WOHVA...

June 23, 2011

Wisconsin State Senate
Committee on Natural Resources and Environment
300 Southeast
Wisconsin State Capitol
Madison, WI 53708

Honorable Members of the Senate Committee
on Natural Resources and Environment,

The following comments are submitted by the Wisconsin Off-Highway Vehicle Association (WOHVA), an association of four-wheel drive, all-terrain vehicle and off-highway motorcycle enthusiasts working proactively to expand responsible and safe public and private off-highway vehicle (OHV) recreation opportunities in Wisconsin, in opposition to Senate Bill 77 (SB-77). Please make these comments part of the public record.

WOHVA and the 1100 Wisconsin families which we represent are strongly in support of responsible OHV recreation and commonsense regulations pertaining to it. It is our belief that SB-77 lacks the aforementioned commonsense.

During the 2007-08 legislative session, Representative Jeff Mursau (Wisconsin's 36th Assembly District) introduced a bill (AB-600) which would have added two seats to the Wisconsin Governor's State Trails Council (STC). AB-600 was opposed by the majority of the STC. Their claim was that two extra seats on the council would serve to make it unwieldy and dysfunctional. AB-600 failed to be voted upon before the end of that session.

During the 2009-10 legislative session, the STC formed a special ad hoc committee to develop a process by which the STC could better represent **all** of Wisconsin's trail users. It's unfathomable that the STC would totally dismiss the recommendation of their own hand-picked ad hoc committee in pursuit of this proposal. That ad hoc committee's recommendation is currently reflected in Assembly Bill 166 (AB-166) introduced once again by Representative Jeff Mursau.

If the STC and this Committee truly wish to improve the adequacy of representation of all Wisconsin trail users on the STC, then WOHVA urges this Committee to allow SB-77 to stall here in this Committee and stand up, with Wisconsin families whom actively enjoy Wisconsin's recreational trails, in support of AB-166.

Thank you for your time.

Happy Trails,

John Schnorr
Executive Director
Wisconsin Off-Highway Vehicle Association (WOHVA)
P.O. Box 1865
Fond du Lac, WI 54936-18765

State of Wisconsin
GOVERNOR'S STATE TRAILS COUNCIL

February 2010

Recommendations of the Ad Hoc Committee to Recommend Improvements to the Governor's Wisconsin State Trails Council As Accepted by the State Trails Council

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State of Wisconsin
GOVERNOR'S STATE TRAILS COUNCIL

Introduction and Background

At their April 15, 2008 meeting, the Governor's State Trails Council (STC) agreed to establish a temporary (ad hoc) committee that would be responsible for examining and proposing changes to the structure and organization of the State Trails Council in order to ensure that the STC is efficient, effective and inclusive of all citizens and trail user groups. This committee came about in part due to the introduction of proposed legislation AB 600, which would have increased the number of seats on the STC from nine to eleven, with four members specifically representing motorized uses. The legislation, as initially proposed only codified motorized representatives and did not designate seats for non-motorized uses. The proposed bill did not make it through the Legislature.

The proposal did call into question the criteria used to select members to the STC, the role of the STC in relationship to Recreational Trails Program (RTP) funding, and how the STC can be more inclusive to all interests. Legislators, in talking with Council members, stated that they would prefer to have the STC work on these issues internally. The Council solicited applications from the public for the Ad Hoc Committee. Committee members were selected from a pool of applicants, by a consensus of the STC Chair, Vice-Chair and State Trails Coordinator, who had experience with various trail user groups and knowledge of appropriate organizational models.

The committee presented their recommendations in the form of a report, to the State Trails Council at the April, 2009 STC meeting. See Appendix A for that report. For the next two subsequent meetings, in July and October, 2009, the STC reviewed and discussed the recommendations. See Appendix B for a listing of the STC members during that time.

~~Strikeouts show deletions~~ and underlines show additions. If not otherwise indicated, text was accepted as proposed by the Ad Hoc Committee.

1. Recommended Changes to the STC Mission Statement

One of the objectives of the Ad Hoc Committee was to review the STC Mission Statement. The original mission statement and the mission statement as recommended by the Ad Hoc Committee are in Appendix A. The State Trails Council accepted the Mission Statement as follows:

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 the diverse interests and abilities of Wisconsin citizens.

Next Steps:

- ❑ Update STC Mission Statement on the web and in DNR records

2. Restructure STC Membership into Three Trail Use Categories

~~Strikeouts show deletions~~ and underlines show additions.

Non-Motorized / Non-Mechanized	Non-Motorized / Mechanized	Motorized
HIKERS/WALKERS/JOGGERS	OFF-ROAD BIKES	SNOWMOBILES
EQUESTRIANS	TOURING/ROAD BIKES	ATVS
CROSS-COUNTRY SKIERS	In-line Skating	~~OFF-HIGWAY MOTORCYCLES~~
WATER TRAILS	Roller Skiing	Off-Highway Motorcycles
Snowshoers	BMX Bikes	~~4-Wheel Drive Vehicles~~
SCUBA / Underwater Trails	Skateboards/Mtn. Boards	4-WHEEL DRIVE VEHICLES
Dog Powered Sports	Segways (as defined by state statute)	Side-by-Side Vehicles / Utility Vehicles
Nature Trails/Wildlife watching		Water Trails

Additional category of non-voting, advisory members to include:

- *Wisconsin Department of Natural Resources*
- *Wisconsin Department of Transportation*
- *Wisconsin Department of Tourism or designee*
- *Accessibility Coordinator knowledgeable in Accessibility Issues and Standards*

The STC will need to:

- ❑ Revise STC Bylaws to identify three trail use categories.
- ❑ Amend STC Bylaws to include additional category of non-voting members.

3. Conduct a Biennial Review of Trail Use Categories and Major User Groups

Accepted as written. See Appendix A.

The STC will need to:

- ❑ Establish the criteria for what constitutes a major trail user group.
- ❑ Modify or reaffirm the complete list of trail users within each trail use category.
- ❑ Establish the sources of reference for the review (consider SCORP and other resources).
- ❑ Establish review panel participants.
- ❑ Define a structure for the review process (if a new use is to replace an existing major use, how is the seat on the council changed).
- ❑ Revise STC Bylaws to identify the major trail uses and the biennial review process.

4. Identify Seats for a 9-Member and 11-Member State Trails Council

As accepted by the STC (~~Strikeouts show deletions~~ and underlines show additions):

Working from the three trail use categories, this committee recommends the STC identify the seats for a 9-member council of nine voting members in the short-term and a~~n 11-member~~ council of 11 voting members in the long-term. A nine (voting) member council accommodates the number of seats already in State Statute, but this committee recommends the STC start the process to change the State Statute to include 11 voting members.

This committee recommends the number of seats for each council to be as follows:

	9-Member STC	11-Member STC
Non-Motorized/Non Mechanized	4	4
Motorized	3	4
Non-Motorized/Mechanized	2	3

(Specific user groups for the seats in the 9-~~member~~ and 11 (voting)-member councils are identified in recommendation #6)

To come up with these numbers, this committee recommends that two seats of the current 9- (voting) member council, the Department of Transportation (DOT) representative and the representative for Disabled Users, upon expiration of current appointments, be changed from voting members to non-voting ~~advisory~~ members ~~that provide consultation to the State Trails Council in a similar manner as the DNR~~.

Depending on the device for mobility, disabled users could be motorized, non-motorized/mechanized or non-motorized/non-mechanized users. There is a Disability Advisory Council with which the STC can consult and coordinate, and there is also an Accessibility Coordinator working in the DNR that could serve as a~~n advisory~~ non-voting member.

Non-voting ~~Advisory~~ Members (non-voting STC members) will include:

- ~~Wisconsin Department of Natural Resources~~
- Wisconsin Department of Transportation
- Wisconsin Department of Tourism or designee
- Accessibility Coordinator knowledgeable in Accessibility Issues and Standards

The STC will need to:

- ❑ Define roles and attendance for ~~advisory~~ non-voting members (to be at every meeting or by invitation).
- ❑ Start the process to increase STC membership to 11 voting members (propose legislation to change State Statutes).
- ❑ Revise STC Bylaws to identify Council seats.

5. Fill Current STC Vacancy with Off-Highway Motorcycle Representative

~~This committee recommends that an Off-Highway Motorcycle representative be the next appointment to the STC as a first step towards restructuring the 9-member council.~~

6. Implement the 9-Member Council from the Three Trail Use Categories

~~Strikeouts show deletions~~ and underlines show additions.

Non-motorized / Non-mechanized Representatives (4)
EQUESTRIAN
HIKING/WALKING/JOGGING
CROSS-COUNTRY SKIING
WATER TRAILS

Motorized Representatives (3)
ATV
SNOWMOBILE
4WD VEHICLES ~~OFF-HIGHWAY MOTORCYCLE (first priority to fill)~~
(~~4WD VEHICLES~~ OFF-HIGHWAY MOTORCYCLE representative added to 11-member council)

Non-Motorized / Mechanized Representatives (2)
TOURING/ROAD BIKING
OFF-ROAD BIKING
(User group to be determined later ~~IN-LINE SKATING representative~~ added to 11-member council)

Note: This committee also recommends the additional category of non-voting~~, advisory~~ members to include:

- *~~Wisconsin Department of Natural Resources~~*
- *Wisconsin Department of Transportation*
- *Wisconsin Department of Tourism*
- *Accessibility Coordinator knowledgeable in Accessibility Issues and Standards*

7. Outline a Process for New Appointments to the State Trails Council

Accepted as written. See Appendix A.

The STC will need to:

- ❑ Create a job description for STC positions.
- ❑ Create an application for new members (could be based on existing "Agreement to Serve").
- ❑ Revise STC Bylaws to specify (or outline) the appointment process.

8. Conduct a Biennial Review of Recreational Trails Program (RTP) Criteria

Accepted as written. See Appendix A.

The STC will need to:

- ❑ Establish review panel participants.
- ❑ Revise STC Bylaws to identify the biennial review process.
- ❑ Communicate with the DNR grants staff about this proposal.

9. Develop a Web-Based State Trails Council User Guide

Accepted as written. See Appendix A.

The STC will need to:

- ❑ Establish what information is to be included on the website.

State of Wisconsin
GOVERNOR'S STATE TRAILS COUNCIL

APPENDIX A

Ad Hoc Committee to Recommend Improvements to the Governor's Wisconsin State Trails Council

COMMITTEE REPORT

April 7, 2009

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See internet: http://dnr.wi.gov/org/land/parks/trails/council/committee/adhoc_report04072009.pdf

Introduction and Background

At their April 15, 2008 meeting, the Governor's State Trails Council (STC) agreed to establish a temporary (ad hoc) committee that would be responsible for examining and proposing changes to the structure and organization of the State Trails Council in order to ensure that the STC is efficient, effective and inclusive of all citizens and trail user groups. This committee came about in part due to the introduction of proposed legislation AB 600, which would have increased the number of seats on the STC from nine to eleven, with four members specifically representing motorized uses. The legislation, as initially proposed only codified motorized representatives and did not designate seats for non-motorized uses. The proposed bill did not make it through the Legislature.

The proposal did call into question the criteria used to select members to the STC, the role of the STC in relationship to Recreational Trails Program (RTP) funding, and how the STC can be more inclusive to all interests. Legislators, in talking with Council members, stated that they would prefer to have the STC work on these issues internally. The Council solicited applications from the public for the Ad Hoc Committee. Committee members were selected from a pool of applicants, by a consensus of the STC Chair, Vice-Chair and State Trails Coordinator, who had experience with various trail user groups and knowledge of appropriate organizational models.

Ten members of the public were selected for the committee along with two current members of the STC to serve as committee co-chairs. Committee membership was balanced between motorized and non-motorized users. Consideration was also given to geographic diversity. The DNR provided a facilitator for meetings and two staff members to answer general questions and provide technical and logistical support. Two committee members resigned due to time restraints and other factors. See Appendix A for the Committee Member List.

Ad Hoc Committee Goal and Objectives

The State Trails Council determined the goal of the Ad Hoc Committee should be:

- To recommend improvements to the structure, organization, and make-up of the Wisconsin Governor's State Trails Council.

Working within the scope of the committee's goal, members were asked to provide recommendations for the following objectives:

- To review the vision and mission statements for the STC and make recommendations for changes if necessary;
- To propose a method by which all major trail uses, as listed below, can be fairly represented on the STC;
- To recommend changes that recognize the ethnic and cultural diversity of Wisconsin;
- To provide the STC with examples of ways in which other states provide advocacy and policy assistance for state trails through a public body similar to the STC;
- To recommend other structural changes in the STC such as the frequency of meetings and number of members;
- To recommend the process by which any changes would be made.

Synopsis of Ad Hoc Committee Meetings

The Ad Hoc Committee met four times between April 2008 and March 2009.

July 11, 2008

Committee members discussed the background of the State Trails Council and the formation of the Ad Hoc Committee. Members reviewed the goal and objectives for the committee, discussed their connection to Wisconsin trails and reviewed different trail uses in Wisconsin. Ground rules and meeting dates were set.

October 16, 2008

The committee discussed the work of the Special Legislative Committee on Enhancing Recreational Trails for Non-Motorized Use which proposed creating a non-motorized trails advisory committee. Members discussed the difference between "State Trails" and "trails" in Wisconsin, discussed how the STC is connected to RTP, and how different funding sources relate to other trail advisory councils in the state. The committee reviewed the STC Mission Statement and governing documents of the State Trails Council (State Statutes and STC Bylaws). The committee reviewed different trails councils in other states and began proposing recommendations to improve the STC.

January 8, 2009

The committee refined their work from the October meeting and suggested new recommendations including having STC membership derived from three trail use categories (motorized, non-motorized/mechanized, and non-motorized/non-mechanized), having some representatives as advisory members and creating a user guide for the State Trails Council. Committee members voted on recommendations and outlined the process for developing the report to the STC.

March 2, 2009

The committee finalized the recommendations and report to the State Trails Council.

Trail Councils in Surrounding States

The Wisconsin Governor's State Trails Council is different from many surrounding states' councils in that the STC came into existence before the Federal Recreational Trails Program. When RTP was created in 1993, it required that an advisory committee from each state provide counsel in administering RTP funds. This requirement was added to the STC responsibilities; whereas the councils in many other states were created primarily to meet RTP eligibility requirements, and their responsibilities focus on distribution of RTP funds.

This committee reviewed the structure and organization of RTP advisory committees from some surrounding states as well as New York, which provided a brochure of their Statewide Trails Council. See Appendix B for a synopsis of trail councils.

Summary of Recommendations

This committee based its recommendations in part on a variety of reference materials, including the RTP advisory committees from surrounding states, the Statewide Outdoor Comprehensive Recreation Plan (SCORP) and other sources. The following recommendations are proposed to improve the Wisconsin Governor's State Trails Council.

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, and recommendations for all trails in Wisconsin, in order to preserve, protect, interpret, and enhance the scenic and cultural resources of the State, and promote ~~of~~ outdoor recreational and educational opportunities in Wisconsin.

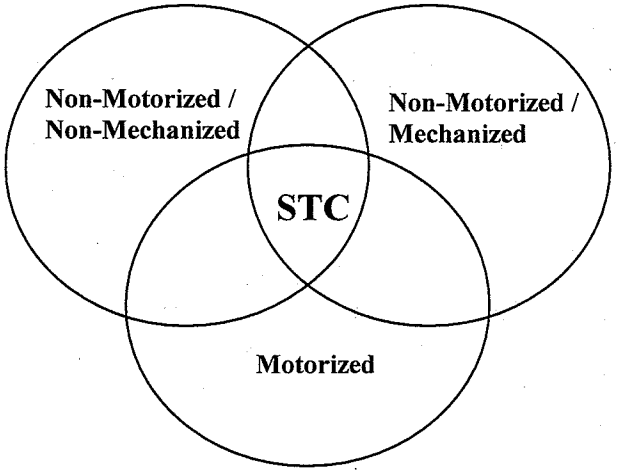
The Council shall represent the public to, and provide advice and consultation to, the Department on:

11. Promoting and encouraging the responsible use of trails, including efforts to expand the ethnic and cultural diversity of trail users.
12. ~~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.
13. Encouraging all governmental units to develop land-use plans that preserve rights-of-way and corridors for the future establishment of trails.
14. Encouraging these governmental units, organizations, and individuals to participate in establishing, developing, and maintaining trails.
15. Encouraging private/public partnerships for the purpose of planning, establishing, developing, and maintaining trails.
16. 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.
17. Recommending and promoting a more appropriate balance of priorities for trail acquisition, development, maintenance, and operations.
18. Recommending and promoting a rational and stable funding mechanism for trail maintenance and operations.
19. Encouraging eligible project sponsors to apply for trail funding and reviewing funding criteria for trail grant programs.

2. Restructure STC Membership into Three Trail Use Categories

This committee recognized three trail use categories among all trail users (Motorized, Non-Motorized/Mechanized, and Non-Motorized/Non-Mechanized). The State Trails Council serves as the common intersection.

FIGURE A:
Trail Use Categories



Careful work has been done by this committee to determine how to best represent trail users on the STC. This committee first prepared a list of the various users the STC represents, and then divided the complete list of users into the three trail use categories. This committee next determined which major user groups should be designated to hold seats on the STC. A biennial review should be conducted of the three trail use categories to determine the user group listing and major trail user groups (see recommendation #3).

This committee recommends the following MAJOR TRAIL USES within the three trail use categories:

Non-Motorized / Non-Mechanized	Non-Motorized / Mechanized	Motorized
HIKERS/WALKERS/JOGGERS	OFF-ROAD BIKES	SNOWMOBILES
EQUESTRIANS	TOURING/ROAD BIKES	ATVS
CROSS-COUNTRY SKIERS	In-line Skating	OFF-HIGWAY MOTORCYCLES
WATER TRAILS	Roller Skiing	4-Wheel Drive Vehicles
Snowshoers	BMX Bikes	Side-by-Side Vehicles / Utility Vehicles
SCUBA / Underwater Trails	Skateboards Mtn. Boards	
Dog Powered Sports	Segways (as defined by state statute)	
Nature Trails		

Note: This committee also recommends the additional category of non-voting, advisory members to include:

- *Wisconsin Department of Natural Resources*
- *Wisconsin Department of Transportation*
- *Wisconsin Department of Tourism*
- *Accessibility Coordinator knowledgeable in Accessibility Issues and Standards*

The STC will need to:

- Revise STC Bylaws to identify three trail use categories. See Appendix C.

3. Conduct a Biennial Review of Trail Use Categories and Major User Groups

Not all of the uses previously listed may always be considered significant trail uses. The STC may need to establish criteria to determine when a user group is considered a major trail user group. Some questions this committee had, included; Does the user group need to be an organized group/association? Is there a minimum participation number needed to be considered a major trail user group (some groups feel because there is a lack of places for them to recreate in Wisconsin, their numbers may be recorded as lower)? Is there a certain percentage of the population participating in an activity that would help determine if an activity is a major user group?

Popularity and types of trail uses will change over time due to new activities being introduced and declining interest in others. This committee recommends the STC conduct a biennial review of trail uses and new trends, and change the list of major trail user groups within each category as needed. This review could be done by a subcommittee of the STC. This review would be conducted the opposite year of a biennial review of RTP criteria (see recommendation #8).

This committee recommends that each of the three trail use categories be allotted a certain number of seats on the STC. The biennial review of the three trail use categories and major user groups will ensure appropriate representation and will identify what user groups the STC wants represented by a new or replacement appointee to the Council.

The STC will need to:

- Establish the criteria for what constitutes a major trail user group.
- Modify or reaffirm the complete list of trail users within each trail use category.
- Establish the sources of reference for the review (consider SCORP and other resources).
- Establish review panel participants.
- Define a structure for the review process (if a new use is to replace an existing major use, how is the seat on the council changed).
- Revise STC Bylaws to identify the major trail uses and the biennial review process.

4. Identify Seats for a 9-Member and 11-Member State Trails Council

Working from the three trail use categories, this committee recommends the STC identify the seats for a 9-member council in the short-term and an 11-member council in the long-term. A 9-member council accommodates the number of seats already in State Statute, but this committee recommends the STC start the process to change the State Statute to include 11 members.

This committee recommends the number of seats for each council to be as follows:

	9-Member STC	11-Member STC
Non-Motorized/Non Mechanized	4	4
Motorized	3	4
Non-Motorized/Mechanized	2	3

(Specific user groups for the seats in the 9-member and 11-member councils are identified in recommendation #6)

To come up with these numbers, this committee recommends that two seats of the current 9-member council, the Department of Transportation (DOT) representative and the representative for Disabled Users, upon expiration of current appointments, be changed from voting members to advisory members that provide consultation to the State Trails Council in a similar manner as the DNR.

Depending on the device for mobility, disabled users could be motorized, non-motorized/mechanized or non-motorized/non-mechanized users. There is a Disability Advisory Council with which the STC can consult and coordinate, and there is also an Accessibility Coordinator working in the DNR that could serve as an advisory member.

Advisory Members (non-voting STC members) will include:

- Wisconsin Department of Natural Resources
- Wisconsin Department of Transportation
- Wisconsin Department of Tourism
- Accessibility Coordinator knowledgeable in Accessibility Issues and Standards

The STC will need to:

- Define roles and attendance for advisory members (to be at every meeting or by invitation).
- Start the process to increase STC membership to 11 (propose legislation to change State Statutes). See Appendix D.
- Revise STC Bylaws to identify Council seats.

5. Fill Current STC Vacancy with Off-Highway Motorcycle Representative

This committee recommends that an Off-Highway Motorcycle representative be the next appointment to the STC as a first step towards restructuring the 9-member council.

6. Implement the 9-Member Council from the Three Trail Use Categories

This committee feels that an 11-member council best represents all users, but as an interim step (until statutory changes can be made), this committee recommends that as seats on the State Trails Council become available, they are filled with representatives from the major trail user groups identified within each of the three trail use categories.

Currently, STC representatives include three non-motorized/non-mechanized seats, two motorized seats, one non-motorized/mechanized seat, two seats held by other representatives (Disabled Users and DOT), and one vacancy. See Appendix E.

This committee recommends the following specific designations for seats on the State Trails Council (Some current representatives would become advisory members as described in recommendation #4). The 11-member council would include an additional motorized representative (4WD Trucks) and an additional non-motorized/mechanized representative (In-line Skating):

Non-motorized / Non-mechanized Representatives (4)
EQUESTRIAN
HIKING/WALKING/JOGGING
CROSS-COUNTRY SKIING
WATER TRAILS

Motorized Representatives (3)
ATV
SNOWMOBILE
OFF-HIGHWAY MOTORCYCLE (first priority to fill)
(4WD VEHICLES representative added to 11-member council)

Non-Motorized / Mechanized Representatives (2)
TOURING/ROAD BIKING
OFF-ROAD BIKING
(IN-LINE SKATING representative added to 11-member council)

Note: This committee also recommends the additional category of non-voting, advisory members to include:

- *Wisconsin Department of Natural Resources*
- *Wisconsin Department of Transportation*
- *Wisconsin Department of Tourism*
- *Accessibility Coordinator knowledgeable in Accessibility Issues and Standards*

7. Outline a Process for New Appointments to the State Trails Council

State Trails Council members are appointed by the Governor. Currently, when there is a vacancy on the Council, the Governor's Office takes recommendations to fill the vacancy. The STC and State Trails Coordinator typically forward names to the Governor's Office for consideration, and encourage the public, as well as potential applicants recommended by a user group, or self-selected from a user group, to apply with the Governor's Office. The people that are recommended are knowledgeable and active in trail issues. There is a form available on the Office of the Governor's website that all interested in being appointed to any state council, board, commission or taskforce must fill out.

This committee recommends that a formal and transparent process/framework is needed for the appointment of new members to the State Trails Council. This process should include a way for trail user groups to nominate someone for the STC. There should also be an interview process which would include a job description for membership and a written application. STC members could review applications, conduct interviews, and make recommendations to the Governor's Office.

Using the system to designate seats (as described in recommendation #6), if a seat becomes vacant, it must be filled with a qualified replacement of the same major user group designated for the seat. For example, if an ATV representative's seat becomes vacant, it must be filled with another qualified ATV representative. This will sustain appropriate representation as recommended by this committee and as determined by the STC in the biennial review process.

The appointment process should include:

- A means for representatives of trail user groups to nominate or endorse a candidate to represent their group. Individuals may apply without user group nomination.
- A position description outlining the desired interests and knowledge required of the STC seat.
- A written application by a candidate for a specific seat on the STC.
- An interview by STC members to determine a candidate's suitability.
- Once the evaluation process is complete, an STC recommendation to the Governor's Office in accordance with the recommended structure of the council.
- A suitable appointment by the Governor.

The STC will need to:

- Create a job description for STC positions.
- Create an application for new members (could be based on existing "Agreement to Serve").
- Revise STC Bylaws to specify (or outline) the appointment process.

8. Conduct a Biennial Review of Recreational Trails Program (RTP) Criteria

The State Trails Council developed the criteria (rating tool) used to award Recreational Trails Program grants in 1994. In some other states, the RTP advisory committees review applications for each round of RTP funding. For example, Minnesota's RTP advisory committee meets annually to review grant applications.

This committee recommends that the STC conduct a review of RTP criteria every two years. The STC may want to establish who would participate in a biennial review (consider including non-voting STC members on the review panel). This review would be conducted the opposite year of the biennial review of trail uses (see recommendation #3). The STC may want to request a review of the grant award process as well.

The STC will need to:

- Establish review panel participants.
- Revise STC Bylaws to identify the biennial review process.
- Communicate with the DNR grants staff about this proposal.

9. Develop a Web-Based State Trails Council User Guide

This committee recommends that the STC produce a citizen friendly user guide. The purpose of this guide would be to inform users, in layman's terms, of the mission/purpose of the STC, how it is organized, what the STC can do for trail users, and how the public can approach the STC with issues for the Council to consider.

In addition to the basic user information, the website can direct users to other sources of trail related information including more detailed references concerning trail funding, management, or other related issues and programs.

Posting well developed information concerning the organization and function of the STC will improve communication, enhance transparency and confidence, promote participation of trail users, and will likely better serve diverse ethnic and cultural backgrounds. Key to this is putting the information in easily understood terms and in an easily accessible location.

Contents of the website would include, but are not limited to:

- What the STC is and what it does
- What can the STC do for you
- How are appointments made to the STC
- How can someone apply to be on the STC
- How does someone bring an issue to the STC
- Who are the points of contact within the STC
- Links to more technical information (STC Mission, Bylaws, etc.)

The STC will need to:

- Establish what information is to be included on the website.

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APPENDIX B

2009 GOVERNOR'S WISCONSIN STATE TRAILS COUNCIL MEMBERS

Randy Harden – Chair
4422 North 50th Street
Sheboygan, WI 53083
920/694-0583 (W)
randy.harden@nohvis.com
Area of expertise: Off-Road Vehicles
Appointed: 02-28-2005
Term Expires: 07-01-2011
Fax 920/694-0584

Ken L. Carpenter – Vice Chair
N3255 County Road A
Fort Atkinson, WI 53538-9151
608/242-8665 (W)
608/576-4104 (H)
witrails@yahoo.com
Area of expertise: Equestrians
Appointed: 01-21-2004
Term Expires: 07-01-2011

Robbie Webber – Secretary
2613 Stevens Street
Madison, WI 53705
608/233-1390 (H)
robbie@robbiewebber.org
Area of expertise: Bicycling
Appointed: 01-28-2007
Term Expires: 07-01-2009

Tom Huber
Wis. DOT, Rm. 901; PO Box 7913
Madison, WI 53703-7913
608/267-7757 (O); 608/231-3138 (H)
FAX 608/267-0294
thomas.huber@wisconsin.gov
Representing Dept. of Transportation
Appointed: 07-22-93
Term Expires: 07-01-2009

James Joque
1416 Lakehurst Drive
Mosinee, Wisconsin 54455
715/212-4901 (H)
715/346-3365 (W)
jjoque@uwsp.edu
Area of expertise: Disabled
Appointed: 07-11-2007
Term Expires: 07-01-2011

Mike McFadzen
N5549 Kathryn Drive
Plymouth, WI 53073
920/457-4461 ext.1351 (O), 920/892-6271 (H)
FAX 920/459-1412
mcfadzen@msn.com
Area of expertise: Cross Country Skiing
Appointed: 09-16-1997
Term Expires: 07-01-2009

David W. Phillips
30 Southwick Circle
Madison, WI 53717
608/345-0476 (M), 608/833-5467 (H)
maddavie@charter.net
Area of expertise: Hiking/Ice Age Trail
Appointed: 03-17-2000
Term Expires: 07-01-2009

Thomas J. Thornton
22315 Sunset Acres Lane
Grand View, WI 54839
715/763-3418 (W), 715/763-3377 (H)
tri-county@cheqnet.net
Area of expertise: Snowmobiling
Appointed: 01-09-2004
Term Expires: 07-01-2011

Vacant
Area of expertise: Water Trails
Term Expires: 07-01-2009

State of Wisconsin
GOVERNOR'S STATE TRAILS COUNCIL

APPENDIX C

Overview for 3/23/10 STC meeting with Senator Holperin

1. Current Structure of the State Trails Council (STC)
There are nine members appointed to the STC. Currently members represent: 1)Off-highway vehicles, 2)Snowmobiles, 3)Hiking, 4)Bicycling, 5)Cross-country skiing, 6)Equestrians, 7)Disabled users, 8)WisDOT, and 9)Tourism. Some user groups feel they are underrepresented because they do not have a specific seat on the Council. Members are appointed to the STC by the Governor under the following Statute:

> **15.347(16) State trails council**. There is created in the department of natural resources a state trails council consisting of 9 members, appointed for 4-year terms, who are knowledgeable in the various recreational uses of trails.

2. Ad Hoc Committee to Recommend Improvements to the Structure of the State Trails Council
This committee was formed in 2008 in part due to the introduction of proposed legislation AB 600, which would have specified seats on the STC for off-highway motorcycles and non-ATV four-wheel drive vehicles. The proposal called into question the criteria used to select members to the STC, the role of the STC in relationship to Recreational Trails Program (RTP) funding, and how the STC can be more inclusive to all interests. Ad Hoc Committee members were selected from a pool of applicants, by a consensus of the STC Chair, Vice-Chair, and State Trails Coordinator, taking into consideration recreational interests and geography. Ten members of the public were selected for the committee along with two STC members to serve as committee co-chairs. Committee membership was balanced between motorized and non-motorized users.

3. Recommendations of the Ad Hoc Committee
The committee met several times over the course of a year from July 2008 to April 2009. The committee made several recommendations, all reviewed and accepted by the STC with some minor changes. In particular the committee recommended restructuring the council whereas appointed members are selected from trail users, and increasing STC membership to 11, to include additional trail user groups on the STC.

The increase in membership would require a legislative change, which is why we are here today. The STC would like to change the Statute governing the STC to the following:

> **15.347(16) State trails council**. There is created in the department of natural resources a state trails council consisting of ~~9~~ 11 members, appointed for 4-year terms, who ~~are knowledgeable~~ participate in the various recreational uses of trails.

4. Benefits of This Change
This change would mean that more user groups, who feel they are underrepresented, would gain a voting seat on the council and would ensure that STC members are themselves active trail users. The STC would also like to implement a process to recommend appointees to the Governor.

5. What This Change Would Mean
The STC membership would increase, and under the proposal, 11 members would be appointed to represent: 1)Hiking, 2)Touring bicycling, 3)Off-road bicycling, 4)Water trails, 5)Cross-country skiing, 6)Equestrians, 7)All-terrain vehicles, 8)Snowmobiles, 9)Off-highway vehicles, 10)Skating sports, and

11)Off-highway motorcycles, and three non-voting members to include: an Accessibility Coordinator, Tourism, and WisDOT.

6. How to Transition the Council
Increasing membership on the STC to 11 will be an important step toward giving a voting seat to trail user groups who feel they are underrepresented. There are currently three seats on the council that would become non-voting 'advisory' members: WisDOT, Disabled Users, and Tourism. The appointment of the current Disabled Users and Tourism seats do not end until 2011 and 2013 respectively.

We also ask your opinion on how to transition these Governor-appointed representatives from voting members to non-voting, advisory members, to allow trail user representatives the opportunity to have a vote on the STC. Thank you for your time and attention to this issue important to Wisconsin trail users.

Testimony Provided for Senate Bill 77
Relating to Membership on the State Trails Council
Senate Committee on Natural Resources and Environment
By Brigit Brown – DNR Bureau of Parks and Recreation
June 23, 2011

Good Morning Chairman Kedzie and Members of the Senate Natural Resources and Environment Committee.

I am Brigit Brown, State Trails Coordinator for the Wisconsin State Park System at the Department of Natural Resources.

I am here today to provide an overview of the proposed bill regarding the membership of the State Trails Council, or STC.

First, I would like to offer some background on the State Trails Council.

The State Trails Council was created in 1989 by Wisconsin state statute 15.347 (16). The governor's office appoints members to the STC. Nine council members knowledgeable about trails are appointed to 4-year terms.

The STC came into existence before the Federal Recreational Trails Program or RTP, which was enacted in 1993. When the Federal Recreational Trails Program was created, it required an advisory committee from each state to provide counsel in administering Federal Recreational Trails Program funds. This requirement was added to the STC responsibilities. The STC has historically been comprised of both motorized and non-motorized representatives. The Federal Recreational Trails Program rules also require this kind of diverse representation. Wisconsin is apportioned approximately $3 million in RTP funds annually by the federal government.

I would now like to offer a bit of history on the proposal before you today.

In 2007, legislation was introduced which would have increased STC membership from nine to 11 with four members specified to represent motorized uses. (2007 AB 600)

At the conclusion of the public hearing for the bill, the committee pronounced that they would rather see the issue of representation on the state trails council first addressed internally, by the council itself.

Subsequently, at the next State Trails Council meeting in April of 2008, an ad hoc committee was established with a mission to determine the optimal structure of the State Trails Council (STC) to ensure that the STC is efficient, effective and inclusive of all citizens and trail user groups.

The committee, officially named the "Committee to Recommend Improvements to the Governor's Wisconsin State Trails Council", was charged with making recommendations for improvements to the structure, organization, and make-up of the STC. The specific goals for the committee to accomplish and report back on were:

- To review the vision and mission statements for the STC and make recommendations for changes if necessary;
- To propose a method by which trail uses, which I will list in a minute, can be fairly represented on the STC;
- To recommend changes that recognize the ethnic and cultural diversity of Wisconsin;
- To provide the STC with examples of ways in which other states provide advocacy and policy assistance for state trails through a public body similar to the STC;
- To recommend other structural changes in the STC such as the frequency of meetings and number of members;
- To recommend the process by which any of the recommended changes would be made.

Trail uses were determined to be:

- Walking/hiking/backpacking/running
- Bicycling (all types)
- ATVing (all types)
- Canoeing/kayaking/rafting
- Motor boating
- In-line skating
- Snowmobiling
- Off-road 4-wheel driving
- Snow skiing (all types)
- Horseback riding (all types)
- Snowshoeing
- Snorkeling/diving (underwater trails)
- Off-road motorcycling
- Dog sledding/skijoring
- Bird watching
- Hunters and fishers
- Use by people with physical challenges

The ad hoc committee was co-chaired by two members of the state trails council: Mike McFadzen representing cross-country skiing and Randy Harden representing off-road vehicles. The ten other committee members were selected through an application process and represented a variety of motorized and non-motorized trail user groups

One year after the committee was established, their 16-page report was presented to the full State Trails Council. During the year that the committee was active, they met four times around the state for day-long meetings. There was also substantial work done by DNR staff and committee members outside of the in-person meetings.

The report contained nine specific recommendations. Recommendations included:

1. Revisions to the STC Mission Statement
2. Restructuring STC Membership into Three Trail Use Categories (motorized, non-motorized/non-mechanized, and non-motorized mechanized)

3. Conducting a Biennial Review of Trail Use Categories and Major User Groups
4. Identification of Seats for a 9-Member and 11-Member State Trails Council by User Groups
5. Filling the Current STC Vacancy with Off-Highway Motorcycle Representative
6. Implementation the 9-Member Council from the Three Trail Use Categories
7. Development of a Process for New Appointments to the State Trails Council
8. Conducting a Biennial Review of Recreational Trails Program (RTP) Criteria
9. Developing a Web-Based State Trails Council User Guide

The State Trails Council reviewed each of the ad hoc committee's recommendations at their following meeting in July of 2009. They made some modifications to the recommendations, the most significant of which was to change recommendation five from filling the next STC vacancy from the off-highway motorcycle community to filling it with someone from the four-wheel drive community. These recommendations, including the proposed language for SB 77 before you today, were officially voted on at subsequent STC meetings.

(The ad hoc committee, the State Trails Council, and the DNR recognize that only the governor can make appointments to the STC. The STC chair and DNR staff have been working with the governor's office to keep them apprised throughout this process and thus far have received confirmation that the governor's office is supportive of these processes being put in place to ensure representation on the STC. No commitments have been made that the recommended nominees will be appointed. In addition to keeping the governor's office informed, several ad hoc committee and STC members have also met with legislators who have expressed an interest in the process.)

Each of the recommendations in the report included detailed steps. We have worked to implement all of the recommendations via the recommended steps. One of those steps is to increase the number of appointed positions on the council and resulted in SB 77 before you today. A system of non-voting and advisory STC members is also being implemented. The new STC website includes many of the changes, such as a detailing of the process for applying to become a member of the STC and how to participate in the STC as a member of the public.

A copy of the ad hoc committee's report, as approved by the State Trails Council, has been submitted for your information.

Thank you for your time. I will gladly try to answer any questions you may have.

-Brigit Brown (brigit.brown@wisconsin.gov; 608-266-2183)
State Trails Coordinator, Wisconsin Department of Natural Resources, Bureau of Parks & Recreation

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RESOURCES:

- Wisconsin Governor's State Trails Council website: http://dnr.wi.gov/org/land/parks/trails/council/index.html.
- For more information about the Ad Hoc Committee to Recommend Improvements to the Governor's Wisconsin State Trails Council, including committee timeline and meeting minutes, please see: http://dnr.wi.gov/org/land/parks/trails/council/committee.html (also linked off of the STC website)

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