



WISCONSIN LEGISLATIVE COUNCIL

ENHANCING RECREATIONAL TRAILS FOR NON-MOTORIZED USE

Safety Building
Brookfield, Wisconsin

September 26, 2008
10:00 a.m. – 2:15 p.m.

[The following is a summary of the September 26, 2008 meeting of the Special Committee on Enhancing Recreational Trails for Non-Motorized Use. 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 Sullivan called the meeting to order. The roll was called and it was determined that a quorum was present.

COMMITTEE MEMBERS PRESENT: Sen. Jim Sullivan, Chair; Rep. Jim Ott, Vice-Chair; Rep. Spencer Black; and Public Members Mike Carlson, Charlie Dee, Jack Hirt, Mary Motiff, Joel Patenaude, and David Phillips.

COMMITTEE MEMBERS EXCUSED: Rep. Dean Kaufert; and Public Members Chris Fortune and Harry Wozniak.

COUNCIL STAFF PRESENT: Mark Patronsky and Don Salm, Senior Staff Attorneys; and Dan Schmidt, Senior Analyst.

APPEARANCES: Brigit Brown, State Trails Coordinator, Bureau of Parks and Recreation, Department of Natural Resources (DNR); Peter Biermeier, External Relations Section Chief, Bureau of Parks and Recreation, DNR; Dan Schuller, Bureau Director, Bureau of Parks and Recreation, DNR; Rodney Clark, Director, Bureau of Transit, Local Roads, Railroads and Harbors, Division of Transportation Investment Management, Wisconsin Department of Transportation (DOT); Harold Schmidt, Secretary, Wisconsin Off Road Bicycling Association (WORBA), Milwaukee; and Marty Weigel, WORBA, Milwaukee County Trails Council, West Allis.

Approval of the Minutes of the Committee's August 14, 2008 Meeting

Mr. Dee moved, seconded by Mr. Phillips, to approve the minutes of the August 14, 2008 meeting. The motion carried on a voice vote.

Distribution of Materials

Dan Schmidt, Legislative Council Staff, briefly described the materials that have been distributed to the Special Committee, and noted that these materials would form the basis of the committee's discussion of its charge later in the meeting.

- Memo No. 3, *Issues for Discussion by Members and Related Background Information* (September 19, 2008).
- *Chapter 4: Compatibility and Conflict in Wisconsin Outdoor Recreation*, Wisconsin Statewide Comprehensive Outdoor Recreation Plan, 2005-2010.
- *Wisconsin Trail Condition & Incident Visitor Self-Report*, Form 2500-119 (R1/07), DNR Bureau of Parks and Recreation.
- Brochure, *Wisconsin Trail Etiquette & Safety Guidelines (Tips for Trail Users)*, DNR Bureau of Parks and Recreation, PUB-PR-472 2005.

Presentations by Invited Speakers

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

- **Brigit Brown, State Trails Coordinator, Bureau of Parks and Recreation, DNR**

Ms. Brown handed out a summary of estimated trail costs, and noted that this does not include recent increases in construction costs. She handed out a summary of some of the methods for funding trails in other states. Chair Sullivan asked what would be the bottom line as far as moneys needed for trail maintenance on a statewide basis. Ms. Brown said that, for the state trail system only, approximately \$790,000 per year would be needed based on current costs.

Representative Black asked how many more trail miles are in the plan that have not yet been purchased. Ms. Brown said that excluding the Ice Age and North Country Trails, approximately 2,000 miles are planned to be added. She said that these numbers include only linear trails and not loop trails. She added that the plan for the state trail network plan is to double the amount of trail mileage. Representative Black asked whether other states fund trails through user fees. Ms. Brown said that user fees are generally not considered a sufficient source of funds.

- **Peter Biermeier, External Relations Section Chief, Bureau of Parks and Recreations, DNR**

Mr. Biermeier summarized the challenges of developing and maintaining a trail system, as well as anticipating changes in use over time. He said that a particular challenge is mixing of uses of trails, such as mixing pedestrian use and bicycle use. He said that one solution is to make trails wider.

In response to a question from Mr. Hirt, Mr. Biermeier described the Land and Water Conservation Fund (LAWCON) federal funds for outdoor recreation, and the differences between LAWCON and the stewardship program.

- **Dan Schuller, Bureau Director, Bureau of Parks and Recreation, DNR**

Mr. Schuller described the need for stable funding sources for trail maintenance, particularly for routine maintenance that is generally a lower priority than large-scale maintenance projects. He said that the Natural Resources Board has supported increased acquisition of land for the North Country and the Ice Age Trails, with a goal of facilitating trail use by multi-day hikers. He said that the water trails program is getting renewed interest, with proposals for signs, access, and campsites. He said that connections between various trails, including local, state, and regional trails, is important. He said that the recent revisions of the state trail network plan calls for more partnerships with local governments and more connections between trails.

- **Rodney Clark, Director, Bureau of Transit, Local Roads, Railroads and Harbors, Division of Transportation Investment Management, DOT**

Mr. Clark was joined by Thomas Huber, State Bicycle and Pedestrian Coordinator, DOT, and John Duffe, Program Manager, Bicycle and Pedestrian Facilities Program, DOT, to respond to questions from committee members.

Chair Sullivan said that there is a need for a stable funding source and proposed that a small fraction of the gas tax be transferred to the DNR for trail maintenance. Mr. Clark said that the Legislature could shift these funds. He noted that the DOT is not really equipped to maintain the trails in a program of its own.

Public Testimony

Harold Schmidt, Secretary, Wisconsin Off Road Bicycling Association (WORBA), Milwaukee, said that many off road bicycle trails are currently being built.

Marty Weigel, WORBA, Milwaukee County Trails Council, West Allis, discussed his involvement with the Milwaukee County Trails Council. He said that this group builds trails on public lands and builds them for multiple uses.

Discussion of Committee Assignment

Chair Sullivan asked for further information to illustrate the current use of gas tax funds. Representative Ott said that avoiding a tax increase would be a good idea. He said that the DOT budget could be reviewed to determine if there are any opportunities for saving costs under existing expenditure authority of the DOT, to allow the transfer of funds to trail functions in the DNR. Ms. Motiff said that not just the DOT, but other departments in the state, such as Health Services, Tourism, Commerce, DNR, and the Office of Energy Independence could be reviewed for any opportunities to transfer surplus funding to trail purposes in DNR. The committee discussed the state trail pass program, and it was noted that the fee is now \$20 annually. Chair Sullivan argued that the benefits of trails apply to a

much broader range of citizens than just those who purchase trail passes. Ms. Brown noted that most states do not have a trail pass system.

The committee continued to discuss various suggestions contained in Memo No. 3. The committee discussed and rejected funding proposals relating to increasing the cost of the state trail pass, tax check off, sales tax on certain recreational equipment, a vehicle registration fee increase, special license plates, use of general purpose revenues, and a real estate transfer fee increase.

Representative Black said that the committee might consider a separate bill draft for the transfer of funds from the transportation fund. He added that DOT should be required to expend all transportation enhancements.

The committee discussed the proposal for a segregated account, which would help to give trail users a sense of ownership of money that they paid to use the trails. Representative Black added that a specific fund would probably be necessary if funding is transferred to DNR for trail maintenance from the transportation fund. Representative Black said that there is also concern that the funds transferred to the DNR should be retained only for the purposes of trail maintenance.

Mr. Dee said that any portion of the gas tax money could be used for trail grooming on cross-country ski trails. The payment could be made per mile of trail that is groomed. He said that grooming can be very expensive. This funding could also be available for plowing trails.

Ms. Motiff said that communities could be required to enforce the requirement to have a trail pass in order to qualify for grants for trail maintenance from the DNR.

The committee requested proposed legislation to create a non-motorized trails council in the DNR and to authorize DNR wardens to enforce trespass prohibitions on public land.

The committee discussed the possibility of reintroducing legislation from the previous session to create a damage fund for damage caused by motorized trail uses.

Other Business

Mr. Clark said that he had two items for distribution, one related to enhancement of bicycle facilities and one related to the high rating Wisconsin has received as a bicycle-friendly state.

Plans for Future Meetings

The next meeting of the Special Committee will be Friday, December 5, 2008.

Adjournment

The meeting was adjourned at 2:15 p.m.