

MULTI-PURPOSE TRAILS



Presenter: Kevin Struck

- Growth Management Educator, UW-Extension, 920-467-5740
- Former co-manager of Sheboygan County's *Old Plank Road Trail*

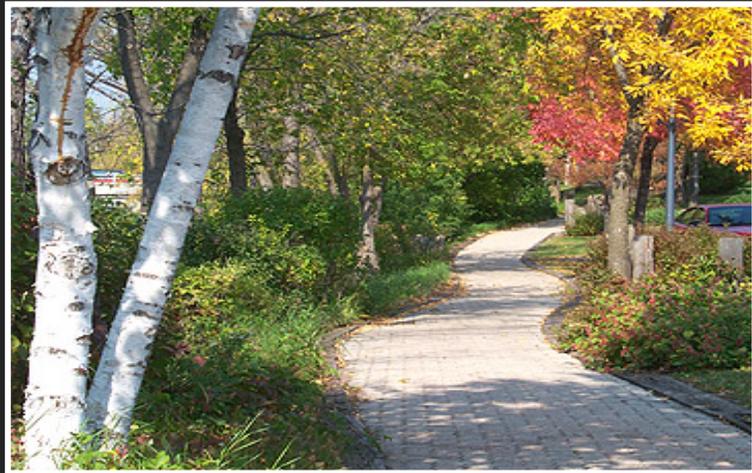


MULTI-PURPOSE TRAILS

LEGAL ISSUES

ECONOMICS

POLITICS



LEGAL ISSUES

Accidents and Liabilities



Trails can never be made perfectly safe. Wise route planning, proper signage, and regular maintenance can help prevent most problems.

Wisconsin's recreational immunity statute (895.52) protects towns from liability for deaths or injuries on a trail. Unless the town is charging an access fee or is maliciously negligent, it is not liable.

LEGAL ISSUES

Insurance

- In cases where immunity does not apply, statutory caps are **\$50,000 per person**. (Derivative claims are also possible.)
- No less than **\$1 million** in coverage recommended.
- Town's general liability policy probably **already includes trails, shoulders, and roads**.
- Underwriters determine policy rates by town's population, area, and tax revenues. **The number of trails or visitors is not a factor**.

LEGAL ISSUES

Grades, Drainage



Design steep grades to address safety concerns.
Cut-and-fills should not negatively change drainage patterns.

LEGAL ISSUES

Trail Access and Connectivity



It is illegal for snowmobiles and ATVs to drive on road/shoulder unless it is a marked trail route. Ditches are also off limits for ATVs, but in certain cases can be used by snowmobiles to gain trail access.

LEGAL ISSUES

Ownership Determination*

FEE SIMPLE

- Railroad company still owns whether abandoned or not
- Negotiation takes place only with railroad company
- Fair purchase price not always easy to settle on

or

By EASEMENT

- If abandoned, corridor reverts to adjacent landowners
- Separate negotiations with each landowner
- “Railbanking” can keep original easements active

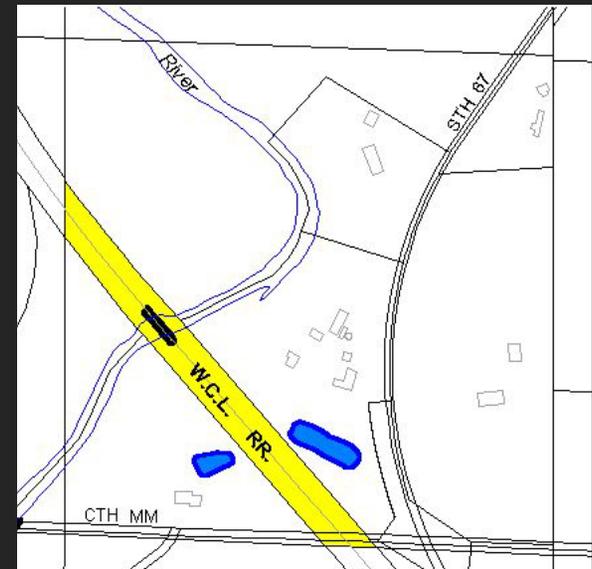
* Assistance of a good title searcher strongly recommended

LEGAL ISSUES

Right-of-way LOCATION, Corridor WIDTH

Old, poorly written
property descriptions . . .

- Railroad companies not even sure
- State, county, town roads often unclear
- Need at least 50' of right-of-way beyond road centerline for stand-alone trail
- Two-lane highways will seldom have more than 33' of right-of-way available



ECONOMICS

	<u>Bicyclists</u>	<u>OHVers</u>	<u>Snowmobilers</u>
How Many?	411,000 res (600,000 non-res)	260,000 (res) (170,000 ATV)	222,000 res 134,000 non-res
How Often?	37 days used	34+ days used	15 days used
Overnight?	77% (3 nights)	48% (4 nights)	46% (3 nights)
Where Stay?	51% motel 36% camp	19% motel 30% camp	38% motel 3% camp?
Expenditure: (per person)	\$60 per day	\$67 per day	\$78 per day

ECONOMICS

Case Studies

ATV Parks

Bike Trails

Troll Hollow



ECONOMICS

Tax Base

- Trail facilities themselves seldom affect the tax base directly.
- Several studies have shown that despite initial fears, residential property values **increase** near biking and hiking trails.
- Commercial property values **increase** near snowmobile and ATV trails.
- The development spurred by trails can **increase** the tax base.

ECONOMICS

Costs



Land or Easement Acquisition

Facilities such as toilets, phones, shelters, drinking fountains, kiosks, trash cans

Trailheads to provide staging areas for events, parking, and marketing.

Maintenance will include trail surface repairs, weeding, trimming, and vandalism incidents.

ECONOMICS

Promotion

Word of mouth helpful, but must compete -- and that costs money. Friends of trail groups may coordinate marketing (t-shirts, calendars, caps, trade shows, Web sites). Partnerships with local merchants essential. Events on trail can spur interest in entire area.



ECONOMICS

Infrastructure

Chicken & Egg problem:

Need motels, restaurants, shops, places to see, events, etc. to attract trail visitors and provide needs . . .

But need visitors to generate the capital required to build the infrastructure.

ECONOMICS and POLITICS

What is your **VISION** for your trail? What are your **GOALS**? Why are you doing it? Is anything sacred as you pursue development?

The answers to these questions will help determine how you make subsequent management decisions.



POLITICS

Gaining Support

Biking . . . Walking . . . Rollerblading . . . Snowshoeing

Horseback Riding . . . Hiking . . . Mountain Biking

Cross country skiing . . . Snowmobiling . . . Off-Roading

POLITICS

Site Assessment: Is There Room for Everyone?

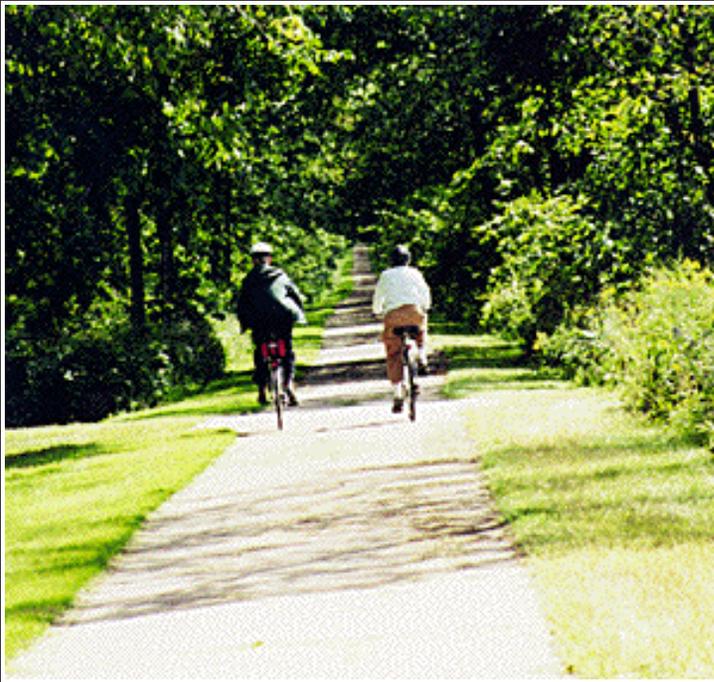


Raised track bed limits trail width.



POLITICS

Site Assessment: Is There Room for Everyone?



Turf is narrow, sloped, and overhung with branches.

Multi-use traffic is automatically limited.

POLITICS

Site Assessment: Is There Room for Everyone?



8 feet of flat turf, without obstructions.

POLITICS

Conflicts



POLITICS

Conflicts



Old conveyor belts
or mats . . .

. . . can be temporarily
bolted to bridge decking.



POLITICS

ATVs: The Negatives



- Erosion
- Trespassing
- Conflict with other trail users
- Road repair
- Enforcement (2 LTEs hired in Marinette County)
- 2001 – 21 citations
- 2002 – 28 citations
- County Sheriff – averages 4-6 calls per week

POLITICS

ATVs: The Positives

- 80% of riders are over 36 years of age (25% are over 56 years of age). 8% are female.
- WATVA organized and promoting Education-Enforcement-Engineering program. Now over 80 chapters and about 8,000 members.
- Trail Ambassadors partnership with NFS and DNR. Also, 4-H Clubs offering ATV programs.
- Legislation pending to limit noise, mandate safety classes, increase full-time wardens, etc.



SUMMARY

Legal Issues, Economics, Politics

Town liability for trails is manageable.

Routes should be approved rationally and consistently.

Trails are usually winners economically,
but investments are required.
(One of the investments is Education.)

Trails are a challenge.
Compromise and diligent efforts are essential.

HAPPY TRAILS TO YOU . . .

