none"> a. Provide volunteer support to alert partners of acquisition opportunities and to aid in contacting landowners. b. Facilitate involvement of local government partners in the protection of trailway lands. 3. Secure temporary routes through handshake agreements. <ol style="list-style-type: none"> a. Institute and maintain a landowner registry program. 4. Advocate for direct Federal involvement in protecting lands for the trail, including necessary funding.

		<p>5. As funding permits, acquire lands in agreed upon prioritized lands areas.</p> <p>6. Participate in the dedication of Trail lands under ss.23.293.</p>
--	--	---

TRIAD ROLES
PUBLIC RELATIONS FOR THE ICE AGE TRAIL

Wisconsin DNR	National Park Service	Ice Age Park & Trail Foundation
<ol style="list-style-type: none"> 1. Provide for public relations in appropriate DNR publications such as State Parks Visitor's Guide and property maps. 2. Promote the Ice Age Trail by displaying information on kiosks located on state properties, and providing NPS Ice Age Trail brochures and Ice Age Park and Trail Foundation's membership brochures and other appropriate materials at visitor centers and contact stations. 3. Promote Ice Age Trail and trail related events on the DNR website. 4. Provide interpretive programs on the trail and the trail's landscape. 5. Support and host Fall Hikes and National Trails Day events on state properties when and where appropriate. 6. Take the lead in coordinating or facilitating the involvement of other State agencies (DOT, Tourism, etc.) in marketing the trail. 7. Host the Ice Age Trail Internet Map Server. 	<ol style="list-style-type: none"> 1. Provide a variety of promotional material or financial support for: <ol style="list-style-type: none"> a. brochures b. videos c. wayside exhibits d. maps e. publications f. trail signs 2. Promote the Ice Age Trail on the NPS website. 	<ol style="list-style-type: none"> 1. Produce for members and trail users: <ol style="list-style-type: none"> a. Quarterly newsletter b. Membership brochure c. Trail maps d. Trail merchandise 2. Conduct special events, such as: <ol style="list-style-type: none"> a. Parade of Colors Fall Hikes b. National Trails Day Events 3. Serve as primary advocate with local, state, and national media. 4. Provide easy access to trail information through outreach with: <ol style="list-style-type: none"> a. Bed and Breakfasts b. Chambers of Commerce c. County Tourism Agencies d. Website—IAPTF and DNR e. Service groups

--	--	--

Article III – TERMS OF AGREEMENT

This agreement shall continue in effect for 2 years from the date of the last signatory party unless terminated at an earlier date in accordance with Article V. It can be renewed for additional 2-year periods after being reviewed by the parties before the end of a 2-year period, and being reaffirmed as written or revised and agreed to through an amendment or rewritten agreement.

Article IV – KEY OFFICIALS

The key NPS officials are the Superintendent, Ice Age and North Country National Scenic Trails, and the Manager, Ice Age National Scenic Trail, located at 700 Rayovac Drive, Suite 100, Madison, Wisconsin 53711.

The key DNR officials are the Secretary, the Administrator, Division of Land, and the Director of Parks, located at Box 7921, Madison, Wisconsin 53707.

The key IAPTF official is Executive Director, located at 2453 Atwood Avenue, Suite 206, Madison, Wisconsin 53704.

Article V – TERMINATION

This agreement may be terminated upon 60 days advance written notice given by one party to the others, or it may be terminated earlier or revised by mutual consent of all parties. Termination of this agreement does not affect any operation and maintenance agreements or responsibilities under NR 51, Wisconsin Administrative Code, or those executed separately from the provisions of NR 51.

Article VI – STANDARD PROVISIONS

The obligation of the NPS, DNR, and IAPTF to perform the responsibilities specified in this agreement is contingent upon the necessary funds being available through governmental appropriations or other sources. No legal liability on the part of the NPS, DNR, or IAPTF to carry out such responsibilities shall arise unless and until funds are available to cover the expenses associated with performing the responsibilities specified herein.

Additional NPS Provisions

Nothing in this agreement shall affect or interfere with fulfillment of the obligations or exercise of the authority of the NPS or any other Federal Agency to manage the lands along the Trail route (within the boundaries of areas they administer) and the programs under their jurisdiction in accordance with their basic land management responsibilities.

No member of or delegate to Congress, or resident Commissioner, shall be admitted to any share or part of this agreement, or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

During the performance of this agreement, the participants agree to abide by the terms of Executive Order 11246 on nondiscrimination and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

Ice Age National and State Scenic Trail

Vision Statement and Attributes

Ice Age Park and Trail Foundation
Wisconsin Department of Natural Resources
National Park Service

I. Vision Statement:

The Ice Age Trail is a continuous footpath through diverse landscapes that:

- Provides superlative outdoor recreation experiences;
- Preserves and commemorates world renowned geological features formed during the Wisconsin Glaciation;
- Provides a natural corridor that protects habitat and enables the movement of wildlife;
- Serves as a lifelong educational resource;
- Provides quiet places for people to form and nurture a spiritual connection with the landscape;
- Promotes the health and vigor of users of all ages and abilities, and
- Links the history and diverse human cultures of the land that we call Wisconsin.

II. Attributes of the Ice Age Trail:

- A. **General Route**—The trail extends approximately 1,200 miles across the State of Wisconsin between Interstate State Park on the St. Croix River in Polk County and Potawatomi State Park in Door County.
- B. **Glacial Features**—The trail generally follows the terminal moraine, which provides the means for a continuous trail linking many other diverse glacial landscapes. A continuous, meandering trail maximizes the number and quality of diverse glacial landscapes incorporated into the Ice Age Trail, while minimizing the additional trail length required to include such landscapes. The trail will thus deviate from the terminal moraine to connect other geological, scenic and cultural resources into the Ice Age Trail.
- C. **Design of Corridor and Trail Route**—The trail and trailway are designed elements within an overall planned and approved corridor of opportunity. The design of the preferred trail route and trailway within the corridor is tailored to highlight regional landscape features and is intended to preserve or afford views of geologic, natural, cultural, scenic and/or biotic resources and provide a variety of educational experiences for visitors in regard to these resources.
- D. **Trail Development Philosophy**—The trail lies lightly on the land. It generally follows natural contours, is constructed of local natural materials, and is a maintained pathway.
- E. **Management Objectives**—The trail and the trailway are managed and maintained in order to enhance users' experiences. Trail quality, aesthetics, and vegetative management should be incorporated into the design and management of the trail and trailway. Areas with outstanding geologic or biotic features will be managed to preserve or restore those resources. Management plans and maintenance standards to achieve these objectives will be mutually agreed upon by the trail partners.

- F. **Trail Use**—The long-term goal is an off-road trail for public use on foot, providing scenic, aesthetic, educational and sensory experiences for users. The trail provides opportunity for non-consumptive recreation and a variety of challenge levels, including fully accessible segments. To provide essential connections for long-distance users, the Ice Age Trail might temporarily or permanently utilize portions of other trails that permit uses other than hiking.
- G. **Trailway Width**—The width of the acquired or protected trailway varies according to the character of the landscape through which it passes, and the need to either insulate visitors from a view or expose them to it. In urban areas, the trailway may be a sidewalk or other narrow trailway. In non-urban areas, it generally will average 200-1,000 feet, with occasional wider areas to protect a significant natural/cultural feature or viewscape.
- H. **Signs and Marking**—The trail is marked with a system that identifies the trail, regulates usage, provides directions and information, and interprets significant features.
- I. **User Support Facilities**—The Ice Age Trail will rely to a large extent on existing parks and forests, communities, and private sector enterprises to provide many of the basic user needs, such as parking, lodging, restaurants, etc. The trail will in many instances be deliberately routed to take advantage of these amenities. In other instances, connecting trails may be developed or utilized to provide access to these amenities.
- J. **Interpretation**—Major interpretation of the Ice Age and Wisconsin’s glacial landscape will occur at Units of the Ice Age National Scientific Reserve, the companion project of the Ice Age National Scenic Trail. However, there are many outstanding glacial landforms and other natural and cultural resources along the trail that are deserving of and need high quality wayside exhibits or other appropriate interpretive media and programs to help trail users understand and appreciate them.
- K. **Use of Roads as Connectors**—The trail may also utilize road rights of way where necessary for continuous linkage. This utilization is temporary except where roadways provide the optimum trail experience or only possible long-term connection.
- L. **Intersection with Other Trails**—The Ice Age Trail will intersect or link with many other trails as it meanders across Wisconsin. New intersecting trails that allow uses other than hiking should be minimized. While such trails may allow uses other than hiking, their connections to the Ice Age Trail must be designed to prevent access of other uses onto the Ice Age Trail.

More specific guidance is found in *Ice Age National Scenic Trail: A Handbook for Trail Design, Construction, and Maintenance*.

Agreement:

/s/ Christine Thisted White
Executive Director, Ice Age Park and Trail Foundation

10/28/02
Date

/s/ Darrell Bazzell
Secretary, Department of Natural Resources

11/8/02
Date

/s/ Thomas L. Gilbert
Superintendent, National Park Service

10/23/02
Date