

**MINUTES** FINAL - as of 10/16/09  
**Governor's State Trails Council Meeting**  
**Friday, July 17, 2009**  
**Chippewa Moraine State Recreation Area**  
**10:00 A.M. – 2:00 P.M.**

**State Trails Council Members Present:** Ken Carpenter, Randy Harden, Tom Huber, Jim Joque, Dave Phillips, Mike McFadzen, Tom Thornton, Robbie Webber

**Wisconsin Department of Natural Resources (DNR) Staff Present:** Dan Schuller, Peter Biermeier, Brigit Brown, Diane Conklin, Brenda Rederer, Jean Rygiel, Joseph Warren

**Ad Hoc Committee Members Present:** Ron Bohl, Bryan Much

**Others Present:** Cora Dversdall, Dean Dversdall, Don Erickson, John Helling, Doug Johnson, William Johnson, Karen McFadzen, Dave Peterson, Judy Peterson, Gene Roberts, Luana Schneider, Richard Smith, Brook Waalen

---

**Agenda review/repair and approval of April meeting minutes**

- Harden called the meeting to order. Approval of the April 28, 2009 meeting minutes by McFadzen. Thornton seconded. Minutes approved.
  
- McFadzen asked if the Council would have a period for public comment for people attending the meeting to comment on the Ad Hoc Committee Report before the council discusses the recommendations. Agenda amended.

**Chair Report**

- Harden has been in contact with the Governor's Office to keep the Governor informed of what the Council decides concerning the recommendations from the Ad Hoc Committee. The Governor would need to approve any changes to the appointment process.

**Ad Hoc Committee Report**

- *Public Comments:*
- Dave Peterson stated he was concerned about having the DOT as an advisory member only. The DOT representative is very important to the Council and deals with many of the issues that come before the Council.
  
- Judy Peterson stated she was concerned with changing the language of the STC Mission Statement away from multi-use and limiting trails to single uses when responsible users can share trails. Peterson stated she was also in favor of an 11-member council and including a multi-use trail person on the council.
  
- Brook Waalen complimented the work of the committee and stated he was concerned with replacing a water trails representative with an OHM representative. Waalen stated it was important to keep the DOT representative as a voting member and would like to see the council have a focus on sustainable trails.

- Luana Schneider stated she was not in favor of replacing multi-use trails in the Mission Statement. User groups can establish how much use a trail can accommodate. Schneider also stated the council should increase membership to 11 or even more members and include a 4WD representative. Nine Council members are not enough to adequately represent all uses.
- *Ad Hoc Committee Comments:*
- Bryan Much stated the committee spent a good portion of their time exploring issues for more complete representation of trail users. The Committee wanted to keep a DOT representative present at meetings in an advisory capacity and include another trail representative as a voting member. Replacing the term “multi-use trails” with “trail use ethic” was not designed to take away trail uses but provide a more preferred user experience. The Water Trails representative was not intended to be eliminated, but because the position is vacant it was recommended to fill with an OHM representative in the short term. A water trails representative would still have a seat on the 9-member council.
- Ron Bohl stated the committee proposed increasing membership on the Council to 11, but that would take a statute change. A reorganized 9-member council is something the council could implement now, and then start the legislative process to increase membership.
- *Consent Agenda:*
- Harden stated in hearing back from public comments and council members, there were some recommendations that all council members and the public who commented, generally agreed on. Included in the consent agenda were the recommendations for a periodic review of RTP criteria, a periodic review of trail use categories and major user groups, developing a web-based STC user guide, and (with the Governor’s approval) developing and outlining a process for new appointments to the State Trails Council.
- Motion to accept recommendations in the consent agenda by McFadzen. Seconded by Webber. Motion passed. Brown stated the implementation of these recommendations will need to be discussed separately and time will be set aside on future agendas for discussion.
- *Discussion of Report:*
- The Council discussed the Ad Hoc Committee’s recommended changes to the STC Mission Statement and made some changes to the proposed text. See Attachment A.
- The Council did not finish their discussion of the STC Mission Statement. Items 1 and 10 on the Mission Statement were not completed. Motion to table the ad hoc committee discussion until the next meeting by Thornton. Seconded by McFadzen. Motion passed. Huber recommended the Council try to finalize language to the STC Mission statement electronically before the October meeting. Brown will send out text for Council Members.
- The discussion of the Ad Hoc Committee report recommendations 2, 4, 5, and 6 will continue at the October STC meeting at Governor Thompson State Park.

### **Recreational Trails Program Update**

- Diane Conklin, DNR Grants Manager for the Recreational Trails Program, passed out a packet for 2009-2010 project ratings. Conklin stated due to rising costs less projects are able to be funded. Conklin also passed out an outline of two options for changes to the RTP awards that could help fund more projects. One option would be to put a cap on the grant amount awarded and the second option would be to split the funds by regional allocation. There is no current cap on grant awards.
- McFadzen asked if the STC should adjust the rating tool for projects. Conklin stated RTP is just one piece of all the funding for projects. Many projects typically also apply to receive funds from other sources. Putting a cap on RTP project awards will include more projects.
- Motion to cap the funding award for RTP projects at \$30,000 by McFadzen. Seconded by Thornton. Motion passed.
- Thornton asked if the STC should consider holding its summer meeting in August to coincide with the meetings for RTP. The council will set dates for 2010 meetings at the October STC meeting.

### **State Trails Council Member Reports**

- *Off-Highway Vehicles.* Off-Highway Motorcycles and Off-Highway Vehicles have been working to move forward with registration programs. Trail groups are working with the Wisconsin County Forests Association to make the LUV pilot program in northern Wisconsin a permanent program once the pilot ends on September 30, 2009. The economic situation with ATVs has been up and down. ATV sales have been down due in a large part to gas prices. Day trips with ATVs have been down, but overall use has remained steady.
- *Snowmobiling.* Snowmobile sales have been down. Overall there were good snowfall totals for all parts of the state last year, with the south receiving some very good totals for most of the season. There is some concern about the Cheese Country Trail reverting back to rail use.
- *Cross-country Skiing.* Smaller ski groups are growing. There has been an increasing emphasis on providing facilities and lighted trails for cross-country skiing. Ski groups and volunteers have been funding and maintaining trails.
- *Users with Disabilities.* Accessibility issues are not just a consideration for land-based trails. Four state parks, Devil's Lake, Buckhorn, Perrot, and Mirror Lake, now have adaptive kayaks, opening up paddling opportunities to people with disabilities. Joque stated there have been a lot of good comments on the Ad Hoc Committee report; one point of clarification is that not all disabilities have to deal with people in wheelchairs.
- *Equestrian.* The Wisconsin State Horse Council held its fourth trail crew leader class at Governor Knowles State Forest. It was well attended and attendees spent time in a classroom followed by work on the trails to learn trail design principles and how to safely

and effectively lead work crews. Work on the Glacial Heritage Area continues. The project area, centered in Jefferson County, deals with connecting public lands by a series of trails, which would provide great opportunities for land and water recreation. Carpenter stated he had some concerns for trails in state wildlife areas and would like to have recreational trail use compatible with hunting in these areas.

- *Department of Transportation.* The DOT will need to develop some rules to take through the Administrative Code process for Complete Streets. The DOT received more Transportation Enhancement funds to spend on bike and pedestrian projects. The Federal funding level will stay the same for these funds. The rules and funding cycle will also stay the same. Applications for different pots of money are due by April 15 each year.
- *Hiking/Walking.* One of the items at the last Dane County Board meeting dealt with the economic impact of the Ice Age Trail. Lots sold near the Ice Age Trail tend to get a higher price than if they were not near the trail.
- *Bicycling.* The Complete Streets initiative was included in the state budget. Now, new projects will need to include bike and pedestrian regulations or they will have to be signed off by the DOT. Jim Oberstar (MN), chairman of the House Transportation and Infrastructure Committee, is looking at reform and to implement new funding for bike and pedestrian projects. Webber stated she has been helping develop bicycle routes across Wisconsin as part of a national bicycle route system.

#### **Bayfield County Railroad Corridor**

- The Federal District Court in Chicago ruled in favor of Bayfield County for the case involving the recreation use of a former railroad corridor. The case would not go to the U.S. Supreme Court unless it is appealed. A previous case involving a federally granted right-of-way, also from Wisconsin, was taken to the U.S. Supreme Court. The court also ruled in favor of the right-of-way for recreational trail use. At the national level the case could be a precedent for other rail trails.
- The Bayfield County case reaffirms that when a railroad is abandoned and is a federally granted right-of-way, it does not immediately revert to private ownership. State and county governments have the option to pursue corridors for trail use.

#### **DNR Report**

- The DNR will be taking the draft master plan for Straight Lake State Park to the Natural Resources Board in August. The property will include about 3.5 miles of new Ice Age Trail, two lakes and opportunities for walk-in, primitive campsites. The DNR and Dane County are in the final stages of the master planning process for Capital Springs State Recreation Area. Other master plans in progress include the Pike Lake Unit of the Kettle Moraine State Forest and High Cliff State Park.
- The state park system took about \$1 million in reductions in the state budget. To help offset some of the cuts there will be new facilities coming online. There will be a new campground opening at Harrington Beach State Park later this summer. The DNR is not planning to close any parks, but will target reductions at some of the least used facilities and during the least used seasons.

- There is a national effort to increase Land and Water Conservation Fund (LWCF) dollars for land acquisition and outdoor recreation at the state level. If this were to happen it would be a big benefit to the State Park System.
- Motorized Recreation Area Concept update. In January the NRB approved a feasibility study for the concept. Other states have had success with placing motorized recreation areas at former mining or reclamation sites. The DNR is visiting potential locations in central and southern Wisconsin.
- Brown stated there have been a number of changes to water-related regulations in the last few years. For trail groups, or anyone else, it is a good reminder to know what permits at both the state and local level are needed before building road crossings, bridges, or any other trail projects in or near water and wetlands.
- Representatives with WOHVA and WOHMA talked with the DNR following the STC meeting in April. Both groups are working towards registration programs.
- The DNR is taking some efforts to reduce its carbon footprint. The DNR is looking to purchase some electric vehicles such as light trucks run by battery power that can be used for maintenance. The DNR may be able to purchase these vehicles through the Heritage Fund which is a pot of money funded from utility easements. The State Park System is looking to make new buildings green and energy efficient. State Parks are also looking into bicycle safety training and having more patrols by rangers done by bicycle.

#### **OWI and Trail Use Discussion**

- Thornton stated at the last meeting he agreed to draft a letter from the State Trails Council to the Governor and DNR Secretary supporting the recommendations to tie in a second offense OWI citation on a snowmobile to an operator's driver's license. If all Council Members agree to sign the letter, Thornton will send to the Governor and Secretary before the snowmobile season begins.
- Phillips and Webber had some minor text changes to the letter. Council members agreed to sign the letter today. Brown will make the changes to the letter and send to Council Members electronically. Council members will ok the changes electronically before the October STC meeting.

#### **2010 Officer Election Process**

- Officer elections will be held at the next STC meeting in October. Huber asked to receive nominations by the end of September.

#### **Public Comment**

- William Johnson stated that terrestrial invasive species and trail management especially with illegal ATV use have been issues on the Gandy Dancer State Trail. The Gandy Dancer Trail Commission will be meeting on October 15 at the Burnett County Government Center. Harden stated the Burnett County sheriff has been more aggressive in enforcement and could be looked at as a model for other areas on the trail. Carpenter stated that wash stations could help with invasive species.

- Brook Waalen stated he was concerned about ATV damage on public lands and that ATV organizations need pay for damage caused by ATVs. Waalen stated he would support a legislative proposal to use ATV registration funds to repair ATV damage. Waalen also stated he felt the current registration sticker for ATVs is too small as he could not read the registration on illegal ATVs he encountered on the trail. John Helling also stated he had a similar experience with illegal ATV damage on trails. Harden stated not all ATV riders should be held accountable for the actions of a few individuals and the majority of ATV users are responsible. Law enforcement officials also need to enforce the problem areas. Phillips stated he would like to add the issues of non-motorized trail damage funding and ATV license plates to the next STC agenda.
- Luana Schneider stated the Wisconsin 4WD Association is having a March of Dimes Rally and will send all Council Members more information via e-mail.
- Motion to adjourn by McFadzen. Seconded by Thornton. Meeting adjourned.

**October Agenda Items**

- Discussion of Ad Hoc Committee Recommendations 2,4,5,6
- License plates for ATVs
- Non-Motorized Trail Funding
- Officer Elections
- Meeting Dates for 2010 (summer meeting in August?)

**January Agenda Item**

- Implementation of Ad Hoc Committee recommendations passed by STC

## July 17, 2009 Minutes – Attachment A

As of end of 7/17/09 STC meeting.

### 1. Recommended Changes to the STC Mission Statement

One of the objectives of the Ad Hoc Committee was to review the STC Mission Statement. This committee proposes the following recommendations:

- The STC should promote the use of trails, but review the charge of promoting multi-use trails. Designating a trail as multi-use should be the exception, rather than the standard. The focus should be higher quality trails, for specific user groups, with a more enjoyable user experience.
- The Department of Natural Resources has authority over the 42 designated State Trails and trails on DNR property; however the DNR also offers consultation and best practices for all trails (e.g. the Trail Etiquette and Safety guidelines that can be used for any trail in the state). The extent of the STC's authority over trails should be made clear.
- The STC should promote the use and development of trails in all parts of the state and for a variety of trail uses, including consideration for diverse ethnic and cultural populations.
- One of the responsibilities of the STC is to develop RTP criteria and the STC should encourage eligible trail project sponsors to apply for funding.

Specific changes to the language of the STC Mission Statement are proposed below.

(Strikeouts show deletions and underlines show additions):

#### Governor's Wisconsin State Trails Council Mission Statement

It is the mission of the State Trails Council to provide advice and consultation to the Wisconsin Department of Natural Resources regarding the planning, acquisition, development, and management of state-owned trails, to make recommendations for all trails in Wisconsin, in order to preserve, protect, interpret, and enhance the scenic, natural, and cultural resources of the State, and to promote, outdoor recreational and educational opportunities for all the people of Wisconsin.

The Council shall represent the public, and provide advice and consultation to, the Department on:

1. Promoting and encouraging the safe and responsible use of trails and providing advice and consultation on sharing trails.
2. Advancing the concept of multi-use trails, and d Developing and promoting a trail sharing use ethic for a safe and positive user experience and to ensure a respect for natural resources.
3. Encouraging all governmental units to develop land-use plans that preserve rights-of-way and corridors for existing trails and the establishment of future trails.
4. Encouraging governmental units, organizations, and individuals to participate in establishing, developing, and maintaining trails.
5. Encouraging private/public partnerships for the purpose of planning, establishing, developing, and maintaining trails.
6. Recommending priorities for trail acquisition and development with an emphasis on trails that establish connections between existing trails and trails that are easily accessed by the people of Wisconsin.
7. Recommending and promoting trail acquisition, development, maintenance, and operations that result in quality opportunities for all trail user groups.
8. Recommending and promoting a rational and stable funding mechanism for trail maintenance and operations.
9. Reviewing funding criteria for the Recreational Trails Program and encouraging eligible sponsors to apply for trail funding grants.
10. Promoting and encouraging trails that meet diverse interests and abilities of Wisconsin citizens.

Deleted: and

Deleted: ,

Deleted: of

Deleted: in

Deleted: to,

Formatted: Highlight

Comment [beb1]: No decision made by end of 7/17/09 meeting on this yellow highlighted language.

Deleted: , including efforts to expand the ethnic and cultural diversity of trail users

Formatted: Highlight

Deleted: future

Deleted: these

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5"

Deleted: Recommending and promoting a more appropriate balance of priorities for trail acquisition, development, maintenance, and operations.

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5"

Deleted: Encouraging eligible project sponsors to apply for trail funding and reviewing funding criteria for trail grant programs.

Formatted: Bullets and Numbering

Comment [beb2]: STC considered and rejected language "...efforts to be more inclusive of ethnic and culturally diverse and physically challenged users."