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## WISCONSIN LEGISLATIVE COUNCIL

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### STATE TRAILS POLICY

Merrill City Hall  
Merrill, Wisconsin

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

[The following is a summary of the November 10, 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>.]

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#### 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; Rep. Mary Hubler; and Public Members Ken Carpenter, Richard Decker, Dave Marcouiller, Michael McFadzen, Joel Patenaude, and John Ruf.

COMMITTEE MEMBERS EXCUSED: Sen. Dale Schultz; Reps. Mark Pettis and Al Ott; and Public Member Jack Sauer.

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

APPEARANCES:

Gary Eddy, ATV/Snowmobile Administrator, Bureau of Law Enforcement, Department of Natural Resources (DNR); John Aldridge, Boulder Junction; Tom Chvala, Vice President, Association of Wisconsin Snowmobile Clubs, Lake Mills; Sue Drum, Northwoods Citizens For Responsible Stewardship, Presque Isle; Alan Drum, Northwoods Citizens for Responsible Stewardship, Presque Isle; Larry Erickson, Iron County Recreation Council, Hurley; Don Erickson, Superior Lobe Chapter Ice Age Park and Trail Foundation, Birchwood; Al Eschenbauch, Last Wilderness Conservation Organization, Presque Isle; Dan Grasser, Director, Department of Transportation (DOT), North Central Region, Rhinelander; Tyler Gruetzmacher, Barron Area Nordic Trail Association, Barron; Randy Harden, Wisconsin ATV Association, Sheboygan; Richard Horneck, Vice President, Parish Highlands ATV Club, Deerbrook; Carol Horneck, Secretary, L.O.L. ATV Alliance, Deerbrook; Denis Laddusire, Parrish Highlander ATV Club, Rhinelander; Dennis Landro, Dusty Trail Finders ATV Club, Almena; Joe Jopek, Langlade County Ice Age Trail Chapter; David Majewski, Armstrong Creek; Rob McConnell, Wisconsin ATV Association, Madison; George Meyer, Wisconsin Wildlife Federation, Madison; Diane Muri, Boulder; Jack Nedland, Barron County, Barron; Mike Peterson, Washburn County Forestry, Spooner; Bill Pfaff, AWSC, New Lisbon; Norm Poulton, ECCOLA, Tomahawk; Herb Schotz, Ice Age Trail, Irma; Jane Severt, Lincoln County Forest Administrator, Merrill; Frank Trimmel, President, Parrish Highlanders ATV Club, Gleason; Brook Waalen, Friends of L.O.G. Greenway, Luck; Robbie Webber, Bicycle Federation of Wisconsin, Madison; Tammy and Gus Wenzel, Marshfield; and Jerry Woolpy, Minocqua.

### **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**

#### **Gary Eddy, ATV/Snowmobile Administrator, Bureau of Law Enforcement, DNR.**

Mr. Eddy discussed a variety of law enforcement issues and expressed concern about the high number of fatal accidents in the most recent year. He described the law enforcement aids to counties and noted that although funding by DNR for up to 100% of county costs is allowed, the shortage of funds means that payments to counties were prorated at 67% last year. Although the DNR has nine full-time equivalent positions for all terrain vehicle (ATV) law enforcement, this number is insufficient. The effect is a reduced enforcement presence, as well as a lesser ability to provide education. In response to a question from Mr. McFazden, Mr. Eddy said that off-trail ATV damages are a frequent complaint.

### **Public Testimony**

George Meyer, Wisconsin Wildlife Federation, said that his organization supports increased opportunities to use ATVs but emphasized that ATV use should be managed to avoid disturbing wildlife, wild and scenic rivers, and other trail users. In response to a question from Mr. Patenaude, Mr. Meyer said that it is more challenging to design a sustainable ATV trail than a bicycle trail because of the greater capacity for ATVs to cause damage.

Dan Grasser, Director, North Central Region, DOT, described the concerns of DOT regarding trails, including trail crossings of public highways, conflicts with traffic, utilities in the right-of-way, damages to the right-of-way, and erosion. He said that there are also concerns from nearby residents if ATVs are allowed to use roadways and concerns with enforcement. He said that trails within the right-of-way generally are unable to accommodate multiple uses.

Tammy Wenzel discussed the potential for using a nearby state-owned marsh area for horseback riding, which would allow riders to avoid using road rights-of-way.

Jerry Woolpy argued that ATV use is not compatible with state forests.

Robbie Webber, Bicycle Federation, said that if motorized activities are allowed on bicycle trails, the motorized activities become dominant.

Don Erickson said that some land owners are reluctant to grant easements for the Ice Age Trail out of concern that the existence of a trail will attract motorized users.

Brooke Waalen said that the construction of more trails for ATV use will not resolve current problems, because there will still be damage in off-trail areas.

Randy Harden, Wisconsin ATV Association, urged an increase of county aids, greater funding from the gas tax transfer, and an off-road damage fund.

Tyler Gruetzmacher suggested the special committee review the Minnesota Statewide Cross Country Ski Fee.

Jane Severt, Lincoln County Forestry Association, emphasized the need for increased ATV law enforcement and a separate trail system for different user groups.

Sue Drum said that ATV trails should not be allowed near fragile forests and waters.

Jack Nedland, Forest Recreation Director, Barren County, said that more should be done to persuade DNR to allow ATV use on state lands.

Dennis Landro said that the special committee should recommend shortening the time frame for payout of DNR ATV trail grants.

John Aldridge said that ATV use of state land is incompatible with the resource protection portions of the DNR's agency mission.

Diane Muri said that participants in silent support are a majority of trail users.

Richard Horneck corrected his comments as reported in the summary of the October 5, 2006 meeting of the special committee. He said that he supports multi-use trails but opposes the use of ATV trail funds on trails for which use by ATVs is limited. Mr. Horneck compared the funding of ATV and snowmobile activities.

[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 held on *Thursday, January 4, 2007, at 10:00 a.m., in the Legislative Council Conference Room, 1 East Main Street, Suite 401, Madison.*

### **Adjournment**

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

MCP:DWS:ksm