

# STATE OF WISCONSIN

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## JOINT COMMITTEE ON FINANCE

### MEMORANDUM

To: Members  
Joint Committee on Finance

From: Senator Alberta Darling  
Representative John Nygren

Date: December 12, 2018

Re: GSRC Report to JFC

Attached is a report on Snowmobile Trail Aids from the Governor's Snowmobile Recreation Council.

This report is being provided for your information only. No action by the Committee is required. Please feel free to contact us if you have any questions.

Attachments

AD:JN:jm

**Snowmobile Recreation Council Funding & New Trail Mile Report**  
**prepared for the Joint Committee on Finance**  
**January 1, 2019**

DEC 12 2018  
*Jt. Finance*

This Report has been approved and is submitted to the WI Joint Committee on Finance by the Governor's Snowmobile Recreation Council (Council). This report was prepared in response to the directive by the Joint Committee on Finance in Motion #328 as required by the 2017-2019 biennial budget regarding Snowmobile Trails Aids.

**Background:**

The Wisconsin snowmobile program is an excellent example of government and non-profit volunteer-based snowmobile clubs working together to produce a statewide trail system that is second to none. The program, which has been in existence since the early 1970s, continues to be almost entirely self-funded by snowmobilers. The program is administered by the Wisconsin Department of Natural Resources (WDNR). Grant funds are distributed through grant contracts to counties who subcontract with local snowmobile clubs to maintain the majority of the 19,000+ miles of funded trails statewide. A Governor-appointed, fifteen-person citizen board, the Council, makes recommendations to the DNR on program management and grant funding.

**Findings:**

Segregated snowmobile fund revenues come from the following sources:

- Registration: \$30 per snowmobile, 3-year term (previously 2-year term)
- Gas tax: \$.309 x 50 gallons per registered snowmobile x 1.55 (55% for supplemental maintenance)
- Resident Trail Pass:
  - \$30 non-club member
  - \$10 member of a snowmobile club and the Association of Wisconsin Snowmobile Clubs (AWSC)
- Non-resident Trail Pass: \$50 per snowmobile not registered in Wisconsin

The resident trail pass (effective July 1, 2015) was meant to accomplish two things: (1) Provide a much-needed increase in the revenue for the snowmobile program and (2) Provide an incentive for snowmobilers to join a club by allowing snowmobile club members to purchase the trail pass at a discounted price. It is these clubs and their volunteer members who maintain most of the nearly 25,000 miles of funded and unfunded snowmobile trails open to the public in Wisconsin. Over the past three years, the trail pass has met both objectives. The following chart shows new resident trail pass revenues of approximately \$2.5 million per year. During the same timeframe, annual registration revenues have decreased due to the change from a 2-year term to a 3-year registration term.

	Resident Trail Pass Revenue	Registration Revenue
<b>FY15</b>	\$ 0	\$ 2,879,182
<b>FY16</b>	\$ 2,379,685	\$ 2,547,386
<b>FY17</b>	\$ 2,591,084	\$ 2,913,820
<b>FY18</b>	\$ 2,516,473	\$ 1,282,196*

\*The 3<sup>rd</sup> year of the new 3-year registration term.

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When contemplating snowmobile revenues, whether from registration or trail pass sales, it's important to note that the snowfall level and weather are the single biggest determining factor. Therefore, it's difficult to estimate future amounts.

Memberships in snowmobile clubs have increased by over 50% in the past 5 years, from 26,413 in 2014 to 40,656 today. There are about 615 snowmobile clubs in Wisconsin.

**A. Annual Maintenance Grants**

After the first year of trail pass revenue was known, the Council recommended increasing annual trail maintenance rates from \$250 to \$300 per miles. This amounts to an increase of over \$1 million in annual maintenance grant funding. Maintenance grants are awarded annually, regardless of snowfall amounts, because trails must be put in (prepared) prior to the season which includes putting up signs, clearing brush in wooded areas, discing in farm fields, etc. When spring arrives, the trails must be taken out. In good years, snow is groomed on all those trails. The Council felt increasing maintenance rates was the best way to fairly distribute some of the additional revenue to the clubs who own the expensive equipment used to maintain the snowmobile trails.

**B. Development Grants**

At the last Council funding meeting in August 2018, there was \$3,408,339 available for trail development projects in the snowmobile account. This was after \$5,686,180 had been awarded for annual maintenance grants.

This year was the 3<sup>rd</sup> year of the new registration term, meaning that registration is required only for new snowmobiles and for machines with lapsed registrations that had lapsed longer than 3-years. The available funding amount was higher than would have been expected due the Council's forethought. In each of the previous 2 funding cycles, the Council chose not to award \$1 million in revenues to prepare for the anticipated reduced revenues in Year 03.

The Council was able to fund all development grant requests for the first time in many years. The current fund balance of nearly 1 million will be used, in part, for storm damage repairs needed after this summer's storms. Funds not used, will be available to fund new/club miles in 2019.

**C. Supplemental Maintenance Grants**

Additional funds left in the supplemental portion of the program were also carried over to prevent having to pro-rate supplemental maintenance payments. Supplemental maintenance is needed for areas with excessive snowfall and/or extended snowmobile seasons during good snow years. It provides additional reimbursement to the county/clubs for additional trail grooming.

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When considering grant requests, the Council is bound by chs. 350 and 23, Wis. Stats., and ch. NR 50, Wis. Admin. Code. The distribution of grant funds is determined based on the priority list established in s. 23.09(26)(c), Wis. Stats, as follows:

1. Maintenance of existing approved trails. This includes: purchase of county liability insurance, and acquisition of easements of less than 3 years, and signs.
2. Club signing program (obsolete)
3. Major bridge reconstruction or rehabilitation
4. Route signing program
5. Trail Rehabilitation, in the following order:
  - a. Mandatory Trail Relocation
  - b. Discretionary Trail Relocation
  - c. Trail Rehabilitation
6. Development of New Trails, in the following order:
  - a. New bridges
  - b. New trails (new miles)
  - c. Facilities
  - d. Land Acquisition

**Conclusions of the Governor's Snowmobile Recreation Council:**

- **Accurate depiction of existing trails needed. – In Progress**  
After requiring all counties to use a GIS system to accurately map the location and mileage of their trail system by April 2018, it was determined additional information was needed. Counties were given a new deadline of December 31, 2018, to provide additional information.
- **Method to fairly evaluate and rank the new mile applications on a statewide basis needed. – Completed**  
Over the past year, the Council updated the New Trail Ranking worksheet. It was approved at their August 2018 meeting. This worksheet is required to accompany all new-mile applications. The worksheet was developed based on Wis. Stats., Wis. Admin. code, and Council policy. – Appendix B Attached
- **Fund new miles in a priority-ranked order using available funding. – August 2019**  
It is important to recognize the long-term cost to the program. For each mile of trail approved for funding it will cost the program \$300 per mile (and potentially up to \$900 if the county qualifies for supplemental) for every year in the future.

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**Recommendations of the Governor's Snowmobile Recreation Council:**

While the snowmobile program seems to be in a better financial condition than it has in several years, there are still several roadblocks preventing the Council from funding as many trails as the clubs and the public would like. The Council would welcome any assistance the Joint Committee on Finance could provide in addressing the following problems.

**1) 40' Rule** – Current statute prohibits a snowmobile trail with two-way traffic located within 40 feet of a roadway without a light barrier. While this has been the rule for many years, numerous trails exist in violation of this requirement. The Council has been unsuccessful in changing this requirement by requesting this of DNR and DOT. The Council feels that a 10-foot minimum would be satisfactory, especially when most of these trails are on lightly-traveled roads. Typically, physical obstructions/terrain prohibits the trails from maintaining the 40' buffer. We anticipate that many new trail requests will not be able to meet this standard which will prohibit the Council from recommending those requests for funding. Perhaps a solution would be legislation allowing a more reasonable distance or eliminating the requirement. s. 350.02(2)(b)4., Wis. Stats.

**2) Non-Resident Trail Pass Revenue Loss** – Under the current DNR system, trail passes must be ordered in advance and the trail pass stickers are mailed to the customer. Snowmobilers can ride with the receipt until the physical pass arrives in the mail. Delay in the receipt of actual trail pass stickers has created numerous complaints from snowmobilers, particularly regarding Non-Resident Trail Pass sales.

Before the implementation of the Go Wild system, the DNR had many vendors across the state that were able to sell trail pass stickers directly to non-residents once those enthusiasts arrived in Wisconsin and they were ready to ride. Now, with the Go Wild system, non-residents are arriving in WI only to find that immediate stickers are not available and they should have ordered their trail pass in advance so that a physical sticker would arrive before they left home and be applied to their sleds. The only option for these non-residents is to purchase the trail pass online and ride with the receipt. This sequence of events has several negative impacts:

1- When non-residents return home, a physical pass is waiting in their mailbox, which they share with their friend who is coming to Wisconsin to ride at a later date. Their friends are skipping the trail pass sticker process.

2- Both non-resident riders and law enforcement officers are complaining about being stopped/stopping riders multiple times for not having a sticker, even though the non-resident is legally riding with a receipt.

The Council would like to see physical non-resident trail passes immediately available for sale, as was the case before the Go Wild system was implemented.

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**3) Dealer Portal in Go Wild** – Since the implementation of the Go Wild system and elimination of the old Vehicle Registration System (VRS), it has gotten more cumbersome for recreational vehicle dealers to register machines. The Council and dealers would like to see the DNR create a Dealer Portal in Go Wild that would eliminate some of the paperwork and lengthy process required to register a newly-purchase recreation vehicle. The DNR has expressed willingness to develop such a portal within Go Wild.

## Appendix A

### Snowmobile Trails as Identified in State Statutes or Administrative Code

- Wisconsin Chapter NR 50: Administration of Outdoor Recreation Program Grants and State Aids
- Wisconsin Chapter 350: Snowmobiles
  
- **Identified by the county's current trail system map**
  - NR 50.09(4)(a)2. Counties that have previously met the comprehensive snowmobile plan requirement are required to maintain a current trail system map that describes trail locations, trail classifications and existing trail mileage by classification.
- **Snowmobile 'trails' as defined in code 350.01(17)**
  - (16) "Snowmobile route" means a highway or sidewalk designated for use by snowmobile operators by the governmental agency having jurisdiction as authorized under this chapter.
  - (17) "**Snowmobile trail**" means a marked corridor on public property or on private lands subject to public easement or lease, designated for use by snowmobile operators by the governmental agency having jurisdiction, but excluding highways except those highways on which the roadway is not normally maintained for other vehicular traffic by the removal of snow.
    - 350.02(2)(a)2. On any roadway which is not normally maintained for other vehicular traffic by the removal of snow.
- **Groomed and maintained**
  - NR 50.09(4)(d)
    - (d) Maintenance of snowmobile trail.
      - 1. Counties shall be required to groom and maintain snowmobile trails developed on lands receiving aids for acquisition and/or development.
      - 2. Trails shall be groomed to a minimum width of 4 feet for one-way and 8 feet for 2-way trails. Maximum width for a 2-way trail to be groomed shall be 12 feet unless the amount of snowmobile traffic and safety warrant grooming to a greater width as approved by the department.
- **Developed according to required specifications**
  - NR 50.09(4)(c) Development of snowmobile trail.
    - 1. Development shall begin the same year land is acquired.
    - 2. Snowmobile trail design and construction specifications.
      - a. Minimum graded width for one-way trails is 6 feet and maximum 8 feet.
      - b. Minimum graded width for 2-way trails is 10 feet and maximum 12 feet.
      - c. Minimum turning radius is 25 feet.
      - d. A height of 10 feet above the trail will be cleared.
      - e. Sustained grades and slopes will be a maximum of 25 percent.
      - f. Snowmobile trails may not be routed over bodies of water. If stream crossings make bridging necessary, bridging shall be at least 8 feet wide free from obstruction. If the bridge is located on an abandoned railroad grade, the bridge shall be a minimum of 10 feet wide free from obstruction. The department shall determine the need for bridging or if ice crossings may be used.
      - g. Trails shall be routed away from areas designated in department wilderness policy, game preserves, winter browse areas, experimental stations, nurseries, plantations, residences and other areas of anticipated conflict, particularly areas which may be damaged by trail development or snowmobile use.
- **Two-way operation within 40-feet of a roadway at night.**
  - 350.02(2)(b)4. At night travel shall conform to the direction of vehicular traffic in the nearest lane unless:
    - a. The snowmobile trail is located at least 40 feet from the roadway, or is separated from the roadway by a head lamp barrier; and
    - c. The use of the snowmobile trail is approved by the department of transportation with respect to snowmobile trails located near or crossing state trunk highways or by the officer in charge of maintenance with respect to snowmobile trails located near or crossing other highways.
- **Approved by the board as snowmobile trails**

## Appendix A

- 350.12(4)(b)1.1. State aids and funds for maintenance costs shall be 100 percent of the actual cost of maintaining the trail per year up to a \$300 per mile per year maximum, except as provided in pars. (bg) to (br). Qualifying trails are trails approved by the board as snowmobile trails.
- **Duties of the snowmobile recreational council**
  - 350.14 Duties
    - (1) The snowmobile recreational council shall carry out studies and make recommendations to the legislature, governor, department of natural resources and department of transportation on all matters related to this chapter or otherwise affecting snowmobiles and snowmobiling.
    - (2) The department shall prepare written minutes of each meeting of the snowmobile recreational council and shall make them available to any interested party upon request.
  - 350.145 Recommendations of the snowmobile recreational council
    - (1) Procedure required. To assist the snowmobile recreational council in performing its duty to make recommendations under s. 350.14 (1), the department and the snowmobile recreational council shall follow the procedures under sub. (2).
    - (2) Recommendations for rules.
      - (a) The department shall distribute any rule that it is proposing and that affects snowmobiles or snowmobiling to each member of the snowmobile recreational council for his or her review and comment at least 20 days before the notice stating that the proposed rule is in final draft form is submitted to the legislature in the manner provided under s. 227.19 (2). A member of the snowmobile recreational council may submit his or her written comments on the proposed rule to the department.
      - (b) The department shall include in the report required under s. 227.19 (3) the written comments that it receives under par. (a).
    - (3) Recommendations for executive budget bill.
      - (a)
        - 1. Before June 30 of each even-numbered year, the department shall consult with the snowmobile recreational council on the proposed changes for the succeeding biennium in the appropriations and laws that affect snowmobiles and snowmobiling.
        - 2. A member of the snowmobile recreational council may submit before August 1 of the even-numbered year his or her written comments on the proposed changes specified in subd. 1. to the secretary of natural resources.
      - (b) The secretary of natural resources shall submit any written comments that the secretary receives under par. (a) 2. to the natural resources board and to the secretary of administration with the department's submission of its budget report under s. 16.42.
      - (c) Before March 1 of each odd-numbered year, the snowmobile recreational council shall meet and review the provisions that are included in the executive budget bill or bills and that affect snowmobiles and snowmobiling. A member of the snowmobile recreational council may submit his or her written comments on these provisions to the secretary of natural resources before March 10 of each odd-numbered year.
      - (d) The secretary shall submit the written comments that he or she receives under par. (a) 2. or (c) before March 10 of the odd-numbered year to the cochairpersons of the joint committee on finance before March 15 of that odd-numbered year.
- **Creation of Snowmobile Recreation Council**
  - 15.347(7). Snowmobile recreational council. There is created in the department of natural resources a snowmobile recreational council consisting of 15 members nominated by the governor, and with the advice and consent of the senate, appointed for staggered 3-year terms. Commencing on July 1, 1972, 5 members shall be appointed to serve for one year, 5 members for 2 years and 5 members for 3 years. Thereafter all terms shall be for 3 years with 5 positions on the council to expire each year. At least 5 members of the council shall be from the territory north, and at least 5 members shall be from the territory south, of a line running east and west through the south limits of the city of Stevens Point.

## Appendix A

### To be eligible for funding, counties confirm that:

- all miles are clearly identified, numbered<sup>1</sup> and classified in the current trail map and GIS data layers
- trail spurs leading to a route over water have a parking lot or service at the shore<sup>2</sup>
- eligible distances do not overlap road routes<sup>3</sup> (because it is a route, not a trail)
- if distances overlap a road, can verify that that road is not maintained with snow removal<sup>4</sup>
- all miles are open to the public<sup>5</sup>

### Distances not eligible for funding include:

- distances of road route<sup>6</sup>
- any distance over a body of water - Including the portion of a trail spur leading to a route over water if there is no parking lot or service at the shore<sup>2</sup>
- distances leading to an area designated in department wilderness policy, game preserves, winter browse areas, experimental stations, nurseries, plantations, residences and other areas of anticipated conflict, particularly areas which may be damaged by trail development or snowmobile use.<sup>7</sup>
- distances leading solely to a bar or private residence<sup>8</sup>
- distances not approved by the board as snowmobile trails<sup>9</sup>

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<sup>1</sup> Finance Committee of the Snowmobile Recreation Council Agenda & Record Feb. 14, 2016 - Funded trails must be numbered for purposes of reporting trail maintenance.

<sup>2</sup> Trails may not be routed over bodies of water. NR 50.09(4)(c)2.f.

Also from the SNOWMOBILE RECREATION COUNCIL AGENDA & RECORD Monday, June 6, 2016: Funded trails cannot go over water. They can terminate at a shore only if there is a parking lot or service there.

<sup>3</sup> 350.01(17) "Snowmobile trail" means a marked corridor on public property or on private lands subject to public easement or lease, designated for use by snowmobile operators by the governmental agency having jurisdiction, but excluding highways except those highways on which the roadway is not normally maintained for other vehicular traffic by the removal of snow.

<sup>4</sup> 350.02(2)(a)2. On any roadway which is not normally maintained for other vehicular traffic by the removal of snow.

<sup>5</sup> NR 50.11 (3)(b) Trails must be open to the public

<sup>6</sup> NR 350.01(16): Snowmobile route: means a highway or sidewalk designated for use by snowmobile operators by the governmental agency having jurisdiction as authorized under this chapter.

<sup>7</sup> NR 50.09(4)(c)2.g. Trails shall be routed away from areas designated in department wilderness policy, game preserves, winter browse areas, experimental stations, nurseries, plantations, residences and other areas of anticipated conflict, particularly areas which may be damaged by trail development or snowmobile use.

<sup>8</sup> SNOWMOBILE RECREATION COUNCIL AGENDA & RECORD Monday, June 6, 2016. Make sure the trails are going where they should, not crossing water or ending at bars. Also: 350.01(10m) "Purpose of residential access" means for the purpose of traveling for the shortest distance that is necessary for a person operating the snowmobile to go between a residence and the snowmobile route or snowmobile trail that is closest to that residence.

<sup>9</sup> 350.12(4)(b)1. ... Qualifying trails are trails approved by the board as snowmobile trails.

## Appendix B

### Part I

<p><b>Gateway Questions: At least one of these must be answered Yes or the miles do not qualify per s. 23.09(26)(d), Wis. Stats.</b></p> <ol style="list-style-type: none"> <li>1. Does this trail provide a primary access route through one county and connect with another county's trails?</li> <li>2. Does this trail provide access from population centers to main access trails?</li> <li>3. Does this trail support a high volume of use?</li> </ol> <p><b>Note:</b> Applicant will provide justification for Yes answer.</p> <p><input type="checkbox"/> Map attached</p> <p><input type="checkbox"/> I certify that this trail meets or will meet all trail requirements in Wis. Statutes: Chapters 23 &amp; 350, and Wis. Administrative Code: NR 50, including the 40-foot rule for two-way traffic at night.</p>	<p><b>s. 23.09(26)(d):</b> "Distribution of snowmobile trail development funds shall be limited to trails which provide a primary access route through one county and connect with another county's trails, provide access from population centers to main access trails or support a high volume of use. Counties applying for aid for snowmobile trail development shall identify the type of trail for which aid is being sought on the forms under par. (b)."</p> <p>A current GIS map including all required data attributes (funded trails, unfunded, routes, etc.) must be submitted with the new trail request clearly marked.</p>
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### Part II. This is the current trail ranking with notes.

<ol style="list-style-type: none"> <li>1. (A) Trail segment is located on public lands or private land with permanent deeded easement. (B) Trail segment on private lands with land-use agreement (LUA) of 10 years or more. (C) Trail segment is on private lands with LUA of 5 years or more. (D) LUA of less than 5 years.</li> <li>2. (A) Trail segment connects two or more counties or states. (B) Trail closes a gap in an existing N-S of E-W funded trail or Extends existing funded trail 10 or more miles – excludes routes. (C) Trail segment is a part of the basic county trail system. (D) Trail is isolated.</li> </ol>	<p>3 pt.</p> <p>2 pt.</p> <p>1 pt.</p> <p>0 pt.</p> <p>3 pt.</p> <p>2 pt.</p> <p>1 pt.</p> <p>0 pt.</p> <p style="text-align: center;"><b>COUNCIL POLICY</b></p>	<p><b>s. 23.09(26)(e)2, Wis. Stats.</b></p> <p>"2. Trails to be developed on public-owned or long-term easement land".</p> <p><b>s. 350.14, Wis. Stats.</b></p> <p>Duties of snowmobile recreational council.</p> <p>(1) The snowmobile recreational council shall carry out studies and make recommendations to the legislature, governor, department of natural resources and department of transportation on all matters related to this chapter or otherwise affecting snowmobiles and snowmobiling.</p> <p><b>Council Policy and must be agreed to by the full Council to remain on the ranking sheet.</b></p>
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<p>3. The trail segment is in the following area of mean annual snowfall (Source: Midwestern Climate Center).  Greater than 60 inches  48-60 inches  Less than 48 inches</p>	<p>Council Pol.  3 pt.  2 pt.  1 pt.</p>	<p>s. 350.14, Wis. Stats.  Council Policy and must be agreed to by the full Council to remain on the ranking sheet.</p>
<p>4. The ratio of miles of trail to total square miles of land within the county is in the grouping (distribution prepared by Department):  The ratio is within the grouping 0%-30%  The ratio is within the grouping 31-40%  The ratio is within the grouping 41-50%</p>	<p>3 points  2 points  1 points</p>	<p>s. 23.09(26)(e)1, Wis. Stats.  "1. Trails in counties where there are no funded trails or trails are in short supply in comparison to demand."</p>
<p>5. Trail segment will be groomed with:  Class A-1 or A-2 equipment  Class A-3 or A-4 equipment  Class C or D</p>	<p>2 points  1 points  0 points</p>	<p>s. 350.14, Wis. Stats.  Council Policy and must be agreed to by the full Council to remain on the ranking sheet.</p>
<p>6. County snowmobile coordinator priority points to communicate importance or priority of segment(s)  Note: 2 points total (for all trail requests)</p>	<p>2 points  1 points  0 points</p>	<p>s. 350.14, Wis. Stats.  Council Policy and must be agreed to by the full Council to remain on the ranking sheet.</p>
<p>Deductions</p>		
<p>7. The following deductions will be made if the segment contains any of the following:  New bridge, major bridge rehab or major trail rehab  Trail segment is parallel (within 5 miles) to another funded segment except for a natural or significant manmade barrier  Trail runs to a lake / river</p>	<p>Max 8 pt. deduct  -3 points  -3 points  -2 points</p>	<p>s. 23.09(26)(e)3, Wis. Stats.  "3. Trails which can be developed to provide more trail miles for less cost."  Major rehab = greater than \$500/mile  s. 23.09(26)(f)1, Wis. Stats.  The 3<sup>rd</sup> part is <b>COUNCIL POLICY</b>.</p>