

**Minutes
Nonmotorized Advisory Workgroup
November 14, 2017**

NAW members present: John Morrison, Mary Bohling, Carol Fulsher, Jim DuFresne, Andrea Ketchmark, and Melissa Werkman. Absent: Nancy Krupiarz, Kristen Wiltfang.

DNR-PRD staff: Paul Yauk, Nikki Van Bloem, Barbara Graves, Kriss Bennett, Emily Meyerson, Nicole Toman, Jeff Kakuk, Dakota Hewlett, Megan LeMarbe, and Scott Whitcomb.

Guests: Bob Wilson, MTGA; Mike Smith, MDOT; Emily Leach, Superior Watershed Partnership/Great Lakes Conservation Corps; Susan Faulkner, Huron Waterloo Pathways; Barry from Branch County.

John Morrison, acting Chair, called the meeting to order at 1:30 p.m. He asked the audience if anyone wished to make a public comment. Emily Leach did not have a comment but wished to introduce herself, to which she did. There were no further public comments.

ACTION ITEMS

Mary Bohling moved to approve the November 14, 2017 meeting agenda. Andrea Ketchmark seconded and it was supported unanimously.

Carol Fulsher moved to approve the August 9, 2017 meeting minutes. Mary Bohling seconded and it was supported unanimously.

BUSINESS ITEMS FOR DISCUSSION

- NAW Term Expirations and Election of a New Chair – Nancy, Andrea, Carol and Mary have terms expiring in January. Andrea and Mary would like to continue on; Nancy and Carol will not. The committee recommended Bob Wilson fill Nancy's spot for the Rail Trails representative. Carol and Emily will find suggestions to fill Carol's spot for the Cross Country Skiing representative. Mary Bohling moved the MOTION to recommend John Morrison take over as Chair of the committee. Andrea Ketchmark seconded, and it carried unanimously. The Department will present these recommendations to Frank Wheatlake, Chair of the Michigan Trails Advisory Council.

UPDATES

- Bob Wilson from MTGA gave a legislative update (summary attached).
- E-bike Legislation (included in Mr. Wilson's update).

- P.A. 288 – Scott Whitcomb gave an update on the forest roads inventory (see attached summary).
- Pure Michigan Administrative Rules – Nicole Toman gave an update on the Administrative Rules. They evaluated comments and made changes based on suggested changes. She will let everyone know of public meetings. (See attached).
- Iron Belle Trail – Kriss Bennett gave an update on the Iron Belle. Facilitators are working hard and things are going well. Trust Fund applications were put in and they should find out in December if those will be awarded. Key projects are going before the fundraising committee. They are putting together another mini-grants round. Although you do not see daily mileage completion figure increases, they are making great progress.
- New Trail Employees – Paul Yauk Introduced Dakota Hewlett, who will be working with Kriss on the Iron Belle, filling Melissa Buzzard's vacancy. Megan LeMarbe who will be the new non-motorized grants coordinator, filling Mark Mandenberg's vacancy.
- Trails Survey – Dakota Hewlett reported on the non-motorized surveys. The surveys were open from October 26 – November 6. Equestrian responses were a little less than 700. Biking received 1,400 responses, and hiking 486. He will provide a more in-depth report in the future. Discussion started on how to better share information between the non-motorized communities. Will be an action item on the next agenda.

NEW BUSINESS

- Roundtable Updates
 - Andrea Ketchmark reported that she is entering her fourth month as Executive Director. Next year they will be celebrating the 50th Anniversary of the National Trails System.
 - John Morrison reported that they continue to work on their strategic plan.
- 2018 Meeting Dates: 2/7/18 (MParks - Detroit), 5/22/18, 8/14/18, 11/13/18 (Conference Calls).

Andrea Ketchmark moved the motion to adjourn; Carol Fulsher seconded and the motion carried. Meeting adjourned at 3:30 p.m.

Legislative Issues as of November 13, 2017

1. E-bike bills signed into law on Monday, October 30. Ceremonial bill signing being arranged.
2. Jim Conboy and I have prepared a Q and A on e-bike laws for easier transition! MPZC is using it!
3. SB 596 (Hansen) **Passed Senate Unanimously.** This bill will put key issues before both new and existing trailways councils as they seek to manage multi-jurisdiction trails. Trailways managers will review a plan to provide for consistent signage, maintenance, history telling and trail etiquette. Also, the bill implements the new history guidance document that Sandra and Dan Spegel are working on for trails and declares that trails and trail amenities are a public good and hence clears up the confusion as to whether local units can fund them with general dollars. Next step House Tourism Committee.
4. SCR 27 (Warren) **Passed the Senate unanimously. This urges the DNR to create a statewide water trail program with a grant fund to help support local water trails. Next step House Tourism Committee.**
5. SR 93 (Hune) **Passed the Senate unanimously.** Urges DNR and MDOT to commit all practical resources to finishing GLTL Route 1 by summer of 2019.
6. HR____ (LaSata). **To be introduced in two weeks.** Will urge commitment of state, federal and local water trails to develop a water trail program that emphasizes broadened access to our water trails and to focus on safety and natural resources education when water trails are being developed. Will go to House Tourism Committee.
7. SR____ Annanich. **To be introduced in two weeks.** This resolution will support Flint and Shiawassee Rivers as National Water Trails. Senate Outdoor Recreation Committee.
8. SR ____ (Knezek)—**To be introduced in two weeks.** This resolution urges support for new Joe Louis urban trail in Detroit—worked on this with Todd Scott and Senate Dem staff. Senate Outdoor Recreation Committee.
9. Bike safety bills—two separate packages moving in both Houses. Cole has created a workgroup. (5-ft, driver training). Senate package is on Senate floor. **House package is in House Transportation Committee.**
10. Bike carrier obstruction bills-two different House bills. Either is acceptable. HB 5100 reported from committee. **HB 5100 is on the House floor.**

11. Hernandez bill is an issue—removes 1% mandate for spending on non-motorized transportation projects. Stopped it so far! **Still in Transportation Committee.**
12. NRTF issue--AG opinion #7299 confirms that only the NRTF board may recommend projects for expenditure. Legislature retains right to approve or disapprove, but may not add new projects. Helps to settle legislative intervention. Premised on the belief that the legislature specifically gave this exclusive authority to the NRTF Board in part due to past problems with the Kerry Kammer land fund and legislative raids. Attempt to isolate the fund process from politics.
13. Quality of Life Bond--\$2.25 Billion—MITA, Recycling Coalition, MSA, MEC and FB and others coming. Biggest chunks for drinking water grants and cleanup. We have a \$50 m stake in this with motorized users. Also state and local parks, recycling and lead abatement and invasive species. **Will have draft bills in two weeks.**
- 14.



Road Inventory Project Update

michigan.gov/forestroads

November 9, 2017

Public Act 288 Background

Public Act 288, signed by Gov. Rick Snyder on Sept. 28, 2016, changes rules for:

- ORV use on state forest roads
- Use of ORVs by hunters to retrieve big game
- Use of pack and saddle animals for the retrieval of big game

In addition to these changes, PA 288 also requires that the DNR conduct a comprehensive inventory of all of the state forest roads and map them.

Key Messages

- The DNR is conducting an inventory of all state forest roads:
 - In the northern Lower Peninsula by Dec. 31, 2017
 - In the UP and southern Lower Peninsula by Dec. 31, 2018
- At the end of 2017, maps of the northern Lower Peninsula will be published online to let users know what's open for usage. Maps will be updated every year.

Project Completion Timeline

- DNR Staff from all resource managing Divisions completed initial classification on all forest roads in NLP. Staff in UP started classification process in March 2017. About 50% of UP compartments are complete.
- Initial proposal for roads open and closed to ORV use was open for public review and comment using a variety of methods in June and July 2017 including stakeholder meetings, public meetings, emails, letters, and an online web map designed to accept comments on specific roads. Two tribal consultation meetings were also held in NLP.
- Department staff considered public comments and put forth a final proposal on road restrictions that is being reviewed by the DNR Director.
- Public comments are being accepted throughout the duration of the project, including a second public comment period that is currently underway from October 2nd-November 16th. Final decisions on roads open and closed to ORVs will be made at the December 14th NRC meeting.
- Maps will be published online for NLP by **December 31, 2017**

Initial Public Input Results (June 1-July 15)

- 1,049 comments were submitted.
- Approximately 50% of the commenters disagreed with initial staff recommendations, 34% agreed, and 16% did not take a position.
- DNR staff initial proposal contained 86% be open to ORV use and 14% remain closed to ORV use.

Final Public Input Phase (October 2-November 16)

DNR staff final proposal contained 84% be open to ORV use and 16% remain closed to ORV use

As of October 25:

- 447 comments received
- Approximately 52% of the commenters supported final staff recommendations, 32% disagreed and 16% did not take a position.
- A majority of comments to date have been supportive of roads opened to ORVs
- There continues to be support for ORV closures in Special Management Areas
- Emerging issues: Deward Tract, Consumers Energy Lands, QA/QC concerns

Themes of Public Concern:

- Concerns regarding resource damage including erosion and increased sedimentation along roads near rivers or streams
- Concerns regarding enforcement
- Concerns regarding special management areas
- Concerns regarding user conflict when recreational trails are located on stateforest roads
- Concerns about noise from ORVs, loss of quiet, and potential wildlife impacts
- Concerns regarding lack of user access and connectivity in areas where roads are recommended to be closed
- Concerns about lack of funding to appropriately implement PA 288

Next Steps:

- DNR is developing monitoring methods for law enforcement complaints and resource damage.
- DNR is developing procedures for future opening or closing of roads to ORVs.
- DNR is planning how to resource the installation of signs on the ground.

Visit michigan.gov/forestroads for more information about PA 288, the DNR's road inventory process, detailed statistics on roads and public input and learn how you can provide input.

DEPARTMENT OF NATURAL RESOURCES

PARKS AND RECREATION DIVISION

PURE MICHIGAN TRAIL, WATER TRAIL, AND TRAIL TOWN DESIGNATION

Filed with the Secretary of State on

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of natural resources by section 72112 of 2014 PA 210, MCL 324.72112, and Executive Reorganization Order Nos. 1991-22, 2009-31, and 2011-01, MCL 299.13, 324.99919, and 324.99921)

R 324.1401, R 324.1402, R 324.1403, R 324.1404, R 324.1405, R 324.1406, R 324.1407 of the Michigan Administrative Code are added, as follows:

R 324.1401 Definitions.

Rule 1. (1) As used in these rules:

(a) "Access site" means public or private land where it is legal for the general public to access, launch, and land a boat into and from its adjoining waters. Access sites will have at least some legal parking along a public roadway. Access sites may be rest areas and may include amenities.

(b) "Easily accessible" means within two miles of the trail unless otherwise designated in these rules.

(c) "Formally adopted" means adopted by resolution of the governing body overseeing the trail or the city, village, or township seeking a Pure Michigan designation.

(d) "Lodging" means a place to sleep, including but not limited to, a designated campsite, hut, shelter, or other licensed overnight accommodation.

(e) "Rest areas" means places where it is permissible to leave the water and may have amenities such as restrooms, trash receptacles, picnic tables, etc. Rest areas may be access points.

(f) "Staging area" means public or private land where it is legal for the general public to assemble and access a right-of-way adapted to foot, horseback, motorized, or other nonmotorized travel and provides some legal parking along a public roadway.

(g) "Trailhead" means public or private land where it is legal for the general public to access a right-of-way adapted to foot, horseback, motorized, or other nonmotorized travel and provides some legal parking along a public roadway.

(2) A term defined in Part 721 has the same meaning when used in these rules.

R 324.1402 Nomination process.

Rule 2. (1) To nominate a trail, water trail, or trail town for a Pure Michigan designation, an individual, local unit of government, authority, or non-profit shall complete an electronic form available on the department's website and include:

January 23, 2017

(a) A description of how the nominated trail, water trail, or trail town meets the requirements identified in section 72103 or section 72104 and these rules.

(b) A description of the natural resources, cultural resources, historic resources, attractions to non-resident users, or any other factors that make the trail, water trail, or trail town an iconic example of its type.

(c) For a trail, a description of whether the trail, water trail, or trail town meets standards determined and approved by the department.

(d) For a trail town nomination, evidence of sufficient funds to erect and maintain an official Pure Michigan Trail Town sign and logo.

(e) If the nominated trail has not been completed, evidence of sufficient funds and governmental support to complete the trail within one year after receiving a Pure Michigan Trail designation.

(2) The department shall review the nomination. If the nomination meets the criteria identified in section 72103 or section 72104 and these rules, the department shall forward the nomination to the Michigan Economic Development Corporation for a Pure Michigan license.

(3) Upon receipt of a Pure Michigan license, the department shall proceed with the process as provided in Part 721.

R 324.1403 Requirements for designation; trail; water trail.

Rule 3. (1) The department shall consider a trail for a Pure Michigan Trail designation if the trail meets the requirements established in Section 72103, and the following additional requirements:

(a) The trail is open for use by the public and publically available access sites, staging areas and/or trailheads and rest areas are appropriately spaced for the type of trail.

(b) The trail is identified on a website with a map that can be printed and is appropriately signed to make the user aware of the following:

(i) The location and length of the trail,

(ii) Hazards and level of difficulty of the trail, and

(iii) Amenities related to the trail, including easily accessible access sites, staging areas, and/or trailheads, rest areas, lodging, and eating facilities, and other recreational opportunities.

(c) The trail is appropriately signed, including pictures as appropriate, to:

(i) Make trail users aware of their location on the trail,

(ii) Make trail users aware of easily accessible access sites, staging areas, and/or trailheads, rest areas, trail amenities, lodging facilities and eating facilities as well as trail hazards, towns, emergency contacts, and,

(iii) Encourage safety and respect for the environment.

(d) Unless the trail is primarily a looped trail or otherwise intended for the user to return to their vehicle in one day or less, lodging facilities appropriate to the type of trail users are available at least:

(i) Every ~~10~~12 miles for trails primarily used by walkers.

(ii) Every ~~10~~12 miles for trails located upon water.

(iii) Every 15 miles for trails primarily used by cross country skiers.

(iv) Every ~~20~~40 miles for trails primarily used by bikers.

(v) Every ~~20~~40 miles for trails primarily used by equestrians.

(vi) Every ~~50~~100 miles for trails primarily used by snowmobile or ORV riders.

(e) The trail is designed so that increased use of the trail will not degrade the local experience, cultural resources, or the environment. Applicants shall identify the designs applied to ensure sustainability of the trail.

(f) At a minimum, for a water trail the water body shall meet water quality use designations for Partial Body Contact standards, as established by Michigan Department of Environmental Quality, in addition to the requirements established by Section 72103(3)(c).

(g) The trail has a formally adopted plan that:

(i) Identifies the existing and planned amenities associated with the trail and how those amenities will be maintained and enhanced.

(ii) Establishes a schedule for the maintenance of the trail that identifies funding sources and the party(ies) responsible for maintaining the trail and discouraging vandalism.

(iii) Includes programming and educational activity associated with the trail that allow or increased enjoyment of the trails, understanding of the natural, cultural, and historic resources related to the trails, boating skills, outdoor ethics and efforts to improve the quality of the waterway and its water.

(iv) Identifies a mechanism to evaluate the economic impact of the trail at least every 5 years that includes an understanding of users and where they live, impact on area businesses, and money spent in conjunction with trail use.

(v) Includes a marketing plan for the trail.

(h) The trail has a resolution of support of the designation of the trail as a Pure Michigan Trail by the local unit of government, authority, or non-profit that is primarily responsible for the trail.

(i) The trail is supported, managed, and maintained by at least one organization. If more than one organization they shall~~one or more organizations that~~ have entered into a written agreement with each other. The organizations shall be broadly representative of the community, including recreation, education, conservation, heritage, business, public safety, health, and/or government organizations and shall obtain permission from all persons or entities that have an ownership interest over any portion of the trail.

(j) The trail is part of the statewide trail network,~~, or seeking designation as a part of the statewide trail network.~~

(2) The department may consult with the Michigan Economic Development Corporation when considering a trail nomination for designation as a Pure Michigan Trail.

R 324.1404 Requirements for designation; trail town.

Rule 4. To be considered for a Pure Michigan Trail Town designation, a city, village, or township shall meet the requirements established in Section 72104 and the following additional requirements:

(a) The city, village, or township has a formally adopted plan for marketing the trail(s) and evidence of implementation of that plan. The plan may be part of a trail marketing effort that includes the state of Michigan, other trail towns, or other trail marketing efforts.

(b) The city, village, or township has a plan to evaluate the economic impact of a Pure Michigan Trail Town designation every 5 years.

R 324.1405 Application review; notification; designation.

Rule 5. The department shall review applications for a Pure Michigan designation for consistency with the requirements established in Part 721 and these rules, and notify the petitioner whether the director approved the Pure Michigan designation. The department shall keep a list of the active Pure Michigan Trails, Water Trails, and Trail Towns on its website.

R 324.1406 Generally accepted trail standards.

Rule 6. The generally accepted trail standards shall be determined and approved by the department. ~~and may include standards for the National Water Trails System.~~

R 324.1407 Expiration, re-designation, revocation.

Rule. 7. (1) A Pure Michigan Trail or Trail Town designation shall expire every 5 years.

(2) Unless re-designated, all trademarked Pure Michigan materials shall be removed by the governing body overseeing the trail or the city, village, or township within 60 days of expiration of the Pure Michigan designation.

(3) A nominee may seek re-designation upon a form available on the department's website.

(4) Before approving a nominee's re-designation, the department shall inspect the trail or trail town and evaluate the success of the trail or trail town and related marketing plans by reviewing the economic impact report.

(5) If after inspection and evaluation the department determines that the trail or trail town warrants re-designation based on continued compliance with these rules, the department shall recommend to the Michigan Economic Development Corporation the licensing of the trail or trail town with the Pure Michigan brand.

(6) A Pure Michigan Trail or Trail Town designation may be revoked by the director pursuant to Part 721.