

**MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT  
EQUINE TRAILWAYS SUBCOMMITTEE (ETS)**

**MEETING MINUTES**

**February 1, 2011**

Approved March 18, 2011

**Ralph A. MacMullan (RAM) Conference Center  
104 Conservation Drive, Roscommon, Michigan 48653**

**PRESENT FOR THE ETS**

Sandra Batie, Chair  
Michael Foote  
Jan Herrick  
Richard Kleinhardt  
Jane Carmichael (via phone)

**ABSENT FOR THE ETS**

Rebecca Thompson Behm (resigned)

**PRESENT FOR STAFF**

Jim Radabaugh, State Trails Coordinator, Forest Management Division (FMD)  
Annamarie Bauer, Trail Planning Specialist, FMD  
Paul Curtis, Park Management Plan Administrator, Recreation Division  
Dan Eichinger, Assistant to the Chief, Wildlife Division (WLD)  
Earl Flegler, Public Lands Specialist, WLD

**OTHER AGENCIES**

Les Russell, District Ranger US Forest Service

**PUBLIC ATTENDEES**

Carol Hyzer, MTRA Board Member  
Connie Kleinhardt, BCH  
Judy Schlink, BCH, MTRA

**WELCOME AND ANNOUNCEMENTS**

**Chair Batie** announced that Rebecca Thompson Behm had resigned from the ETS due to the demands of her recently acquired business. She called the ETS meeting to order and welcomed everyone. She indicated efforts would be made to conclude the meeting ahead of schedule to get everyone back on the road due to threatening weather.

***APPROVAL OF THE FEBRUARY 1, 2011 AGENDA:***

An overview of the agenda was provided. **There were no additions and the Agenda was approved as written.**

***APPROVAL OF THE NOVEMBER 23, 2011 ETS MEETING MINUTES:***

**Chair Batie** asked if there were any corrections or additions to the November 23, 2011 meeting minutes. There were none.

**Motion by Mike Foote supported by Richard Kleinhardt to approve the November 23, 2010 ETS meeting minutes. The minutes were unanimously approved.** There was a brief discussion concerning the timing for posting minutes and whether or not the information could be provided sooner.

**Jim Radabaugh** indicated that other workgroups post DRAFT minutes after they have been prepared and reviewed. The ETS could also post DRAFT minutes. The group liked the idea and it was determined that the minutes would be prepared, reviewed by the Chair then the ETS before the DRAFT minutes would be posted. Once minutes are approved at the following ETS public meeting the approved minutes will replace the DRAFT minutes on the ETS website.

**BUSINESS ITEMS FOR DISCUSSION*****UPDATE ON DNRE STATE EQUESTRIAN TRAIL PLAN:***

**Chair Batie** asked for an update on the DNRE planning process to develop the State Equestrian Trail Plan. Note: This is the plan being developed by the DNRE with assistance from the National Park Service (NPS).

**Jim Radabaugh** referred everyone to the DRAFT Inventory of Equine Facilities that was distributed electronically. The inventory identifies:

- Private Facilities Open to the Public
- Association Facilities Open to the Public
- State and Federal Facilities Open to the Public

The DRAFT list was prepared by the DNRE student intern who has now completed his semester. The information is still in DRAFT form and is not yet been completed. The DNRE is looking to the ETS to build off from the data.

**Chair Batie** recognizes that the inventory of existing facilities is required as a foundation to build off from. It is hard to talk about connections without base information. Reference was made to the MDOT Regional Bicycle Facilities Maps.

**Jim Radabaugh** indicated that 10 MDOT regions bike maps have been completed. Some of the state rail-trails are included on the maps. The DNRE and MDOT exchange data and the large map of trails displayed at the first ETS meeting was actually a composite of these shared data files.

**Chair Batie** asked if there were resources to complete the plan.

**Jim Radabaugh** stated that the NPS had been put on hold pending the ETS establishment of formative direction. Then the DNRE can focus NPS on specific tasks to support ETS Goals and Objectives.

**Paul Curtis** informed the ETS that NPS now has a student intern that could be involved in the NPS work with the DNRE.

**Richard Kleinhardt** referred to the number of trail riders and emphasized that if only a small percentage of the total were riding in either late summer or early fall you could have a significant number of riders and demand on facilities. He questioned if the current number of individual campsites and the accommodations at group campsites was adequate.

**Jim Radabaugh** responded that you need to look at the number of users of a facility and the capacity. The DNRE does not design and provide for peak attendance. Efforts would be better focused on making the public aware of the all the other facilities that are available to disperse use at peak times.

**Mike Foote** indicated that MHC has volunteers that can obtain and provide data to the DNRE to update maps and data fields. This wouldn't most likely happen until June when volunteers are able to get out in the field.

***REVIEW OF OPEN MEETINGS ACT REQUIREMENT:***

The Open Meetings ACT – ACT 267 of 1976 was distributed and reviewed.

**Jim Radabaugh** stated that the ETS must comply with the Open Meetings ACT. He reviewed pertinent definitions and the sections concerning meetings, quorum, and record keeping requirements.

***REGIONAL SURVEY OBJECTIVE ASSIGNMENTS / QUESTIONNAIRE INSTRUMENT AND PROCEDURES / DEADLINES:***

**Chair Batie** stated that the ETS had agreed to this concept of regional surveys of associations. She referred everyone to the draft survey templates that had been developed and distributed for review. There were separate surveys for Associations, one for those who maintain and one for those who just ride. She announced that the MHC has volunteered to help collect data at the Horse Expo. There was a draft of the Horse Expo survey distributed as well. She asked the group for their thoughts.

**Mike Foote** responded by saying that the last time a survey was taken one take away was that a survey needs to be short and simple to get the best response. If it is too long people won't take the time to fill it out.

**Chair Batie** worked though the survey with the group seeking input. She stated that there are three surveys; one for individuals, one for associations who just ride, and one for those who help to maintain facilities. She said she considered offering just one survey but feared much valuable input would not be captured and it was difficult to make one survey instrument pertinent to all uses. The group agreed on multiple surveys. Two draft surveys (attached) were reviewed. Suggestions and modifications were made. Typical modifications that apply universally (to multiple surveys) will be made on all drafts. There was detailed discussion on funding and a discussion about when funds could be used for improvements and/or leveraged

by asking for more DNRE assistance. Reference was made to protected funds similar to the snowmobile program.

**Jim Radabaugh** provided clarification stating that snowmobile funding is based on the premise that funds are made available to non-profit volunteer groups and local units of government through grants that support their development and maintenance of trails on private and public lands.

**Chair Batie** asked Jim Radabaugh to draft language that would be more accurate about the possible use of any funds raised. The discussion on funding continued with details concerning proper wording. She reminded the ETS that they would be personally asking the questions and recording the responses for the association surveys.

**Richard Kleinhardt** stated that the states of NJ, PA, and NM pay to ride in wildlife/game areas and provided a handout with more details to the group.

There was discussion on the possibility of the Recreation Passport as a potential source. The question was asked regarding the details of the program and what it funded. The Recreation Passport is a program that was launched in October, 2010, and replaces the State Park permit.

**Jim Radabaugh** indicated that there is no specific dedicated percentage of the fund set aside exclusively for equine type expenditures. Seven percent goes towards Forest Recreation, including all nonmotorized trails some of which could benefit trail riders.

**Mike Foote** commented that the Recreation Passport initiative was a lengthy and involved process that was developed over several years. He recommended that the Passport not be pursued as a potential source of funding for equine recreational facilities.

**Chair Batie** indicated it would be eliminated from the survey.

The ETS moved on to discussion concerning the survey for individuals. It was decided that there needed to be an explanation who was actually doing the survey, and what the various roles were for the ETS and MHC (who offered to compile the results). There was additional discussion on specific wording of the various questions.

**Chair Batie** offered to revise the surveys based on the input and asked Mike Foote for assistance in making it simple with boxes to check where appropriate. The discussion regarding fees and the generation of funds continued.

**Jim Radabaugh** suggested that Chair Batie contact Bill Manson, Executive Director for the MI Snowmobile Association (MSA). They are constantly polling their membership and would be a good source of information for the ETS to learn from.

**Chair Batie** indicated she had been contacted by individuals representing the Michigan Equine Partnership (MEP) and intended to meet with them in the future. When she meets with them she will report back to the ETS.

**Richard Kleinhardt**, in reference to funds, asked where initial dollars would be spent when they were collected and asked if the snowmobile program was broke.

**Jim Radabaugh** clarified that the snowmobile program is not broke. However, often in many programs the wants and needs exceed the capacity of the current available funding in the program. Regarding the questions of where first equine program dollars will be spent, he reminded the ETS that they need to identify goals and objectives to determine where funds (if collected) should be spent.

**Mike Foote** acknowledged that it was up to the ETS to make recommendations and determine priorities. If fee based funds were to be pursued, the proposal and implementation of a fee based mechanism would probably take three years to implement. He would like to see the MHC initiate the effort. It would be better received if a fee structure were initiated and came from the equine community not from the legislature.

**Richard Kleinhardt** asked if a dedicated fund source would make a difference in opening closed areas that were previously opened.

**Mike Foote** answered yes. He has worked with the DNRE in the past and experienced results. All closed trails would not likely to be reopened. However, compromises were most likely achievable.

**Chair Batie** concluded discussion on the surveys. She offered to make the revisions discussed and circulate to back to the group including the third survey which was not sent with the previous materials. She asked Richard Kleinhardt to work on wording for bridle fee questions.

**Chair Batie** polled the ETS about the next meeting date scheduled for March 10, 2011. Some members have conflicts. Alternative dates were discussed. The DNRE will send out an e-mail regarding everyone's meeting date availability and report back to the Chair before the next meeting date is confirmed.

#### ***INITIAL DISCUSSION OF RECOMMENDATIONS IN 2011 REPORT:***

##### ***State and Game Area Equine Access and Use***

**Chair Batie** began the discussion questioning the reference to "scientific findings" and could this phrase refer to expert opinion as well as published studies? She noted that on some of the SGA reviews, there does not appear to be much transparency on the source and quality of the data. She expressed concern over making recommendations that put Pittman Robertson and Dingle Johnsons (PR & DJ) funding at risk. She indicated that, in her opinion, the MSTAC would not support any recommendation from the ETS that put such funds at risk. Chair Batie also noted that there appears to be considerable mistrust over what is being said with respect to SGA and PRC reviews of Land Use Order Documents (LUOD). There is a need to resolve issues if the ETS is to make appropriate recommendations.

**Chair Batie** suggested two potential approaches:

1. Meet with the appropriate federal representative to gain a better understanding on what appropriate use and access means for PR & DJ lands.
2. Develop recommendations pertaining to how equine use decisions are made. Define the criteria for use and access as well as transparency of any decisions.

**Mike Foote** referred to a phone call he had with US Fish and Wildlife Service (Service) concerning the Pigeon River Country (PRC). The problem was not with the initial horse use on these lands but when it became viewed as an overuse. If the LUOD were rewritten - not so much to return to historical uses, but with a clear vision of what is possible in the future. This approach may be the easiest way to resolve the issue.

**Jim Radabaugh** offered clarification on the PRC LUOD. There are provisions for horse use. The ETS has the opportunity to review areas that have been closed to horses as part of their efforts.

**Earl Flegler** added that the Service always has oversight for areas where restricted funds are involved.

**Dan Eichinger** added that if areas are reviewed and use revisions are recommended it will have to be reviewed by the feds.

**Mike Foote** suggested the ETS gain an understanding of what would be acceptable. There is no point in going through the efforts just to have recommendations that have no chance of being implemented. If there are restrictions, what might be done to lessen the restrictions?

There was much additional discussion on the history and process concerning the PRC and the LUOD.

**Jim Radabaugh** pointed out that the review of the PRC horse use falls under a broader effort which is looking at access management for all uses in the PRC, and that there was equine use representation on the group.

**Jan Herrick** asked how the public and the ETS voice is heard in this PRC process.

**Jim Radabaugh** indicated that the public input portion of the process had already taken place and referred the ETS to the Natural Resources Commission (NRC) Memo dated May 10, 2010 (which was distributed and discussed by Chief Boyd at the September 23, 2011 ETS meeting). There will be an additional opportunity when the Access Management Plan is presented to the NRC.

**Jan Herrick** asked who was representing the equine interest for the PRC Access Management group.

**Richard Kleinhardt** indicated he was asked to participate but was unable to due to out of town commitments. He asked Norma Layne to represent him.

**Dan Eichinger** broadened the discussion on the PRC stating that several events led to changes in the PRC. That the grantor/grantee relations are consistent and fieldtrips to partnership sites are routine for all lands where federal funding is involved. On one of the fieldtrips to the PRC, the equine use was viewed as uncontrolled. Another factor influencing decisions in the PRC is the "Concept of Management." He referred to the comprehensive process that occurred involving the review and update of this document. It considered many land use issues, including horse use. There were multiple changes implemented through several LUOD and that horse use was just one of the recreational uses that were modified through this process. Information on this document, including background and history on recent changes in the PRC as a special management unit for the DNRE, can be found on the DNRE website at: [http://www.michigan.gov/dnr/0,1607,7-153-30301\\_30505\\_46994---,00.html](http://www.michigan.gov/dnr/0,1607,7-153-30301_30505_46994---,00.html)

**Chair Batie** brought the discussion back to Mike Foote's recommendation and asked "how do we get traction and what can we do?" What is the process?

There was additional discussion concerning how the ETS should weigh in on this matter.

**Motion offered by Jan Herrick supported by Richard Kleinhardt to request a meeting with Director Rodney Stokes to discuss the PRC Access Management Plan and other equine issues, and also seek guidance for best direction so ETS can be most effective. The motion passed unanimously.**

**Chair Batie** offered to develop the letter and will circulate before sending to Director Stokes with a copy to MSTAC Chairman Frank Wheatlake.

**Mike Foote** requested clarification and asked if the requirements for the review of the PRC per the Natural Resources and Environment Protection Act Part 721 Michigan Trailways had been fulfilled. **Dan Eichinger** responded yes.

**Mike Foote** said many in the equine community do not believe that to be true. There is a lack of general understanding and it is important for people to know that the review is viewed as fulfilled. This concern should be discussed in the conversation with the director.

**Chair Batie** asked the ETS to continue to develop and prioritize their recommendations.

**Jan Herrick** indicated that it would be helpful to know what the current rules and regulations for lands.

**Annamarie Bauer** referred the ETS to the updated list that had been compiled and distributed today concerning state lands that were previously open to horse use that are now closed or are threatened.

**Earl Flegler** indicated that most State Game Areas typically fall under the same Land Use Rules concerning horse use and in most instances horse use is not allowed. However, there are exceptions.

**Richard Kleinhardt** referred everyone to the "Report on: MODELS FOR EQUINE-BASED USE OF STATE FISH & WILDLIFE LANDS" Submitted to: Deb Balliet, Chief Executive Officer, Equestrian Land Conservation Resource. (Copies distributed to the ETS). Information available at: [http://www.elcr.org/resources/resc\\_31.pdf](http://www.elcr.org/resources/resc_31.pdf)

***MARKETING AND PROMOTIONAL EFFORTS:***

Discussion was postponed until a future meeting due to severe weather moving into the state.

**STAFF REPORTS**

**Earl Flegler** provided an update on the review on horse use for Lost Nations. The public meeting was held on January 18, 2011. He provided the attached summary noting that it is still in draft form and that it will not be finalized until they have incorporated the public comments.

**Jim Radabaugh** mentioned the upcoming Michigan Parks and Recreation Association conference in Traverse City, and that one of the days would focus on trails.

**PUBLIC APPEARANCES**

**Judy Schlink** suggested that the ETS would get a higher number of surveys returned if they offered multiple points of collection. She questioned the distribution of funds if a bridle tag fee is implemented stating the MTRA pays for and does work...then it becomes property of the state.

**Les Russell**, District Ranger US Forest Service introduced himself as their representative that will comment on appropriate issues. He also asked to be given an opportunity to provide input on information pertaining to federal land facilities when included on information for the public and referred to the "Where to Ride List" provided on the DNRE website.

**Chair Batie** thanked everyone for attending and adjourned the meeting at 2:25 p.m.