

MINUTES FINAL - as of 7/14/06
Governor's State Trails Council Meeting
Tuesday, May 2, 2006
Governor's Conference Room
116 East State Capitol, Madison, WI
10:00 A.M. – 3:00 P.M.

State Trails Council Members Present: Ken Carpenter, Alison Dwyer, Randy Harden, Tom Huber, Ramsey Lee (via telephone), Mike McFadzen, Dave Phillips, Martha Schouweiler, Tom Thornton

Wisconsin Department of Natural Resources (DNR) Staff Present: Scott Hassett, Laurie Osterndorf, Bill Morrissey, Peter Biermeier, Brigit Brown, Bob Mather, Jeff Prey, Joe Renville, Joseph Warren

Natural Resources Board Members Present: Dave Clausen, Jonathan Ela

Others Present: Dave Anderson, Jim Donlin, Jim Goeldner, Ken Linzmeyer, Rob McConnell, John Schnorr, Tony Phillippe

Legislators Present: Sen. Joe Liebham, Rep. Mark Pettis

Agenda review/repair and approval of January meeting minutes

- McFadzen called the meeting to order. Approval of the January 30, 2006 meeting minutes by Harden. Carpenter seconded. Minutes approved.

Chair Report

- Dave Phillips will represent the State Trails Council on the Northern Highland American Legion State Forest ATV Stakeholder Group. Randy Harden is also an advisor to the Stakeholder Group as an ATV representative.
- McFadzen discussed the issue of power lines on and along trails. McFadzen noted that he has heard rumors of plans to use the Military Ridge State Trail, Badger State Trail, and other trails as 345 Kilowatt power line corridors. McFadzen has issues with transmission companies using trails as corridors, but acknowledges that there will be instances where it may be necessary to allow power lines to cross over trails. McFadzen mentioned the Transmission Lines Resolution passed by the Council on October 10, 2005 that states, "The Governor's State Trails Council opposes the use of trail corridors for overhead power lines." McFadzen would like to revisit this issue in future meetings.
- McFadzen thanked Thornton for his work in helping to create the snowmobile speed ordinances in Bayfield County. The nighttime speed limit of 55 m.p.h. for snowmobiles goes into effect in 2007. There have been 26 snowmobile related deaths reported for the 2006-07 season; that number does not include the number of people that injure themselves for life. Thornton explained that some members of the State Senate are in favor of putting a snowmobile drinking violation on an operator's driving record.

- Thornton explained the land owners adjacent to snowmobile trails have complained about the noise and speed. However, snowmobile manufacturers say speed sells and they have a powerful lobby. Bayfield County was trying to get the decibel level set at 86, but because of pressure, the legislature set the decibel level at 88. McFadzen asked if the STC would have a role in working with these manufacturers and advertisers to push safety and responsibility.
- Natural Resources Board membership was briefly reviewed. Jonathan Ela explained that of the five NRB members, only one confirmed member is serving a current term.
- There was a late request for a presentation by Tony Phillippe about a possible year-round off-road vehicle park in Forest County. McFadzen would like to have time for this presentation on the July STC agenda. The off-road vehicle park would be similar to the concept of the DNR state motorized recreation area.
- McFadzen brought up the issue of ATV use on the Amery to Dresser trail (Cattail State Trail) as he received information about user group conflicts on the trail. In the Environmental Assessment (EA) of the trail, ATV use is listed as an alternative use, not as a primary use. Brown said that the EA went out to the public for comment, and input will be used to amend the EA, not alter it. Biermeier said that once the EA is signed by the preparers, the document will be complete and provide a number of options on the Cattail trail. Creating the EA will help the DNR apply the process to other state trails in the future. Carpenter would like to receive more information from the DNR on this issue as it develops. The STC could be a good conduit out to inform user groups about getting their input considered into future trail environmental assessments.

DNR Report

Motorized Recreational Use Area

- Morrissey reviewed the concept of a State Off-Highway Vehicle Recreation Area. Morrissey has been working on a paper that proposes the next steps to creating a motorized recreation area in Wisconsin. Morrissey has looked at the gas tax, registration fees, grants, and law enforcement as possible ways to help fund the proposed area. The paper is in draft form and has been approved by the Land Leadership Team. Morrissey has been taking the paper around the entire department to inform each Bureau of the proposal. Pink and yellow sheets have been done for the paper, and the next step is a green sheet that will be available to the public on or after May 22, 2006. The final draft of the paper will be going to the NRB on June 28, 2006. The idea of the concept is to start with one motorized recreation area as a pilot program. Morrissey has been looking at sizes of other recreation areas throughout the country. Minnesota has a motorized recreation area approximately 5,000 acres, and New Hampshire has one that is 7,500 acres. The next steps after the June NRB meeting will be to engage partners for the recreation area. Some counties have expressed an interest in helping with the area. Individuals from motorized organizations have offered to help with the design, development, and financing. McFadzen would like a copy of the green sheet sent to each council member when it is available for them to review.
- Morrissey gave an update of the DNR Strategic Plan. The DNR has taken public comments from last summer and added them to the plan. Looking ahead at least five years, the Wisconsin State Park System (WSPS) will not be coming close to meeting the

public demand for State Parks. The public has been asking for more wilderness and backcountry experiences. The aging population wants more electric campsites. The public has complained about the difficulty of reserving a campsite during summer. The WSPS needs to look at increasing the amount of campgrounds in the parks as the attendance of the Park System has been stagnating due to the relative lack of campgrounds available. When a draft of the Strategic Plan is done, public meetings will be scheduled to give the public a chance to review the plan. McFadzen would like council members informed of the completed draft so they can review the plan as well.

- Biermeier gave a summary concerning the status of hunting on state parks and trails. The Bureau of Wildlife is working with the WSPS to help institute any hunting on park properties and is helping to revise any master plans. Deer hunting is the main issue on state properties. Deer bring up resource management concerns. Some parks, such as High Cliff, suffer from severe foraging. Instances where subdivisions line the park border, the WSPS will not institute recreational hunting on the property, but will bring in sharpshooters. The WSPS has been looking at eradication training for shooting deer on state property. The training will cover using one spotter and one shooter, shooting at specific times during the day/year, and eradicating deer in extremely difficult terrain. The WSPS does not allow hunting along hiking trails on most properties. Most State Trails do not allow hunting as the trail corridor is too small. The STC is on record as being opposed to recreational hunting on park and trail properties.
- Phillips asked if the DNR had considered a program similar to a “Master Hunter” Program to help with hunting on parks and trails. There is not a “Master Hunter” Program in Wisconsin, but a similar program would be an education program that hunters must go through before they are allowed to hunt in certain, more sensitive areas.
- Brown reviewed the Trail Incident and Safety Report Form. The form will be used to catalog reports of safety/maintenance issues, illegal activities, and user conflicts. The form will help to distinguish between anecdotal information and potential trail hot spots.
- Brown gave an update on Office of Energy (OOE), the American Transmission Company, and the placement of power lines along trail corridors. The OOE is not willing to comment publicly until there is agreement between state agencies on the meaning of the language. Trails that are rail-banked have certain standards for their development, and property that is purchased with Land and Water Conservation Fund (LWCF) money has certain requirements. The NRB will interpret those laws to decide what the possible alternatives and outcomes will be regarding the placement of power lines. McFadzen would like to see any information regarding the issue when it is available to the public.
- Morrissey gave an update of the Badger State Trail. Engineering has begun on the southern segment starting at the Illinois border. The trail surface will be crushed limestone. The northern segment in Fitchburg will be paved because of the amount of commuter traffic that is expected to use that portion of the trail.

Statewide Comprehensive Outdoor Recreation Plan (SCORP)

- Jeff Prey, Programming and Planning Analyst for the Wisconsin DNR, gave a presentation that detailed how the DNR creates and uses SCORP. Prey covered the data collection process, the creation of the plan, and the changing recreational habits of Wisconsin’s residents and visitors. The Bureau of Parks uses SCORP to help make

decisions regarding Park Master Plans. Prey used the Badger State Trail as an example. Data from SCORP was used to help determine what uses would be allowed on the trail, the locations of different trail surfaces, and any needed facilities. Every five years, the DNR creates a new Statewide Comprehensive Outdoor Recreation Plan. As soon as the work for SCORP 2006-2010 is finished, Prey will begin working on SCORP 2011-2015.

Noon presentation

- McFadzen gave a presentation that highlighted the economic benefits of trails to the State of Wisconsin and the \$25 Million Non-motorized grant for Sheboygan County. Senator Joe Liebham stopped by for the presentation. The grant will help to create non-motorized transportation alternatives, and is a great opportunity to see the benefits that bicycling and walking can bring to a community. McFadzen would like to see health screenings, including taking the Body Mass Index (BMI), done for schoolchildren as the grant will look to provide safe transportation routes to school that emphasize biking and walking. Sheboygan officials will be working to collect data over the next couple years to report how the grant affects any changes in health, air quality, types of trips taken, and number of vehicle trips taken in the county. Senator Liebham thanked the council for the invitation to the meeting and for their work for getting the grant, as it should greatly benefit the communities in Sheboygan County.
- DNR Secretary Scott Hassett spoke on topics of interest to the State Trails Council. The concept of a state motorized recreation area will be going before the NRB in June. The cost would not be cheap, when taking into consideration the cost per acre, development, and ongoing operations. There has been some opposition to this concept from the public sector, but many individuals have changed their opinions as they have learned more about it. The proposed extension to the Hank Aaron State Trail would connect major metro areas of Milwaukee, and would benefit the citizens of the city by providing them with recreation and transportation opportunities. Milwaukee real estate is not cheap, but the Stewardship Fund has an obligation to provide trail opportunities, especially to the most densely populated area of the state. The STC will be able to play an important role as these proposals move on to their next steps.
- Senator Mark Pettis stopped by to inform council members about the requirements and restrictions of using T21 grant money for trails. Counties that apply for and get T21 money to use for trail projects must be aware of the restrictions. T21 money is used for multiple use trails, but only those trails that consider hiking and biking as the multiple uses. The nature of the Transportation Enhancement program is walking and bicycling. Incidental expenditures are allowed on trails. The grant money does not cover trails or projects for motorized uses. Pettis has heard complaints from people in Marathon County that they could lose all access to ATV routes because they would be unable to use ATV's on trails and bridges that were built using the T21 grant money.
- Brown will email and mail a copy of Rep. Pettis' handout to council members that details how T21 money is used and the clauses and restrictions associated with the grant. Wisconsin is one of the states that has used the least amount of T21 money.

Logging along Trails and Managing Contracts

- Biermeier and Mather reviewed logging along trails. The Bureau of Parks and the Bureau of Forestry have been working together on state park vegetative review and management. Forestry is helping Parks to create resource management plans for each

property. Before any kind of harvest or contract is established, Forestry takes into consideration; the time of year, forest types, visual and aesthetic impacts, disease and health problems of tree species, and future uses of park and trail properties. If trees are needed to be cut, Forestry works to minimize slash and noise, minimize the visual impacts of landing and loading, enhance forest cover in primary use areas, and enhance the health of forests. Mather explained that the goal of Forestry is not to maximize timber production, but to manage the forest's resources for the long term.

- One example of a successful harvest was in the Northern Highland American Legion Forest. By planning ahead of time, Forestry made the public very aware of the days the harvest would be on and the type of cut that was going to be performed, and did not receive any complaints.
- When dealing with trails, the goal is usually to leave long-live species of trees, but whatever the focus is, aesthetics, regeneration of native species, or other ecological parameters, Forestry is very open to how the trail resources can be managed.
- Phillips asked about the problem of trail closures in county forests. Mather explained the DNR has some authority over these forests, but the biggest place to have an impact is working with county authorities and locals during the planning process. County authorities have varying degrees of sensitivity about trail issues. The DNR does not have the authority to tell the counties where to put a trail, but tries to nudge them in the right direction. Some counties tend to be more organized on turning profits, as lumber sales may be the only way a county can bring in money. In instances like these, the county's priorities lean more towards the timber than the trail.
- McFadzen asked if Forestry can put together a logging plan that allows user groups to help develop the plan. Mather explained Forestry does this on a regular basis on state properties. Forestry usually holds an open house for the public and user groups to voice their opinions of a harvest. An example of this procedure is with the Coulee Experimental Forest, where a meeting about future harvests is held every year. McFadzen asked if the DNR can mandate this process to county forests. Some counties with more of a population base, such as Marathon County, are a little more progressive and hold meetings every month. The counties do not always follow the results of the meetings, but there is progress concerning the issue of trails, because county authorities understand that Forests can bring other economic benefits to a county besides logging.
- McFadzen asked if there are any standards for large areas that are to be clear cut, such as the Northern Highland American Legion Forest (NHAL), and if trails are taken into consideration. McFadzen wondered if selective logging practices could be used along trails. Mather explained that clear cutting is not a goal of Forestry. Mather will look into the specific details about the NHAL cut and send them to McFadzen. Forestry and the property manager look at what the future plans of the property will be, before they decide on a harvest. A typical logging contract in larger forests calls for a harvest every five to ten years. Mather also said that as far as he knows, Wisconsin is the first state in the nation developing logging guidelines to deal with the problem of invasive species. Invasive species are a serious threat to the health of forests and impede the regeneration of tree species. Forestry is beginning to formalize the structure of the guidelines.

Federal Funding for Trails

- Jim Donlin, Budget Analyst for the Wisconsin Department of Transportation, summarized the federal programs used to fund trails. The current surface transportation budget, SAFETLU, authorizes and lays out the framework, enhancements, and restrictions, and the amount of funding for each program. It lays out the authority, but does not give funding. There has to be appropriation to each year there is an appropriation bill.
- Each year Congress gives X amount of money to the states. It is up to the individual state to decide on the amount of funding that can be spent and the amount of apportionment balances. Donlin offered the example of the government giving the state of Wisconsin six glasses of different sizes that represent the six years of a government transportation bill. The state legislature gets to decide how much funding should be allotted to each year based on needs. Then the decision goes to the Joint Finance Committee for any line item vetoes. The Joint Finance Committee can not increase funding for each program.
- Rescissions from transportation enhancements are when Congress takes back some of the money it had originally allotted the states. For the Federal Fiscal Year 2006, Congress is taking back \$2 billion nationally and \$38 million from Wisconsin. The state gets to choose what pots of money those funds must come from. Recommendations come from the Wisconsin DOT. All of that funding that was taken out, which totaled \$60 million, came from the apportionment balances. Transportation enhancements have slipped to under 40 percent of the amount apportioned. McFadzen asked if the state has enough money to restore the amount to at least 50 percent.
- For the Federal Fiscal Year 2006, the State of Wisconsin could spend 87.1% of \$668.1 million. After the Federal and state legislature take downs, the amount of money that Wisconsin can spend is \$8 million. The state has four years to spend this money or it lapses. Wisconsin has never lapsed formula funding. The legislature has to make a decision about where, within the apportioned amounts, to program the \$8 million. Not every program gets its fully apportioned amount.
- Wisconsin is second to last in the nation for spending on bike/ped pots of money. Biermeier asked why the state of Wisconsin is always last, or near last in spending for transportation enhancements. Donlin explained it is difficult to get the amount of money spent on trails up, as the money is determined by the Wisconsin Legislature and it depends on their priorities. Stakeholders can influence legislators and bike/ped people have to compete with other user groups for the same pot of money.
- Earmarks can hurt the transportation enhancements reimbursement program. Entities that get earmarks have to follow all federal rules regarding the funds. Carpenter stated the Fiscal Bureau educates the legislature, the DOT educates the Fiscal Bureau, but the Joint Finance Committee does not get educated.
- McFadzen wondered if there would be room on the next meeting's agenda to revisit this issue to inform law makers about how to acquire federal funds for trail purposes.

Other Business

- McFadzen commented on the potential Legislative Committee Senator Breske is trying to create to deal with trail issues. The Committee has a good chance of happening and if it

is created, the Committee will consist of about 6-8 people who will convene over two years. McFadzen will keep STC members informed on the progress of the Committee.

- Biermeier would like to see some upcoming sessions on STC agendas dedicated to water trails. The number of water sport enthusiasts is growing and they want updated maps of water trails in Wisconsin and more access to those trails. Schouweiler will work with Michelle Grimm to give a presentation on water trails at the July meeting. Grimm is a graduate student at UW-Stevens Point, who is working towards her thesis on water trails.
- McFadzen would like to invite some local legislators into the July meeting. Phillips would like to inform these legislators of the work they can do to help the STC and get Transportation Enhancement (TE) funds for their communities. McFadzen will work with Phillips to tailor the noon presentation to inform legislators of trail benefits and economics and how they can take the lead to acquire TE funds.
- Phillips commented on the issue of ATV use on the North Country Trail. Law Enforcement (LE) is typically not aware of any problems or is not concerned with the problems of illegal ATV use, and usually has a limited enforcement staff. Illegal operation has been taking place not only on the trail, but also between trail segments, on city streets, and on private property. The STC has helped to make law enforcement officials more aware of the problems. Individuals who break the law may not be caught right away, but keeping LE informed of trends in illegal activity, will help LE to patrol certain hot spot areas more frequently. Harden also talked about a recent meeting in Mellen concerning ATV use on the North Country Trail and private lands. Efforts are being made to address the issue of illegal ATV use.

Public comment

- John Schnorr informed the council of an all-day seminar on June 15, 2006 that the Wisconsin Off-Highway Vehicle Association will be hosting. Dana Bell from the Blue Ribbon Coalition will help give a presentation on off-road park design. She will discuss successful and unsuccessful areas, individual responsibilities, and buffer zones. Dana will also be at the National Trails Symposium in the quad cities in October. All Council Members are invited to attend this seminar.
- Rob McConnell informed the council about the Wisconsin All-Terrain Vehicle Association's (WATVA) annual meeting on April 24, 2006, and gave a handout from the meeting to each council member. McConnell also informed the council about the Wisconsin Outdoor Education Expo on May 19-20. The Expo is for kids, grades 4-6, and 3000 schoolchildren and 500 teachers are expected to come to the expo. The theme is "See, Touch, Do." WATVA will be at the expo to teach ATV safety, and the students will also be able to learn techniques in fishing, hunting, and camping. DNR law enforcement will also be attending the expo.
- Motion to adjourn by Harden. Seconded by Huber. Meeting adjourned.

Addendum

- The State Trails Council passed a Resolution for support of the proposed extension to the Hank Aaron State Trail. The resolution was sent to the Natural Resources Board.