



WISCONSIN LEGISLATIVE COUNCIL

STATE TRAILS POLICY

411 South, State Capitol
Madison, Wisconsin

October 5, 2006
10:00 a.m. – 3:30 p.m.

[The following is a summary of the October 5, 2006 meeting of the Special Committee on State Trails Policy. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc>.]

Call to Order and Roll Call

Chair Breske called the meeting to order. The roll was called and it was determined that a quorum was present.

COMMITTEE MEMBERS PRESENT: Sen. Roger Breske, Chair; Sen. Dale Schultz; Rep. Al Ott; and Public Members Ken Carpenter, Richard Decker, Dave Marcouiller, Michael McFadzen, and Joel Patenaude.

COMMITTEE MEMBERS EXCUSED: Reps. Mary Hubler and Mark Pettis; and Public Members John Ruf and Jack Sauer.

COUNCIL STAFF PRESENT: Mark C. Patronsky, Senior Staff Attorney, and Dan Schmidt, Senior Analyst.

APPEARANCES:

Terry C. Anderson, Director, Legislative Council Staff; Larry Freidig, Financial Assistance Specialist, Bureau of Community Financial Assistance, Department of Natural Resources (DNR); Brigit Brown, State Trails Coordinator, Bureau of Parks and Recreation, DNR; Thomas Huber, Bicycle/Pedestrian Coordinator, Department of Transportation (DOT); Jerry Green, Black River Falls; Carol Horneck, Secretary, L.O.L. ATV Alliance, Deerbrook; Richard Horneck, Deerbrook; Denis A. Laddusire, President, Oneida County ATV Association, Rhinelander; Rob McConnell, Wisconsin ATV Association, Madison; Bill Pfaff, President, AWSC, New Lisbon; Bradley Sanborn, President, Millston Knights ATV Club, Black River Falls; Holly and Tom Tomlanovich, Eagle River; and Frank Trimmel, President, Parrish Highlanders and the L.O.L., Gleason.

Opening Remarks

Terry C. Anderson, Director, Legislative Council Staff, welcomed committee members to their first meeting, described the procedures for conduct of committee business, and described how any recommendations of the committee for legislation would be reviewed by the Joint Legislative Council.

Introduction of Committee Members

Committee members described their interest in various trails issues.

Description of Materials Distributed

Dan Schmidt of the committee staff described the materials that had been distributed to members prior to the meeting.

Presentations by Invited Speakers

Larry Freidig, Financial Assistance Specialist, Bureau of Community Financial Assistance, DNR, and Brigit Brown, State Trails Coordinator, Bureau of Parks and Recreation, DNR.

Ms. Brown referred to the document that lists state trails and describes those trails that are on DNR property. She said that Wisconsin leads the nation in former railroad rights-of-way that have been preserved for trails. She noted those trails that require users to purchase a trail pass and described the state-local partnerships in which local units of government operate and maintain trails. She noted the state trails network plan which identifies trails that the DNR intends to purchase. She described the state trails council and said that the policies and plans for trails in the state need to be updated. She noted that trail demand from user groups is rapidly out-pacing land supply, funding is declining for trails, and trail acquisition has become a lower priority.

Mr. Freidig said that funding for snowmobile and all-terrain vehicle (ATV) trails comes from the gas tax formula and registration fees, although the snowmobile gas tax formula produces three times the revenue as the formula for ATVs.

Representative Ott asked about funding trends. Mr. Freidig said that snowmobile registrations have declined slightly and that ATV registrations now exceed those of snowmobiles.

In response to a question from Mr. McFadzen, Mr. Freidig said that a trend in recreational trails is to spend more money on maintenance of existing trails than on acquisition of new trails.

Chair Breske asked about differences in funding between snowmobiles and ATVs. Mr. Freidig said that with snowmobiles, DNR distributes money to counties, which subcontract with local snowmobile clubs. By comparison, counties use ATV funding distributed by the DNR to perform maintenance by county employees. Senator Schultz asked for a full summary of the funding issue, including administrative costs, at the state and local level.

Representative Ott asked about compatibility of various trail uses. Ms. Brown noted the statewide comprehensive outdoor recreational plan (SCORP) summarizes compatibility studies on page 4-6 and 4-7. Representative Ott said that it is unlikely that compatibility of trail uses can be purchased and that users will have to learn to share trails. Mr. Marcouiller said that trails can be designed for multiple uses.

Dick. Decker asked whether motorcycle road registration funds are still made available for use by off-road motorcycles. Mr. Feidig said that this source of funding has been eliminated.

Ken Carpenter described a horse trail design workshop in which one of the suggestions was to make trails narrow to force interaction among trail users, such as bicyclists and equestrians.

Thomas Huber, Bicycle/Pedestrian Coordinator, DOT, described the involvement of the DOT in trail issues. He said that for the DOT to be involved there must be some transportation purpose to the trail, rather than solely a recreational purpose. He said that federal funding is available through the transportation enhancements program, currently funded at approximately \$6.25 million in Wisconsin. He said that additional federal funding for trails is available to address air quality issues in Southeastern Wisconsin.

Mr. Huber described some of the limitations on placing separated trails in the rights-of-way of two lane roads, and noted that conversion of a road to four lanes makes more land available for separated trails. Mr. Huber said that the DOT previously focused on longer trails and trail systems, and is now shifting focus to trails in urban and suburban areas, leaving the DNR to focus on rural, recreational portions of trails.

Chair Breske said that there are differences between the statutory authorizations for snowmobiles and ATVs to cross highway rights-of-way. He asked for additional information on this subject.

Michael McFadzen asked whether there is additional funding available for trails. Mr. Huber said that the federal government has authorized up to \$15 million for trails in Wisconsin, but the state spends \$6.25 million of that. Senator Schultz asked for information on whether stewardship funding can be used for trail construction in addition to trail acquisition.

Mr. McFadzen asked whether the state has a dedicated budget for trails. Ms. Brown said that this is not the case: trail funding is part of the aggregate budget for parks. Mr. McFadzen suggested a single, sustainable budget for trails. Joel Patenaude asked about funding derived from trail passes. Ms.

Brown said that the total revenues from trail passes do not cover costs of those trails. Senator Schultz asked for more information on the decision-making process for allocating money for trails and the transportation enhancements advisory committee.

Peter Biermeier, Bureau of Parks and Recreation, DNR, described the shift in funding for trails to a greater reliance on segregated funds rather than general purpose tax revenues. He also described the decision-making process within the DNR parks management team to decide where spending cuts will be made. He added that there may be lost revenue from failure of trail users to obtain trail passes due to the reduced amount of enforcement on the trails. Ms. Brown indicated she would provide some information to the committee regarding other states' parks and trails expenditures.

Public Testimony

Abby Hill, Department of Tourism, described the marketing efforts of the department related to trails.

Carol Horneck, Secretary, L.O.L. ATV Alliance, expressed concerns about the makeup of the committee and said that family ATV riders need representation.

Richard Horneck urged an increase in the fuel tax formula for ATVs, to include 50 to 75 gallons per ATV. He also suggested an audit of the money that had been given to counties for ATV trails and said that this funding should not be available for use on trails that are used by any users other than ATVs or when use by ATVs is restricted.

Dennis Laddusire, President, Oneida County ATV Association, offered a suggestion that local units of government should be able to designate local streets as access routes to trails. Chair Breske asked for information on liability for roads that are used as ATV access routes.

Frank Trimmel, President, Parrish Highlanders and the L.O.L., expressed his belief that counties have used ATV funding obtained from the DNR for non-ATV projects. He suggested that the money should be given to ATV clubs to undertake trail maintenance. Mr. Trimmel testified that there is a need for an accounting of how counties expend trail maintenance funds to ensure the funds are being used properly.

Rob McConnell, Wisconsin ATV Association, summarized a list of suggestions from the ATV Association in a handout. Senator Schultz asked for information about how snowmobile and ATV funding for various issues compares, such as education and safety training.

Holly and Tom Tomlanovich distributed a handout and summarized the handout in their remarks.

Bradley Sanborn, President, Millston Knights ATV Club, described the problems in Black River Falls in obtaining access to connect a trail through the city.

Bill Pfaff, President, AWSC, spoke about the loss of access for snowmobiles through private property and the need for acquiring permanent easements.

Representative Ott requested DNR data on ATV and snowmobile violation activity and Senator Schultz requested a per-hour cost number for ATV and snowmobile law enforcement.

[Note: PowerPoint presentations and other documents referred to by the speakers are posted on the committee's Web site.]

Discussion of Committee Assignment

Chair Breske led the committee members in a discussion of the information that had been presented by invited speakers and in public testimony, and questions raised by committee members.

Other Business

There was no other business brought before the committee.

Plans for Future Meetings

The next meeting of the committee will be a public hearing and committee meeting held in Merrill. The meeting will be held on *Friday, November 10, 2006, at 10:00 a.m., at the Merrill City Hall, Council Chambers, 1004 East First Street, Merrill.*

Adjournment

The meeting was adjourned at 3:30 p.m.

MCP:DWS:jb:ksm